



Speech by

Robert Messenger

MEMBER FOR BURNETT

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INTEGRITY BILL & COMMISSIONS OF INQUIRY (CORRUPTION, CRONYISM AND UNETHICAL BEHAVIOUR) AMENDMENT BILL

Mr MESSENGER (Burnett—LNP) (2.54 pm): I rise to support the leader of the LNP's Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Bill 2009 and offer some comments on the Integrity Bill. I ask the question: why is the Labor Party so scared of a royal commission? Former royal commissioner Tony Fitzgerald knows why. The introduction of the Integrity Bill by the Premier immediately should ring alarm bells for Queenslanders. It means that we have a problem with integrity. Finally, the reality of the crisis in the government's integrity has hit home and it is registering in the majority of Queensland households. The crisis in integrity is registering in the political polls, and that is the real reason that this legislation is before the House. The legislation is an act of desperation on behalf of a politically mortally wounded Premier who, most probably, will be gone by February or March of next year. The members opposite who complain about her are out doing the numbers right now. Names like Kerry Shine and—

Government members: Ha, ha!

Mr MESSENGER: Do not knock Kerry! I think he is good. Neil Roberts, the minister for everything, is the go-to guy who has been talked about. The crisis in integrity is registering in the political polls. This legislation is an act of desperation. It is an attempt by the Labor Party to convince the public that the crisis in integrity, which is very real for a number of obvious reasons that members on this side of the House have elucidated well, is being dealt with by government. The government wants everyone to breathe a sigh of relief after this bill passes this place and say, 'The integrity crisis that we had has disappeared because we have passed this wonderful piece of legislation and we have an Integrity Commissioner.'

In reality, this is the best offering we have from the Labor Party spin machine. If the same Labor Party people who designed this legislation, that is, the Labor Party spin machine, were working for Dracula, this Christmas Dracula would be in the mall standing next to Santa Claus and flogging off a cookbook for vegetarians. The Premier's legislation is the equivalent of Dracula's cookbook for vegetarians. There are some great recipes in it, such as the expansion of the powers of the Integrity Commissioner, but one has to doubt the motive behind the document.

Les MuckKan is a councillor from Hervey Bay. He is one of the highest ranking Indigenous leaders in our state. I can still remember Les saying, 'You can stand in a garage all day, but that still don't make you a car.' The Premier can introduce legislation into this place with the word 'integrity' in the title all she wants, but that is not going to undo her deceitful behaviour. There is no way that Queensland will be fooled by that. She can have the word 'integrity' tattooed on whatever body part she chooses, but that will not make the people of Queensland, including the unionists and the railway employees, forget that it was her decision to sell off our state assets. She can have the word 'integrity' sky written, but people will not forget that she was the one who seconded the motion to let her convicted and criminal Labor mate off the hook in this very chamber.

The Bligh government's Integrity Bill fails. It is weak. It fails in many areas. It fails to stop ministers from lie—I take that back; I almost said the magic word. It fails to stop ministers from deceiving people in this parliament or its committees. It fails to address issues of corruption, cronyism and unethical behaviour among ministers and this Labor government. It fails to stop Labor from accepting political donations from people who are before the courts on official corruption charges. It fails to extend the powers of the CMC so that it can look at every financial decision made by former minister Gordon Nuttall and it does not provide any changes to the current lack of ministerial responsibility in this Labor government.

One of the main purposes of this bill is to give the CMC the power to investigate the government by amending the Government Owned Corporations Act. However, the CMC does not have the resources and investigators to fully investigate corruption and cronyism allegations. If this government really wanted to be an open, honest and accountable government, it would instead move to establish a commission of inquiry, as laid out by the Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Bill 2009.

