



Speech by

Hon. Cameron Dick

MEMBER FOR GREENSLOPES

Hansard Wednesday, 6 October 2010

MOTION: BYRNES, MR GV

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (5.43 pm): I move the following amendment—

That all words after 'House' be deleted and the following words inserted:

'Notes that:

- the Attorney-General has ministerial responsibility for Queensland's justice system;
- the proper operation of the rule of law requires a fearlessly independent judiciary, and requires the Attorney-General to give due and proper consideration to any questions of appeal according to law;
- the Attorney-General has requested advice on the prospects of success on appeal against the sentence imposed on Gerard Vincent Byrnes; and
- the Attorney-General will give full and proper consideration to the advice and the question of appeal accordingly.'

This chamber is intended to be a place where difficult and important decisions and issues are discussed with intellectual rigour and intellectual honesty. All of us here are elected to discharge that duty. I am appalled, and I believe that I can safely say that everyone here is appalled, by the crimes of which Gerard Vincent Byrnes has been convicted. Sexual offences, particularly sexual offences perpetrated against children, are amongst the most abhorrent of criminal behaviour. As a father, as a citizen and as a member of this parliament, I join the community in its outrage whenever offences of this type occur.

However, when all of us in this chamber are entrusted with law making, when all of us are entrusted with grappling with the most serious and complicated public policy issues in this state, sometimes being appalled simply is not enough. It is not enough when those members opposite, who pretend to criticise and condemn the loudest, have no serious or credible policies to support their confected condemnation and criticism. It is not enough, when serious legal issues are to be considered. And it is not enough when, after consecutive questions—five consecutive questions were asked of the executive yesterday by the opposition—not one single question was asked of the responsible minister. The preference was to use the matter as a stalking horse for a media story, a cloak to cover and hide an unpredictable and unstable political opposition, which marries the unwilling, the unfit and the unprepared. It is Labor and only Labor that can demonstrate an unshakeable commitment to ongoing reform to protect our community from those who criminally offend—everyone from sexual perpetrators all the way through to organised criminals in this state.

The LNP had ample opportunity yesterday to ask questions of me as the responsible minister on this issue. One might think that would have been the quickest, simplest and most appropriate way to pursue a significant matter of public policy. One might think to do anything else was merely a political game and a charade, and that is what it was. It demonstrates a distinct lack of political courage, demonstrated in particular by the Leader of the Opposition, and the Deputy Leader of the Opposition.

The laws that Labor have introduced into this House in relation to sex offenders are the toughest in this country. A few weeks ago the Dangerous Prisoners (Sexual Offenders) Act 2003 was amended again to make it the toughest law in the country. Even before the dangerous prisoners legislation becomes applicable, I have the right as the Attorney-General to appeal decisions of a court on sentence. The

decision to appeal a sentence handed down at trial or on a plea of guilty should not be taken lightly. It must be taken according to law, and it certainly is a decision that should never be taken for political reasons or to seek political advantage, which is precisely the reason for the questions asked in the parliament yesterday by the opposition, and precisely why it is tonight moving this motion, which is nothing more than a political stunt.

I have said publicly that I am taking advice on the Byrnes matter. I will receive that advice and I will consider it. I will consider a whole range of matters before I determine whether or not to lodge an appeal on the matter. The fundamental issue that the LNP remains steadfastly ignorant of is that the decisions on important matters such as imprisonment and proceedings before courts should only ever be made according to due and proper process, and on consideration of evidence, and advice. That is what any trained lawyer will do.

The LNP would appear opposed to taking any advice on the matter—any advice at all—insisting that its own gut instinct is the most superior judge of complex questions of criminal law, or any questions of law. Let us pause to consider where their gut instinct has taken Queensland in the past. There was the Joh era, the most blatantly corrupt political regime in the history of the nation, which required the Fitzgerald inquiry to clean out the stables, and to clean out the government of this state. That was followed by the setting-up of the Carruthers inquiry to nobble the CJC. What did we have from the Deputy Leader of the Opposition in this last term? Naming someone who was potentially subject to witness protection in a committee of this parliament, directing the DPP to provide a brief of evidence to the parliament, asking me to call the Commissioner of Police to direct him on a bail matter and opposing the Criminal Organisation Act, opposing standing up to organised crime. That is the same gut instinct that the opposition has when it wants to give tasers to teachers. It does not stand for any single aspect of correct public policy. We have seen the shade lifted today. We know that they want to pursue judges and remove from office judges they do not agree with. It is a disgrace. The motion cannot be supported, and the amendment must be supported.