




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 7 May 2015

PRIVATE MEMBER'S STATEMENT

Ministerial Handbook, Alleged Breach by a Former Minister

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (10.20 am): Mr Speaker, there is a serious issue that I need to draw to your attention and that of the House this morning. I take my role as first law officer of this state very seriously. Unlike the former holder of this office, I treat conversations with discretion and confidentially. I respect the importance of civil society in a flourishing democracy. I can acknowledge the crucial role that an independent judiciary plays as a cornerstone institution in our system of government, and I respect the responsibilities that apply to cabinet ministers to treat confidential briefs as such and to abide by ministerial standards. Unfortunately, the same cannot be said for my predecessor.

The Ministerial Handbook is clear. Upon a change of government, any ministerial records are to be transferred to State Archives. There are also strict guidelines about when former ministers are entitled to access ministerial records. They allow documents to be accessed in certain circumstances but these documents cannot be retained. That means that copying the documents or publishing the document is a breach. One type of document that clearly falls within the definition of a ministerial record is crown law advice. It seems the member for Kawana does not think these rules apply to him. How do we know that? Because the former attorney-general saw fit in recent weeks to table in a committee crown law advice provided to him during his time as Attorney-General—a blatant breach of the Ministerial Handbook. But what more can we expect from the former attorney-general, who took such little heed of proper process and maintaining confidences during his time as the state's first law officer?

The serious question remains: what other confidential documents does the member for Kawana have in his possession? The Attorney-General on any given day deals with myriad issues and sensitive information—dangerous prisoner matters, mental health tribunal reviews, administrative challenges, appeals to be lodged and, of course, crown law advice. These are matters which require the utmost sensitivity. So the Leader of the Opposition needs to answer this question: does he support the member for Kawana still sitting on his front bench when he has retained documents that he held as the former attorney-general? He has held—

Opposition members interjected.

Mrs D'ATH: So the Leader of the Opposition supports an actual breach of the Ministerial Handbook and thinks it is okay to retain documents from crown law.

Mr Bleijie interjected.

Mrs D'ATH: You breached the Ministerial Handbook, you breached protocols, you breached procurement—

Mr SPEAKER: Attorney-General, through the chair, please.

Mrs D'ATH: Sorry, Mr Speaker. This is a serious issue. There are rules in place for a reason. These documents should be transferred to State Archives. The question is whether the Leader of the Opposition will ensure that his shadow minister divulges any documents he still has in his possession.