



Speech by

JEFF SEENEY

MEMBER FOR CALLIDE

Hansard 11 November 2003

Ms P. HANSON; Mr D. ETTRIDGE

Mr SEENEY (Callide—NPA) (Deputy Leader of the Opposition) (3.57 p.m.): I rise to support the amendment moved by the Leader of the Opposition and the member for Southern Downs. The amendment that was moved by the Leader of the Opposition on behalf of the opposition seeks to amalgamate the motion that the government moved with ours. That is something that I think some previous speakers in this debate seem to have not grasped as fully as they might. What our amendment does is to seek to amend the two motions before the House so that there can be bipartisan support for what I think everyone who has spoken in this debate so far, with the obvious exception of the member for Lockyer, would like to see, and that is some confidence restored in the justice system in Queensland so as to ensure that there can be no question about the integrity of the justice system and there can be no proliferation of the type of crazy conspiracy theories that the member for Lockyer likes to promulgate in this place.

Interestingly, the only reason I believe the government has a motion before the House today is that it knew that we were going to move a motion. We made that very clear yesterday in the public debate. The Leader of the Opposition made it very clear that the opposition today would be seeking to put a motion before the parliament to achieve this end. The Premier came into the House this morning and moved a motion in an attempt to short-circuit that move and, to a very great extent, the motion progresses in the direction which we believe the parliament should go, which is why we are prepared to amalgamate it with ours. But the one thing that it does not do, as the member for Southern Downs pointed out quite conclusively in his contribution to the debate, is require the CMC to have an inquiry. It asks the CMC to consider and advise regarding the comments made by the Queensland Court of Appeal.

Our motion is about ensuring that there cannot be a play on words, that the end that all speakers in this debate so far have supported and the end that I believe the general public out there in the electorate would support wholeheartedly is achieved by what we do in this parliament today. The amalgamated motion will achieve that end. It will achieve the end that everybody in Queensland, I believe, wants to see.

The aim is to investigate any possible failing in the justice system. There is no doubt that we need to have confidence in that system. I certainly would not disagree with much of what the Premier said this morning about the fact that we need to be able to have confidence in what is a pillar of our community. We need to be able to have confidence in the justice system and everyone needs to be able to have confidence in the workings of that justice system. Unfortunately, the high profile case that has led to this debate has called into question whether that confidence can be reasonably held. A lot of people in the community quite rightly now have some doubts about whether or not the confidence that we should have in the justice system can be legitimately held.

It is right that some cases are reversed on appeal. There is no question about that, and the member for Ferny Grove outlined that in his contribution previous to this one. The question that we need to consider is: what is different about this one? There is no doubt that there are a number of cases where the Court of Appeal reverses decisions. That, as other speakers have pointed out, is the very structure of the legal system. However, that is almost always where new evidence is introduced, where new developments are brought forward in the case or where matters are shown to have been not properly considered—and I invite my learned friend opposite to set me straight if that is not the case. In almost every case about which I have been able to find any advice where the Court of Appeal

has overturned a decision of the lower courts there has been some form of new development. I point out to my honourable friend that if it is not in every case, that is what happens in by far the majority of cases.

It is quite right and proper that the legal system is set up that way. But what happened in this case was quite the opposite. There was no new material introduced. It was a very short hearing and the Court of Appeal reversed the decision very quickly. As the previous speaker indicated, if people read the judgment of the Court of Appeal they will see that it did so with some comments that should worry everybody who is interested in maintaining confidence in the legal system. If ever there were a time when that should not have happened it is in this case because it was a case involving a high profile figure where there were some obvious political ramifications.

It is a situation where the office of the public prosecutor should have been 100 per cent sure of the case because of those political implications. We would like to think that they were 100 per cent sure of their case irrespective of who was involved in the particular case. In this case, if in no others, that should have been their aim, to be 100 per cent sure of the basis of the case which they brought. The fact that it was so quickly and summarily rejected by the Court of Appeal would indicate that that was not the case. It should be obvious that if the office of the public prosecutor can get it so wrong in this case it would indicate that everybody else is at risk of being treated the same. We need to look at it from that point of view. We need to take the politics out of it. I agree with the Premier when he says that, although he says it but he does not do it.

