



Speech by

**Jann Stuckey**

**MEMBER FOR CURRUMBIN**

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

**Mrs STUCKEY** (Currumbin—LNP) (5.27 pm): I rise to contribute to the cognate debate of the Integrity Bill 2009, introduced into the House by the Premier, the Hon. Anna Bligh, on 10 November 2009, and the Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Bill 2009, which was introduced into the House by the Leader of the Opposition, the honourable John-Paul Langbroek, on 28 October 2009.

In yet another sign that this government is in serious trouble, here we are today in this House debating legislation that has been fast-tracked up the *Notice Paper* soon after being introduced. As this is not time-sensitive legislation and it has forced other worthy legislation to languish on the list until next year, it can only be surmised that the Premier was in need of a good news story this week to prop up her ailing image and poor polling in order to stave off the leadership aspirations of the Deputy Premier, the Treasurer and the Attorney-General.

As indicated by the leader of the LNP, the honourable member for Surfers Paradise, we will be supporting the Integrity Bill. I repeat for honourable members that the LNP will be supporting the Integrity Bill, and I urge government members to do likewise for the commissions of inquiry private member's bill introduced by the Leader of the Opposition. Failure to do so would reveal just how hollow its intentions to clean up unacceptable behaviours and practices really are.

The Integrity Bill 2009 is destined to create a new stand-alone integrity act which establishes the Office of the Integrity Commissioner. The bill purports to enhance the functions and independence of the Integrity Commission and will provide that any member of parliament may seek advice on dealing with conflicts between their personal interests and their public duties.

In addition, the Public Service Act 2008 will be amended to introduce the process to monitor and report on compliance with the requirement for directors-general to lodge statements of interest with their responsible minister. I draw attention to the fact that the Integrity Commissioner was appointed by the Bligh government with no consultation with the opposition. The bill will also create a statutory basis for the register of lobbyists and ban the payment of success fees and amend the Parliament of Queensland Act 2001 to rename the Members' Ethics and Parliamentary Privileges Committee the Integrity, Ethics and Parliamentary Privileges Committee with the extra role of oversight of the performance and functions of the Integrity Commissioner. It will also amend the Government Owned Corporations Act 1993 to bring government owned corporations within the jurisdiction of the Crime and Misconduct Commission to allow them to be investigated.

The Commissions of Inquiry (Corruption, Cronyism and Unethical Behaviour) Amendment Bill 2009 will require the Attorney-General to, within 21 days of this bill passing, advise the Governor to establish a commission of inquiry into corruption, cronyism and unethical behaviour by the Labor government between 1998 and 2009. It is the only way that the Bligh government can truly show the Queensland public that it is making an effort to change and is not merely putting on a front to appear to be serious about tackling these issues that have an effect on the public standing of us all in this place. The objective of this bill is to amend

the Commissions of Inquiry Act 1950 and for a royal commission to be established. This bill would enable the past 11 years of Labor government rule to be examined independently, equitably and transparently. Both the Bligh and Beattie governments on countless occasions have stated that they want a truly open and accountable government. Voting for this bill is their chance to prove that actions speak louder than words.

The passing of this bill would allow the commission to investigate the following: payments received or sought by Gordon Nuttall whilst a minister and contracts with the Queensland government departments or Queensland government owned or controlled entities or appointments to Queensland government boards in relation to which Gordon Nuttall had ministerial responsibility. It would also investigate allegations made by Ms Jacqueline King that she and Mr Scott Zackeresen were fired after they complained to the office of the former Premier; the circumstances that led to Sunsuper Pty Ltd deciding to withdraw \$100 million of funds from the management of Queensland Investment Corporation, place those funds under the management of Trinity Property Trust and then the payment by this entity of \$1 million to Mr Ross Daley; the dealings between ministers, former ministers and ministerial staff with lobbyists; and the relationship between members of the government and persons who have been appointed to the judiciary or magistracy by Labor Attorneys-General over the past 11 years.

The bill also gives rise to investigate any other matter that is raised during the inquiry that the commissioner considers worthy of investigation. It could perhaps look into the unexplained and terribly sad deaths of two of Merri Rose's former staff members, one of them occurring around the time of the Beattie-Rose extortion case. Since Labor took office 11 years ago, the people of Queensland have witnessed incident after incident of corruption, cronyism and unethical behaviour involving the Labor government, yet the Premier of Queensland has vehemently denied that she saw, said or heard anything. This is rather hard to swallow because she sat around the cabinet table throughout this period as either minister, Treasurer, Deputy Premier or now Premier. 'Integrity' is a noble word and one that should not be used loosely. It is defined as being the 'steadfast adherence to a strict ethical and moral code'.

