



Speech by

Fiona Simpson

MEMBER FOR MAROOCHYDORE

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MEMBER FOR SANDGATE, CRIME AND MISCONDUCT COMMISSION REPORT

Miss SIMPSON (Maroochydore—NPA) (6.26 pm): I am astounded by the previous speaker's contribution to this debate and that of other Labor members in this House. It seems that suddenly the member for Sandgate and former health minister has been elevated to sainthood. He is a martyr of the political process, if we listen to the contributions of members opposite. I can assure members that he is not a martyr and he is no saint. Anyone who has read the Davies report would realise that the findings were quite scathing of this minister with regard to his behaviour and his contributions as a health minister and certainly in the forum of that inquiry.

The issue before this House is also a serious matter. It is about what the former health minister knew and when he knew it with regard to problems of overseas trained doctors. It is not a trivial matter, and it was not a trivial matter when he was questioned about it before an official hearing of a parliamentary committee in July this year. The fact that he, as a witness before the parliamentary committee, misled the hearing about what he knew and when he knew it was not just potentially a contempt of the parliament but also potentially a breach of the Criminal Code as there was reasonable evidence that he not only misled that hearing but also misled it deliberately.

However, the former health minister had a lot at stake in covering up the truth at that hearing of the committee because if he did tell the committee hearing about what he knew of the problems of overseas trained doctors then he might have had to endure more questions about why he did not act quicker to protect patients who were still being maimed and potentially killed by incompetent and inadequately trained health practitioners. Brave public servants told the truth at the hearing and brave nurses also told the truth to my colleague the member for Burnett. But the then minister, who had been briefed about the problems of overseas trained doctors, repeatedly continued to deny that he knew anything about the problems of overseas trained doctors.

These are serious issues we are debating in the parliament today. But the Premier, Peter Beattie, and his Labor mates have trivialised these issues, trivialised the seriousness of the complaint against former health minister Gordon Nuttall and sought to liken this alleged offence to someone interjecting during a parliamentary debate or someone ripping up a piece of paper in the parliamentary chamber. This is insulting not only to the parliament but also to the victims of a Queensland health system that was presided over by a government that should have acted quicker to do something about it.

The offence that former health minister Gordon Nuttall is accused of is akin to perjury. It is expressly outlined under section 57 of the Criminal Code. The Crime and Misconduct Commission report did not absolve former health minister Gordon Nuttall of his alleged offence of deliberately misleading a parliamentary committee hearing. Rather, the CMC said that the issue of the minister's guilt should be determined by a tribunal of fact. As much as I respect the institution of parliament, to say that this sitting of parliament tonight is a tribunal of fact is a bit rich, particularly when we have 61 Labor MPs determining what they believe to be the truth.

A tribunal of fact would be one where a court and jury have the opportunity to call for evidence—evidence which was not able to be accessed even by the CMC—to determine whether the member for Sandgate offended under the Criminal Code. We in the coalition contend that it is not appropriate for this House to make a determination about the possible criminality of members but that such matters should be pursued by the appropriate independent authorities where matters can be investigated and weighed in accordance with law.

We have not called for Gordon Nuttall's jailing; simply for the independent office of the prosecutor to consider his case. However, today Labor MPs argue that parliamentary privilege should always be pre-eminent over all criminal processes without exception, and thus all issues where people deliberately mislead the parliament or its committees should be dealt with by the parliament. They then go far further by declaring that the member for Sandgate and former health minister is not guilty of contempt of parliament and that he should only say sorry for misleading the committee's hearing. Talk about rubbing salt into the wound of public pain—pain caused by a crumbling health system. It is a system for which no Beattie government health ministers have taken responsibility and a system which has failed to detect or quickly remove an incompetent doctor who was killing and maiming patients. They are not sorry and their performance in this House today shows it.

As I understand it, the former health minister has not previously provided an apology to this House and the so-called apology today did not indicate that he was in any way taking responsibility for what he knew about the problems with overseas trained doctors and his failure to act quickly to protect patients. If it is not bad enough that Labor mates vote to protect one of their own from criminal investigation, they then declare him innocent and, worse, pure of heart, noble in intent and some sort of victim of politics. Well, we are not buying it. The member for Sandgate has been roundly criticised in both the Davies report and the CMC report, and today he has still tried to make out that he has done nothing wrong and that this process should have finished at the estimates committee. The CMC is clearly of the view that it should be, quite rightly, pursued further.

I would encourage all members to read the transcript of the estimates committee hearing if they have not already done so. This government has been exposed this year for being deceitful and for covering up the truth. The Davies inquiry is highly critical of the government for its propensity for covering up.

The member for Greenslopes said that victims were allegedly harmed in Bundaberg. How on earth could any member of this place dare say that there were patients in Bundaberg who were allegedly harmed? If there has not been evidence to date to clearly outline the nature of the appalling horrors that occurred under a systematic failure in Queensland Health at the hands of an incompetent doctor and others who failed to intervene, then what have they learnt? We have had one royal commission, and subsequently the Davies commission as well, that has discovered ample evidence to date that there were no alleged victims of the Bundaberg health crisis; there were very real victims of the Bundaberg health crisis, and yet that statement by the member for Greenslopes goes to the heart of the culture of denial of this government. We saw the former health minister stand up in this place and deny that he had done anything wrong. Once again, the government is trying to make itself the victim and we are not buying it.

We also know that there was difficulty in accessing evidence from former health minister Gordon Nuttall. He refused to be interviewed by the CMC. He refused to hand over his diary and his notes with regard to what he knew and when he knew about problems with overseas trained doctors. Clearly, this avenue of investigation was outside the CMC's purview, but it is certainly within the ability of the independent office of the prosecutor to pursue. Again, we say that it is not appropriate for this House to make a determination about the criminality of another member. It is more appropriate for the independent office of the prosecutor to undertake this role.

Parliamentary privilege is an important privilege, but it is not an absolute privilege. That is why it is so concerning that Labor MPs have sought to invoke it where it is not appropriate. They have sought to trivialise the nature of the accusation faced by the former health minister, Gordon Nuttall. Then they have sought to declare him innocent and a good bloke, saying that it was all just a mistake. Let me once again remind this House that the former health minister, Gordon Nuttall, was a witness before a parliamentary committee. It is an offence under the Criminal Code for a witness to mislead a parliamentary committee. He was not involved in a passing comment or a heated exchange in the chamber. He was a witness who repeatedly denied that he was briefed. In response to question after question, he repeatedly denied that. Then he was contradicted by senior public servants who have been proven to be correct.

The alleged offence is a serious one and it goes to the heart of this culture of cover-up, this culture of denial that we have seen from this government. Parliamentary privilege is an important privilege but, as I said, it is not an absolute privilege. It is not a privilege to lie. It is not a privilege for a minister to cover up the truth, and yet this government seems to want to apply a double standard where public servants who appear before a hearing of a parliamentary committee can be subjected to the Criminal Code. With this motion tonight, Labor MPs want to make sure that their Labor mates are not subject to the same rule. This is despite the fact that the Members' Ethics and Parliamentary Privileges Committee previously reported on when the Criminal Code should take pre-eminence over parliamentary privilege.

Time expired.