We need to take the politics out of it. We need to think about the ramifications of this for the average citizen. It is not about Pauline Hanson or One Nation. I certainly would not be standing up here defending them because of their political allegiances. I, like most other members of this House, reject their politics and have done so for quite some time. We have fought against them since 1998 and nobody more so in this House than me. I believe they have destroyed the political power of rural and regional Queensland. I have a particular personal motivation for fighting against the politics that One Nation have promoted to the electorate so disgracefully.

I particularly disagree with One Nation in the way they have tried to get rid of Pauline Hanson from their organisation over the last three years but have now turned around and tried to profit from this situation. They even removed her name from their party's official title, but now they are scurrying back to try to use this situation as some sort of an opportunity to regenerate themselves. I think the contribution that has been made by the parliamentary leader of One Nation in this debate and in the public debate has been quite outrageous.

Even though I disagree with their politics and I certainly disagree with the politics of the two people who are party to this case, I recognise the importance of justice and fairness in the Queensland justice system. I recognise the importance of being able to have confidence in the integrity of that justice system. Clearly, this case does nothing to support anyone having confidence in the integrity of that system. The judge's comments in the summation of the case related to both the prosecution and the defence. The prosecution of the case was the government's responsibility. It was the responsibility of the public prosecutor. The defence of the case was obviously up to Hanson and Ettridge. I just do not believe the assertions that those two people could not afford proper counsel, but it may well be so that ordinary citizens may not be able to afford the type of counsel that is necessary to carry their case at that level in the legal system. In that case, the public prosecutor has a responsibility not to financially ruin people with accusations that cannot be sustained and cannot be sustained through the court system. The costs, as I found out to my surprise, are not recoverable in that situation. That in itself raises a whole lot of questions. It is probably why we have the whole system of committal hearings.

This case has led to a resurgence of the type of conspiracy theories on which One Nation has been based since their inception. I have heard them all. This inquiry, if nothing else, should be about reducing the opportunity for those conspiracy theories. They are probably never going to go away, but we cannot allow the failing of the justice system to somehow allow those conspiracy theories to reignite the type of crazy politics we have seen One Nation promote throughout the electorate in recent years. They have done a huge amount of damage to politics—to the whole political fabric right throughout Queensland. It is one of the strange twists of irony that they have ensured that the Beattie government has 66 seats in this House. That in itself is not healthy for democracy.

Ms Molloy: If your lot was in that spot, wouldn't it be?

Mr SEENEY: I say to the member for Noosa that I personally would suggest it would not be healthy, irrespective of who had that majority in parliament. That is not a healthy situation in any democracy. She might not believe that I would hold that view, but it is a view that I do hold. I do not think it is healthy in any democratic parliament to have that sort of a majority.

This debate today is about ensuring that those conspiracy theories that were the basis of that political movement are not regenerated by what can be seen to be a failing in the legal system. It is the responsibility of this parliament to ensure that that legal system has the integrity that can give the

people of Queensland the necessary confidence in it. It is a continuation of the maladministration of this government that this is the latest in a line of departments where we see that the administration of the department is certainly wanting. We see that, like so many other departments such as the Department of Families, the focus has been on anything but delivering the service that the department has as its core responsibility. If nothing else, this inquiry needs to look at why that has been allowed to happen and what the government needs to do to rectify that situation.

I believe that the motions before the House can be carried in their amalgamated form. It would be an expression of bipartisan support from this parliament for an inquiry into this situation to ensure that there can be no question about the integrity of Queensland's justice system and Queenslanders as a whole can have confidence in that justice system. I think that is the aim and wish of every member of this parliament. I commend the amendment of the member for Southern Downs to the House.