



Speech by

Hon. Cameron Dick

MEMBER FOR GREENSLOPES

Hansard Tuesday, 9 February 2010

MINISTERIAL STATEMENT

Watson, Mr DG

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.49 am): The Queensland government has received a request from the Attorney-General of the American state of Alabama for information in relation to David Gabriel Watson. The authorities in Alabama are seeking information from Queensland authorities to determine whether they can mount a possible case against Mr Watson for the 2003 death of his wife, Ms Tina Watson, while scuba diving.

I first became aware of this request less than three weeks ago when I received a letter from the office of the Alabama Attorney-General. I am advised that this request made by a first law officer has bypassed the traditional and well-known international laws and processes that usually govern such requests. Furthermore, my office does not have any of the items requested. Physical exhibits are currently held by the police and original witness statements and documentary exhibits are held by the Director of Public Prosecutions. Nevertheless, the Queensland government is fully committed to being as helpful as it can. However, we also have a duty to be lawful.

That is why the government sought further advice on these matters to ensure that any action the government takes does not breach and is consistent with any relevant Commonwealth laws and international agreements. Accordingly, the government alerted the federal home affairs minister, the Hon. Brendan O'Connor MP, the Commonwealth minister responsible for mutual assistance in matters of this type, to the request and sought his views. The government received his response late last week.

The legal issues involved in this case are quite complex and the government wants to ensure everything is done by the book. The government also wants to ensure that anything it does is in the long-term interests of our state and, in particular, protects the interests of Queenslanders who might be placed in a similar situation in the future. In that regard, the Alabama authorities have indicated that they intend pursuing charges against Mr Watson that carry the death penalty. This matter is of great concern to the government, as I hope it would be to all members of this parliament, as Australia has had a longstanding and bipartisan opposition to the death penalty.

I can advise the House that this matter has involved the consideration of several complex issues. This includes the history of the matter such as the assistance the Alabama authorities provided to Queensland authorities in relation to the Queensland investigation of David Gabriel Watson. We have also considered the advice of the Commonwealth Minister for Home Affairs that the letter received by me from the Alabama Attorney-General does not constitute a formal mutual assistance request as the request has not been made by the US Department of Justice to the Commonwealth Attorney-General under the relevant treaty between the United States and Australia.

The federal minister has also advised that, based on his understanding of the evidence collected by the Queensland Police Service, a mutual assistance request is not required in this case and accordingly the request is a matter that can be considered by the Queensland government. As a result, after considering the various matters raised in this case, the Queensland government has determined to adopt

an approach consistent with that of the Australian government in similar cases where the death penalty may be involved. Accordingly, the government will write to the authorities in Alabama about this matter indicating that we are willing to forward relevant information providing they give an undertaking that they will not pursue the death penalty. Once we receive the appropriate undertaking, the Queensland Police Service will work towards providing the materials as quickly as possible.