



Speech by

Lawrence Springborg

MEMBER FOR SOUTHERN DOWNS

Hansard Wednesday, 18 August 2004

APPROPRIATION BILL; ESTIMATES COMMITTEE B

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (3.18 p.m.): I rise specifically to touch on the portfolio of Attorney-General and Justice which was reviewed by Estimates Committee B and most particularly the issue of the powers and the role of the Attorney-General in prosecution decisions. I raised a number of matters regarding that during the course of the committee hearing—that is, issues that concerned me about the overall conduct and the overall policies of prosecutions in Queensland.

An issue that concerns me very, very greatly is the ongoing Heiner issue in Queensland, particularly in light of what we have seen recently with the Bishop report and some inconsistencies in the application of the law in this state. I have concerns that in 1990 a Labor cabinet made the decision to shred documents—for whatever reason—that had been requested for evidentiary purposes. It involved the alleged abuse of children in a detention facility in this state. That matter has never, ever been properly cleared up. I think what we saw the other day just proved that again.

The TEMPORARY CHAIRMAN: Order! The Leader of the Opposition is digressing from the appropriation bills. I suggest that he turn his attention to them.

Mr SPRINGBORG: No, this is to do with the powers and the role of the Attorney-General in prosecution decisions. I have written to the Attorney-General and I have previously written to the DPP in Queensland asking them as to why we have an uneven application of the law in Queensland when it comes to prosecutions. Can Mr Chairman tell me how that does not relate to the particular evidentiary issues that were before the committee? It does, particularly when we look at the charging and the conviction of Brisbane Pastor Doug Ensbey for the destruction of evidence—evidence which he had actually destroyed prior to the matter being brought to the attention of the police. He destroyed it years before the matter was brought to the attention of the police. The matter was brought to the attention of the police by the complainant who went to him and then Mr Ensbey was actually charged with the destruction of this evidence.

If we look at the destruction of the Heiner documents, we see that they were actually destroyed after the cabinet was notified that there was impending legal action. Can members tell me why we have an application of the law in the case of this Pastor Ensbey where he was charged—

The TEMPORARY CHAIRMAN (Mr Wallace): Order! Would the Leader of the Opposition cease. I have made a ruling that he is digressing from the appropriation bills and I refer to standing order 120. Will the Leader of the Opposition continue on the appropriation bills that are before him.

Mr SPRINGBORG: Mr Chairman, can you tell me how I am digressing?

The TEMPORARY CHAIRMAN: Because we are talking about the appropriation that is before the parliament, not a matter of policy.

Mr SPRINGBORG: A whole range of issues has been raised by members during the course of this debate on a range of issues relevant to the portfolios. This is relevant to the portfolio. Can you tell me—

The TEMPORARY CHAIRMAN: Will the Leader of the Opposition continue with the appropriation bills that are before the parliament.

Mr SPRINGBORG: The Attorney-General in this state has the power to appoint a special prosecutor. The Attorney-General has the power to make a budgetary allocation or decide, if he wishes, to appoint a special prosecutor. That is my issue. It is how we are ever going to clean up this matter if we do not have the appointment of a special prosecutor. It is important that the people of this state know full well that the money that is allocated to the Department of Attorney-General and Justice for the upholding of the law in this state is being applied evenly and fairly. That is my concern. It has not been. Why have I not been answered on this when I pointed out this discrepancy previously to the Attorney-General? A Brisbane pastor has been prosecuted and convicted for the destruction of evidence relating to alleged child abuse that had been made available to him. We have cabinet ministers who presided over the destruction of evidence. They had been notified that there was impending legal action. A lot of people are asking that question. Quite frankly, I am one of those people.

Mr Barton interjected.

Mr SPRINGBORG: This issue is not lost on a lot of other people. Maybe the minister has a vested interest in wanting to cover up this matter, but if he cannot see the inconsistency, I do not know what is wrong with him

Mr BARTON: I rise on a point of order. I find that remark offensive. I have no vested interest, because I was not even a member of parliament at that time.

The TEMPORARY CHAIRMAN: There is no point of order.

Time expired.