This bill is a very important bill which will establish a comprehensive, dedicated commission of inquiry into Labor government corruption, cronyism and unethical behaviour between 1998 and 2009. When the bill is passed, the Attorney-General will have 21 days to advise the Governor to establish this commission of inquiry. It is what the people of Queensland want. It is what the people of Queensland deserve. Nothing less than an independent, comprehensive royal commission will suffice. A commission of inquiry has the full resources and powers needed to carry out a comprehensive investigation.

For 11 years the people of Queensland have watched this dysfunctional Labor government's corrupt activities, such as Gordon Nuttall's misconduct and subsequent jailing. Time and time again this government has refused to establish an independent commission of inquiry into allegations of corruption, cronyism and unethical behaviour. What more has the government got to hide?

It is proposed that the terms of reference of the royal commission would include the circumstances surrounding Gordon Nuttall that led to him receiving payments while in the role of a government minister. This is a former—

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Please, honourable member, I refer you to the Speaker's statement yesterday regarding standing order 233. He urged members to be aware that their contributions here may be widely published in the media and may unnecessarily interfere in the matters currently before the courts. I refer you to the statement and caution you not to proceed down that line of argument.

Mr MESSENGER: Thank you, Mr Deputy Speaker. I will merely point this out: that gentleman was able to control and influence the spending of billions of dollars—

Mr DEPUTY SPEAKER: No. You have immediately gone on and continued down that line of argument. I ask you for a final time to change the course of your argument or I will sit you down.

Mr MESSENGER: Thank you, Mr Deputy Speaker. I take your direction. It is a happy hunting ground when it comes to allegations of corruption with this government. The commission would inquire into the allegations made by Jacqueline King that she and Mr Scott Zackeresen complained to the office of the former Premier, Mr Peter Beattie, in 2002 regarding misconduct; the dealings between ministers, former ministers, ministerial staff, former ministerial staff or persons exercising delegated authority on behalf of the Queensland government, or government owned or controlled entities, with lobbyists concerning access to government, the granting or withholding of approvals, the awarding of tenders, the entry into contracts and other decisions; the relationship between members of the Queensland government and persons who have been appointed to the judiciary or magistracy; the termination of the employment of Mr Scott Patterson by the Labor government and the failure by the CMC to adequately address matters raised by Mr Patterson; the circumstances surrounding the superannuation fund Sunsuper Pty Ltd; and the adequacy of a number of legislation and government policies.

The CMC is a body that we rely on in Queensland to investigate allegations of corruption. I have referred a number of such allegations to the CMC. There is a question over the ability of the CMC to be able to properly investigate those investigations. There are suggestions today about the integrity of the CMC that need to be looked at closely, as well as the amount of resourcing and staffing available to the CMC.

For example, I referred to the CMC an incident that happened at the Bundaberg Base Hospital. I wrote to the CMC on 2 February this year with Christine Cameron's serious allegations of 100 PRIME critical incident reports that she submitted but received no feedback from the Bundaberg Base Hospital that action took place—allegations that nurses were asked to falsify computer records regarding patient waiting times and that admin officers were undertaking triage duties in the emergency department, and these are people without even first aid certificates. The CMC wrote back stating—

The CMC considers that it is appropriate for Queensland Health and the Queensland Quality and Complaints Commission to take responsibility for dealing with the concerns raised by you and Mrs Cameron. However, the allegations about the falsification of records will be subject to close monitoring by the CMC.

Accordingly, the CMC has directed Queensland Health to investigate this aspect of the matter. We will monitor the investigation by obtaining interim reports during the course of the investigation and before the agency makes a decision about what action to take.

Ultimately, Queensland Health was left to investigate Queensland Health. That investigation is nearing completion. Once again, we have an example of the CMC underresourced, undermanned, having to refer those allegations back to Queensland Health. Queensland Health has investigated itself. Normally the CMC gets the Ethical Standards Unit to investigate. Ms Cameron was under the impression that the Ethical Standards Unit was investigating the matter. But there seems to be a mistake because it was an Ethical Standards Unit investigator who was investigating the matter but that person was not really working for the Ethical Standards Unit. Apparently, it was directed by a manager of Queensland Health.