**Ms Jones:** Go outside and say that, Jann.

**Mrs STUCKEY:** However, the Bligh government's track record is anything but.

**Ms Jones:** Walk outside and say that the Premier lied to the CMC.

**Mrs STUCKEY:** The interjections from those opposite would indicate that there is a lot to be learned about the meaning of integrity by those opposite. In fact, I wonder if they can even spell it.

**Ms Jones** interjected.

**Mr DEPUTY SPEAKER** (Mr Pitt): Order! The member for Currumbin has the call.

**Mrs STUCKEY:** Thank you very much for your protection. During her second reading speech the Premier said—

The feedback from Queenslanders was clear: Queensland already has a robust integrity system but there is always room for improvement.

What an understatement in the extreme and one that is fictional and more based in wishful thinking than in reality. Time and again this Labor government has been shaken by scandals involving ministers or their staff. The Gordon Nuttall case is a prime example. If Queensland already has a robust integrity system, why is it that the Beattie government passed legislation allowing ministers to tell untruths to committees? Unless they are caught out, they arrogantly proceed in their Machiavellian manner.

In August 2009 the Bligh government published the Integrity and Accountability in Queensland green paper, which was seen by many as a propaganda stunt designed to trick Queenslanders into thinking that her government was actually concerned with her elected members' behaviour. From the 35 questions that the paper posed, a consultation process was initiated, with the Attorney-General and a number of round table members taking part in a series of nine discussion forums throughout Queensland. From these discussions and the 240 submissions the government received in response to the Integrity and Accountability in Queensland document produced in November 2009, the reforms revolved around creating strong rules, strong culture, strong scrutiny and strong enforcement and covered some six legislative and seven administrative reforms.

**Mr Dick:** Hear, hear!

**Mrs STUCKEY:** I note the agreement from the Attorney-General. Some of the more learned responses received were from the CMC, the Clerk of the Parliament and the Ombudsman, along with numerous other recommendations that were ignored by the Bligh government. Some of the most pertinent suggestions by the CMC which have not been introduced include recommendation No. 1 relating to disciplining ministerial staff in that disciplinary powers relating to ministerial staff who are not Public Service officers be reviewed. Recommendation No. 16 relates to cabinet confidentiality and transparency, and the announcement that all major government decisions which are at variance with official department advice be accompanied by a comprehensive statement of the rationale for the decision. One would consider

those as important recommendations, but this government did not. Recommendation No. 18 relating to CMC powers clarifies that a witness cannot refuse to answer questions at a CMC hearing on the ground of spousal privilege and expressly nominates the grounds of privilege which a witness may rely upon to refuse an answer. Recommendation No. 20 relating to government owned corporations is that the status of GOCs be reviewed and amendments be introduced to ensure that they are subject to the same standards of accountability and transparency as any other government agency. Recommendation No. 21, which is the offence of misconduct in public office, is that section 92A of the Criminal Code Act 1899 be amended to remove the element of intent to dishonestly gain a benefit or dishonestly cause a detriment from the offence. I understand there is to be a stage 2 of this bill and it is to be expected that these recommendations will be included sooner rather than later.

The Ombudsman in his submission states that he is concerned that the paper understates the Ombudsman's educative and preventative role. He also reiterates his concerns with gifts and hospitality of public servants, which he had already outlined in a submission in 2008 by the Public Service Commission entitled 'Giving and Receipt of Gifts and Benefits by Employees of the Queensland Public Service'. The main recommendation that he made was that any gift valued at \$100 or less should be reported to the supervisor and recorded and any gift over \$100 should be refused with no exceptions. The second recommendation is that all government contracts should be governed by strict procedure and policy. The Ombudsman's submission highlighted an example of this not occurring when the Department of Premier and Cabinet awarded a \$900,000 contract to historian Professor Ross Fitzgerald without a tender or evidence of a fair and reasonable contract competition.

The Clerk of the Parliament, Neil Laurie, was reported in the *Gold Coast Bulletin* on 12 October 2009 saying that the political culture in Queensland is worse than the pre-Fitzgerald era and that the Queensland electoral system is no longer representative of its citizens. This respected gentleman goes on further to say that the root of the problem lays in institutional weakness. This in turn leads inevitably to a lack of transparency and absence of fear of detection or enforcement, poor leadership in ethics and integrity and, most importantly, the growth of a culture that either accepts, ignores or is fearful of reporting unethical conduct. Apparently it is all right for this government to vote for mandatory reporting for other areas, yet it leaves itself free to continue the same behaviour.

Twenty years ago Tony Fitzgerald presented his groundbreaking report into corruption, which massively changed politics and public administration in Queensland. Unfortunately, his considerable efforts to instill reforms have been slowly eroded away and secrecy has been re-established by this Labor government. In July 2009 on the *7.30 Report* former royal commissioner Tony Fitzgerald stated—

Access can now be purchased, patronage is dispensed, mates and supporters are appointed and retired politicians exploit their connections to obtain success fees for deals between business and government.

