



Speech by

John-Paul Langbroek

MEMBER FOR SURFERS PARADISE

Hansard Wednesday, 19 August 2009

MOTION: NUTTALL, MR G

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (5.30 pm): I move—

That this parliament:

- Notes that on 7 December 2005 the CMC provided the Attorney-General with a report into the former member for Sandgate and former minister asking state parliament to consider whether misleading evidence provided to an estimates committee should be dealt with in criminal law or as a matter of contempt;
- Notes that at a special recall of parliament on 9 December 2005 the government majority voted to deal with the member for Sandgate's actions as a contempt;
- Notes that the House relied upon character references proffered by government members including the current Deputy Premier;
- Notes the former member for sandgate, Gordon Nuttall, has since been found guilty and jailed for official corruption;
- Notes the CMC has forwarded a further brief to the Director of Public Prosecutions on further allegations of corruption and notes that no decision has been made by the DPP to proceed; and
- Instructs the Attorney-General that, if the DPP does not pursue issues contained in the brief, then the DPP provide the Members' Ethics and Parliamentary Privileges Committee with a copy of that brief to ascertain whether the matters contained in the brief should be dealt with as contempt by the parliament.

That is the motion that I gave notice of this morning. Immediately we had the new member for Greenslopes, the Attorney-General, jump to his feet. Let us have a look at what the new boy in this place had to say as the Attorney-General. He said—

... I ask you to look very closely at the terms of that notice of motion. The matter is currently before the privileges committee, as I understand it. I am not aware of the parliament being able to instruct the Attorney-General to do anything as prescribed in that motion.

Isn't that embarrassing? We had the honourable Attorney-General talking about the issue that is currently before the privileges committee. But as correctly ruled by you, Mr Speaker, he had no idea what the matter before the privileges committee actually is and whether it applies to this motion. But he jumped up straightaway to question whether it was applicable to the motion.

Then he went back to his office and had to come up with a bunch of other reasons why the motion may not be appropriate. He came up with a bunch of reasons. I will come to those in a moment. Isn't it interesting! He could not keep the same position from question time to lunchtime. He had to go back to his office and get his staff to find other reasons to have this motion ruled out of order. Let us have a look at those reasons. By the way, there is no copy of the letter from the Attorney-General for the parliament to consider. This is the open and accountable Bligh government, but there is no copy of that letter for the parliament to consider. We had to wait for your ruling at 2.30 this afternoon, Mr Speaker.

Let us have a look at what the Attorney-General says are the reasons. One of the reasons he gave for this motion being objected to is the relevance of the early paragraphs to the last paragraph of the motion. Can I point out once again that every one of those early paragraphs starts with the word 'notes'. Is it not true that all of these issues are things that have actually happened and are true?

Mr Seeney: And are worthy of note.

Mr LANGBROEK: And they are worthy of note. That is exactly what we are asking to do in this motion. We are asking that the parliament simply note them. Is there any question that the parliament should not note them, because they are all true?

We know that on 7 December 2005 the CMC provided the Attorney-General with a report into the former member for Sandgate and asked the state parliament to consider whether it should be treated as a matter of criminal law or as a matter of contempt. We note that there was a special sitting, shamefully, so that the government could come in here and exonerate the former member for Sandgate, at a cost of \$45,000. We note that the House relied upon character references, some of which I will come to in a moment.

All of these statements are true. They are not assertions; they are true. All we are asking is that parliament should note them. We should also note that the former member for Sandgate has been found guilty and jailed for official corruption—true. I ask the Attorney-General: are these things true? Should the parliament not note them? Of course we should. But he was back in his office saying, 'Give me some reasons we should object to this motion.' The other issue to note is that the CMC has forwarded a further brief to the Director of Public Prosecutions. They are all true. There is no doubt about it.

The second reason given for not allowing this motion to be debated was that the motion, if passed, would interfere with the operation of the CMC and the DPP. Nothing could be further from the truth. But the member for Greenslopes obviously has no awareness of these matters. I was at the CMC last week, and any suggestion that the CMC is not actively independent of this parliament is shameful. No-one would suggest it. No-one is suggesting that with this motion we are trying to put any pressure on the DPP. But the member for Greenslopes obviously has no awareness of that.