A report has come out about that investigation at the Bundaberg Hospital relating to those very serious matters of public health. Ms Cameron has asked that I table in parliament today her response to that report, and I do so.

Tabled paper: Formal response from Christine Cameron to Kevin Hegarty, District Chief Executive Officer, Sunshine Coast-Wide Bay Health Service District regarding the ESU interim report in relation to an investigation into complaints about Bundaberg Base Hospital [1485].

Ms Cameron would also like me to read into the *Hansard* her thoughts on that report that is being issued by Queensland Health. Her response stated—

In January 2009, I then attended the CMC to report concerns about the Bundaberg Base Hospital. These included safety issues, behavioural issues of certain staff, and particularly questionable—

Ms SPENCE: Mr Deputy Speaker, I rise to a point of order. Can I ask your ruling regarding relevance to this debate in the House today?

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Yes, I was starting to wonder about the relevance of this particular matter. As important as it may be to the provisions of both bills currently before the House, I think it would assist us if in some way you could show that it is relevant to either bill.

Mr MESSENGER: The Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Bill 2009 has a number of clauses. I direct your attention to the explanatory notes, which state—

Clause 2—The Act amended is the Commissions of Inquiry Act.

Clause 3—Inserts a new section 35. Under this section once enacted the Attorney General has 21 days to advise the Governor to establish a Commission of Inquiry into corruption, cronyism and the unethical behaviour surrounding the Labor Government ...

I cite this example because it is a classic example of what the royal commission should be investigating. At the very least, this is unethical behaviour. At worst, this is corruption and cronyism in the Labor Party. I can understand why members opposite would rise to make points of order and want to stop me from tabling this information and telling the truth about the investigation and the lack of integrity that this investigation has. Ms Cameron wanted me to read out her response. She states—

The CMC delegated almost all of my concerns to QH to have its various bodies investigate and deal with the issues I raised. High among my claims was that staff were not given feedback on issues raised through the PRIME reporting system (hence giving no visible assistance to struggling staff), and that management had possibly—

I am quoting Ms Cameron here, but she uses the 'I' word—

or given misleading statements to the WorkCover investigation.

Several investigations and reports followed.

- February 2009—Patient Safety Centre report released, noting that Bundaberg Base rated poorly in relation to giving feedback to complaints/issues raised by staff in (PRIME) reports.
- February 2009—Ayre report released, which looked into problems and complaints about inaction and lack of feedback to concerned staff using the PRIME system of reporting.
- Following these reports, recommendations and some changes were made to the PRIME system.

I have to congratulate Ms Cameron because her disclosure meant that \$250,000 was spent on the Bundaberg Base Hospital accident and emergency department straight off. This is a classic example of where we need to investigate. Ms Cameron continued—

March 2009—Brennan report released, finding many issues requiring addressing at the Bundaberg Base Hospital.

Following this report, considerable extra funding was given to Bundaberg Hospital.

This is what Ms Cameron said about the Ethical Standards Unit—

I find the ESU interim report to be erroneous on almost every issue. Almost none of the evidence I provided the ESU (or informed the ESU of) was quoted, but management's statements were taken as correct and reliable (without ever any documented evidence), even when directly refuted by my documented evidence. My successful QComp appeal is not quoted, except to paint me in a bad light, and even this quote is misused by the ESU. I believe the ESU has acted with absolute bias against me. The ESU interim report also conveniently and regularly quoted one particular expert report to support its erroneous findings, even though that report is fraught with obvious problems, and contains at least one monumental blunder—which was again used to wrongfully impugn my character and credentials.

