

ADDRESS

presented by

**ANNA BLIGH MP
PREMIER OF QUEENSLAND**

at

Australian Public Sector Anti-Corruption Conference (APSACC)

on

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9.00 AM

**Venue: Sofitel Hotel
249 Turbot Street**

Thank you for the invitation to speak today.

Rarely has there been a more relevant time to address a forum like this one and I welcome the opportunity to be here.

Firstly, can I acknowledge the traditional owners of the land upon which we gather.

Can I also acknowledge Robert Needham (CMC) Len Roberts-Smith (CCC) & Jerrold Cripps (ICAC).

I also acknowledge some of my Ministerial colleagues here today ... and members of the media.

2009 marks the 20th anniversary of a watershed in Queensland's political history – indeed the political history of the nation.

Two decades ago, Tony Fitzgerald brought down his landmark report after a Commission of Inquiry into corruption into the Queensland Police Service and public sector.

With this report, in 1989 Tony Fitzgerald threw open the doors to a very dark place:

... he laid bare the ugliness of dishonesty
... he decrypted a criminal language of vice and fraud, and
... he dismantled a carefully woven and deeply entrenched web of deceit

His report also began to chart a new course of accountability in Queensland and, in doing so, inspired a generation.

I am one of those who, like many around my Cabinet table, was motivated to enter public life by the revelations of these turbulent times and the hope that Tony Fitzgerald's work inspired.

He instilled in us a hope that Queensland could emerge from the shadow of corruption ...

... that perhaps we could shake off decades of embarrassment

... that perhaps we could expect something better
... and that maybe ...just maybe ... we could join the modern world

Friends, we all know the saying the 'eternal vigilance is the price of liberty'.

Twenty years on from this extraordinary moment in history is an apt time to consider and assess the achievements of the agencies and structures charged with the duty of being our vigilant watchdogs.

Any time in 2009 would have been an apt time to consider these issues.

But at the end of a month that's seen the jailing of a former Cabinet Minister, and a report into the alleged involvement of 25 police officers in serious misconduct, it could not be more opportune to turn our minds to these questions.

Inevitably, as these events have unfolded over the past few weeks, public debate has raged about whether anything has really changed at all in Queensland - whether the lessons of Fitzgerald have been forgotten.

Given the level of public investment in accountability, we have an obligation to ask ourselves whether the system *is* delivering better, more open, more accountable Government.

Here in Queensland, the major and most obvious watchdog in our system is the Crime and Misconduct Commission - an independent Commission - exercising the powers of a standing Commission of Inquiry, with a broad mission to oversee and investigate allegations of public sector misconduct and major organised crime.

The CMC employs some 300 staff and this year will cost more than \$43 million to operate. That's \$43 million that other jurisdictions - which don't have such bodies - are spending on schools, hospitals and other services. It is timely to remind ourselves that Queensland stands with NSW and Western Australia as the only States that have such a watchdog and none exists at the federal level.

So the question must be posed:

If, after 20 years of operation and some \$500 million spent in that time;

... if, after 80 misconduct investigations and 145 days of hearings last year;

... if, after numerous prosecutions and disciplinary actions; and

... if, after all this, we really believe – as some commentators are suggesting – that nothing has changed and nothing has been achieved, then it's time for a serious and radical rethink.

The questions to be addressed by this Conference are not simply the intellectual gymnastics of the initiated.

For me, as Premier, there is a compelling imperative to your deliberations.

So, what are we to make of recent events?

Do they tell us that nothing has changed?

Or do they tell us that everything has changed?

Let's cast our minds back those 20 years, to the late 1980s when Tony Fitzgerald was doing his work.

For those who were not part of those remarkable times it's difficult to summon a sense of the magnitude of what was being uncovered.

Even for those of us who lived and breathed it, time has inevitably dulled its effect.

I was a young woman, in my late 20s, active in the Labor Party, passionate about a better, fairer Queensland.

My strongest memory is that of rushing home as quickly as I could to watch the daily reports of Commission hearings

... to gather around the television set with family and friends
... gaping in disbelief at once-powerful political figures breaking down
... to learn of names and characters never before known who were
part of a powerful network of corruption.

The hearings themselves were not open to the media.