The Premier of Queensland was present when those comments were made and she responded by saying—

I believe that much of what he has said is a good warning against complacency and that's why my Government is moving to the next level of reform.

This begs the obvious question: what took her so long? Bad press and poor polling are the key barometers that cause this government to respond—not integrity, not decency and not transparency. Former Premier Beattie's contribution to the debate was—

I as Premier of this state—leading the most honest Government to that point that Queensland has had—took the view that if anyone mucked up or misbehaved or I had doubts I took it to the independent watchdog to be investigated. The CMC did an excellent job. Nuttall's in jail because I put a complaint in.

That would have to be the biggest load of hogwash. I will have to caution myself here as I am so incensed by the blatant untruths uttered by that man. That statement comes from the same Premier who quickly pushed through legislation to exonerate Gordon Nuttall, saving him from facing criminal charges for saying falsehoods to a parliamentary committee. The current Premier seconded the motion. Because of this, there is now legislation allowing the Premier and ministers to speak untruths to parliamentary committees conducting investigations.

Since this debate in July 2009, the government has put out spin to the public, promising sweeping reforms. Yes, you can no longer charge for exclusive access to ministers and lobbyists can no longer accept success fees for deals, but those changes only scrape the surface and do not penetrate down to the deeper level of dishonesty and cronyism that riddles the Bligh government. On 5 March 1990 the Queensland cabinet issued an order to destroy all documents relating to what was known as the Heiner inquiry, which was an investigation led by former magistrate Noel Oscar Heiner into abuse occurring at the John Oxley Centre.

**Government members** interjected.

**Mrs STUCKEY:** It is very clear that members opposite have no compassion for what has happened to people over the years. Once again, through their rudeness they indicate that they have no compassion.

The situation was made worse because the Queensland Labor government knew the evidence concerned abuse of children in a state youth detention centre, including the alleged unresolved pack rape

of an Indigenous female by other inmates. The Queensland government and Crown Law were also aware that the evidence was being sought by lawyers in preparation to take the matter to trial. One has to ask whether this was a breach of section 129 of the Criminal Code relating to the destruction of evidence.

The Shepherdson inquiry was an investigation initiated by the then Criminal Justice Commission into electoral fraud after the conviction of ALP members Karen Lynn Ehrmann, Andrew Kehoe and Shane Foster, who were all involved in forgery and uttering of electoral roll forms. The information gathered during the inquiry established that the practice of making consensual false enrolments to bolster the chances of a specific candidate in preselections was regarded by some ALP members as a legitimate campaign tactic. The inquiry also discovered the evidence of forgery but had great difficulty obtaining evidence as to who was responsible. Both the Hon. Paul Lucas and Michael Kaiser were investigated; however, no charges were laid.

The *Courier-Mail* of 29 August 2009 revealed that ALP electorates scored 81.9 per cent of the cash pool that had been set aside for sport infrastructure for schools, councils and private clubs. The seats that were marginal seemed to be the lucky recipients of most of the money. What makes this even worse—if that is at all possible—is that millions went to projects that their own assessors considered high risk, and some of the successful applicants had lodged incomplete applications or applications were lodged after the closing date.

From listening to government speakers today, it is clear that they are still in denial. It is not good enough that we on this side of the House support their bill; they will not play fair and support ours—as we will find out later today—because they are scared to face the truth. In essence, the Integrity Bill 2009 covers only four reforms of the 240 submissions received, with only one amendment not already operating in some way. This bill does not make any changes to prevent corruption, cronyism and unethical behaviour of ministers, it does nothing to stop ministers avoiding telling the truth to parliamentary committees and it fails to provide any change to the total lack of ministerial responsibility from this government. It also does nothing to ensure we have open and honest elections.

The Bligh government will not address the fundamental issues but instead provides spin in an attempt to pull the wool over the eyes of Queenslanders. The only way Queenslanders will get an open and honest government is if the LNP wins at the next election and if the Bligh government passes our private member's bill, which will ensure a thorough investigation of the past 11 years. That investigation would bring to the surface any corruption and dishonesty of the Bligh government and would allow the Premier to be transparent and accountable once and for all, bringing some form of integrity back to government. However, time will tell, and the LNP will be watching and waiting for stage 2 of the Integrity Bill, as even more occasions of suspicious and scheming conduct unfold before us daily in tabloids and courts across the country. We owe it to Queenslanders to put the real meaning back into 'integrity', and a failure to support the private member's bill before us today would indicate that government members are not willing to do so.