Then of course we have the corker. The third reason the member for Greenslopes gave for getting rid of this motion is that the motion offends the convention of separation of powers. Labor members love to come in here and tell us that we do not understand the separation of powers. The first law officer of this state does not even understand the convention of the separation of powers. He should be embarrassed to be first law officer of the state.

Finally, he said that the DPP would have undue influence placed upon its decision making. I suggest that the Attorney-General hang his head in shame. This is a man who has been in this House for four months. He has had a different position from question time to lunchtime. He should toodle-loo back to Tuvalu. There is no doubt about it: he does not have a clue. So much for openness and accountability!

Mr Dick interjected.

Mr LANGBROEK: He does not understand that if he wants to make an issue he can take a point of order. If you want to take a point of order, get on your feet. That is another rule that he does not understand. Make it under 253 or whatever number you want.

Clearly this Attorney-General has no idea about the job that has just been done on him—the job done on him in his haste to stand up and question the motives of this side of the House in calling them to account for what has happened in the past and we are now dealing with in this motion. In terms of the question of whether this place can order the Attorney-General to do anything, I refer the honourable member to standing order 27, 'Documents ordered to be tabled'. It states—

- (1) The House may order documents to be:
 - (a) tabled; or
 - (b) produced to the House.

But the honourable Attorney-General, the member for Greenslopes, clearly does not believe that that should apply to him and believes that this motion should be ruled out because it represents inappropriate pressure on the Attorney-General. Honestly, it is embarrassing that the first law officer should be raising these issues.

Mr Speaker, clearly, I abide by your ruling that there is no standing order applicable to rule the motion out of order. I appreciate your ruling. I note that you say that it is your role to simply determine whether the motion is out of order in accordance with the standing orders or the operation of the law. Clearly, the honourable Attorney-General, in his haste to get up this morning, has embarrassed himself and the government in terms of its lack of openness and accountability and in presenting the reasons for debating this motion.

Let us get to the details. Having dealt with the honourable member for Greenslopes, let us have a look at Gordon Nuttall, who appeared before an estimates committee and gave information that he knew was false, dishonest and misleading. He knowingly gave a false answer, contrary to provisions in the Criminal Code which seek to protect the integrity of the institution of parliament. That much was established by the CMC. On 7 December 2005 it handed down its report after an investigation into allegations concerning Gordon Nuttall. The CMC said—

On the basis of the evidence identified in the investigation, the CMC has decided that prosecution proceedings ... should be considered.

The CMC tasked this parliament with the responsibility of acting to ensure a strong message was sent to all members that dishonesty and treachery towards this parliament and the Crown—the highest office of the Commonwealth of Australia—would not be tolerated. This Labor government had two options. It could have used its majority in the House to refer the matter to the DPP and charge Gordon Nuttall under the Criminal Code for lying to parliament or it could have taken the soft option, the coward's option, and refer it to the member's ethics committee, knowing that it could use its numbers to amend the Criminal Code to protect its mate before the committee could investigate the matter.

What did they do? They chose door No. 2—the back door. They let Gordon Nuttall leave through the back door because they knew he would not stand up to scrutiny. They went to extraordinary measures to protect Gordon Nuttall, having recalled parliament on 9 December so they could go back and enjoy their Christmas turkey. Queenslanders have paid for the privilege. It cost \$45,000 to recall parliament. The member for South Brisbane, the Premier of this state, said that Gordon Nuttall was a decent man, a man of integrity. The Deputy Premier, the member for Lytton, was glowing in his comments about Gordon Nuttall. He said—

I know the member for Sandgate well and I believe that he is a good and honest man.

We know that the former member for Sandgate was a minister of the Crown for eight years. Every single day he made thousands of decisions that affected Queenslanders. If the Office of the Director of Public Prosecutions does not prosecute the matter and if the Bligh government shirks its responsibility by voting down this motion we will never know whether those decisions are tainted by the stench of corruption. It is time for those opposite to own up. They have every opportunity to be accountable by submitting to a royal commission. We have a right to investigate members who have breached the rules and standing orders of this institution. I suspect that the Premier will not support the motion because she is afraid of what we will find—that is, that this Bligh government is corrupt to the core.