What we have here is an attack on the whistleblowers—an attack by this government on the hardworking nurses, on the whistleblowers who know what it is like at the coalface. Ms Cameron continued—

Thus, in October 2009, I again requested CMC intervention, since the ESU interim report was rife with errors and what I believe to be blatant and consistent bias against me, and since ESU's own guidelines have been ignored and breached. The CMC refused to intervene, even though I informed it of what I believe to be official misconduct and bias by the ESU.

It is not good enough that the CMC refused to investigate these further claims. Once again, it supports our argument for the establishment of a royal commission into corruption and cronyism in this state. Ms Cameron continued—

All along the investigation had been purported to be an ESU investigation, with all documentation identifying it as the same. I even had to assert that I would not—

this is where she used the 'I' word again—

and would be penalised if I did. When I began to complain about the integrity of the ESU investigation, the ESU Director then informed me it was not actually an ESU investigation at all, but rather that an ESU investigator had simply been on loan to another QH department. Hence, it is my firm belief that having realised that the ESU could be exposed for this bungled and likely biased report, it has moved to distance itself from it.

Besides this—

here is where she used the 'I' word again—

to the ESU carries penalties. Hence, it is also my belief that by making the investigation nothing more than a departmental matter, serious retribution could be avoided by all, if indeed management responses and the investigation itself can be exposed as the cover-up and shambles I believe it is.

Ms Cameron continued—

Almost three weeks after sending my letter of complaint, the CEO responded formally to me, noting that he had already acted to have at least one major error in the ESU interim report fixed, by having the expert who made it amend his ludicrous, erroneous comments. I was mortified, since I had clearly made it known that I didn't want the interim report 'fixed', but rather those people who had given false, misleading or blatantly wrong information properly investigated.

Hence, what was purported as an ESU investigation from the outset, has been seriously interfered with by the very CEO who the investigation supposedly now belongs to. Moreover, the investigation is fraught with errors, bias and an almost total absence of consideration of my documented evidence (which I supplied)—even though management could supply almost no evidence to refute my claims.

I table the 'Interim report response summary'.

Tabled paper: Document titled 'Interim report response summary' [1486].

I have referred many things on to the CMC.

Mr Schwarten interjected.

Mr MESSENGER: One of the issues that the member for Rockhampton would know about is the Building Services Authority and the meltdown of Coral Coast Homes. The CMC wrote back to me recently, and the letter is actually a scathing indictment of the management of the BSA. The CMC said that there is—

- a lack of policy and procedure to guide decision-making processes under relevant Acts ...
- deficient and/or inconsistent record keeping practices;
- the retention of staff lacking financial qualifications to carry out compliance investigations;
- a lack of structured staff training programs;

However, the minister is quite happy for the BSA, which did not have an internal investigation, to hire a Mr Frank King of Corporate Success Group. The report was received by the CMC—

Mr SCHWARTEN: Mr Deputy Speaker, I rise to a point of order. The point of order is that the honourable member is misusing parliamentary privilege here most seriously. Mr Frank King is a former ombudsman of Queensland, so before we go any further with this defamation the parliament needs to understand that this personal attack on Mr King and on the CMC is nothing but a contrived effort by this gentleman.

Mr DEPUTY SPEAKER: There is no point of order. The member for Burnett has the call.

Mr MESSENGER: The minister does not like me examining it. If the minister really wanted to be open and accountable, he would tell us how much they paid Mr Frank King for this independent report. How many times have they used Mr Frank King from Corporate Success Group? Is it good enough that someone who is hired by the BSA comes in to investigate itself? There is a world of difference between being investigated by someone you hire and a CMC investigator—

Mr SCHWARTEN: Mr Deputy Speaker, I rise to a point of order. Mr Frank King was actually reporting to the CMC. If there were some problem with him, then this is a very thinly veiled parliamentary attack upon the CMC of Queensland. I ask it to be seen in that light.

Mr DEPUTY SPEAKER: There is no point of order. The member for Burnett has the call.

Mr MESSENGER: There is a big difference between being investigated by Mr Frank King and CMC investigators.

(Time expired)