But such was the public interest in them, that TV networks hired actors to play the various parts, and re-enact the events of the day on current affairs programs – a far cry from what passes as current affairs these days.

This was the biggest show in town, and Queenslanders were mesmerised by it for months.

And what did we find?

A Police Commissioner – cultivated by the Premier of the day – and promoted to Assistant Commissioner over 122 equal or more senior officers.

A Police Commissioner who himself was corrupt and who fostered a web of deceit so mired in the police service it became part of its culture.

The same Police Commissioner, whose trial saw him sentenced for 14 years for taking more than \$600,000 in protection money.

We saw a system of corruption so widespread it extended from brothel owners and hoteliers right through the police service ... so widespread, it had its own name - perversely called 'The Joke'.

We found new names and words to describe behaviour never previously spoken of.

We heard of police officer, Jack Herbert, 'the Bagman' collecting payments from convicted heroin smuggler, Hector Hapeta, and his wife, Anne-Marie Tilley.

The humble 'brown paper bag' – previously known as a carry-all for groceries - came to mean something sinister and shady.

Today, the term 'brown paper bag' is still shorthand for corruption.

The revelation and decryption of this language by Tony Fitzgerald has a particular significance in my view.

It points to the entrenched and widespread acceptance of the unacceptable.

This language existed because people - people in very senior and responsible positions - needed a language to talk about the system with each other.

Far from being secret behaviour, restricted to a few, it was widely known and understood, and talked about, by the very people charged with protecting us from it.

We also watched as the former Premier faced trial for perjury regarding an alleged \$100 000 cash payment from a Singapore property developer.

He faced a jury that included a National Party member who did not excuse himself, and could not be convinced of Joh's guilt.

Bjelke-Petersen never faced a second trial.

We saw sufficient evidence mounted to send the Police Minister, Russ Hinze, to trial for taking a bribe from property developer, George Herscu.

Russ Hinze died in 1991 before he could face trial.

Four Ministers – Don Lane, Leisha Harvey, Brian Austin and Geoff Munz were all jailed for misappropriating public funds.

But the Fitzgerald Inquiry went much further than revealing these staggering examples of serious corruption in the highest offices of Government.

As important and courageous as this work was, it was the analysis of the failure of the institutions of Government which exposed the cancer eating away at the foundations of our democracy.

In short, Tony Fitzgerald exposed evil lurking in the heart of Government.

A corrupt police service working hand in glove with criminals - protected, aided and abetted by a corrupt Police Commissioner - in turn protected by a corrupt Police Minister, himself protected and promoted by a corrupt Premier.

Singularly, they are startling and disturbing - let alone working together in an organised network of criminal activity.

But of course, they were all, in turn, protected by a corrupted electoral system that was not based on one vote, one value.

A gerrymandered electoral system that so effectively protected the Government, it had carte blanche to do what it liked – confident that the powerful contempt of an angry electorate would never catch up with it.

It is the civil and political rights of Australian citizens that ultimately provide the biggest check and balance in the system.

It is from these civil and political rights that other rights flow. The social, legal and economic freedoms we enjoy find their foundations in the free expression of these rights.

It is the electoral power of ordinary citizens that is the greatest watchdog of all. And when *that* is corrupted it has terrible consequences.

What the Fitzgerald Inquiry did was allow sunshine to pour in and be the great disinfectant.

When we look at the legacy of the Inquiry, and contemplate it during this anniversary, we look to the success of the laws and institutions born of it:

- ... the Crime and Misconduct Commission;
- ... Freedom of Information laws;
- ... the Electoral and Administrative Reform Commission;
- ... the Whistle Blower Protection Act; and
- ... the all-party Parliamentary Committees overseeing the systems.

There is no doubt that they have played a profound role in ushering in a new order.

And there is no doubt about their importance, value and relevance in a modern democratic society.

But without the will of a fairly-elected Government, and without the will of a people who supported them, it is likely that they would not only, *not exist*, but that if they did, they would count for nothing.

It is testament to the ability and determination of Wayne Goss that he worked, and prevailed against this gerrymander with his historic victory in 1989.

It is a testament to the integrity of his Government that they set about cleaning the place up so comprehensively – in an anti-corruption drive the likes of which we're unlikely to see again in our lifetimes.

A drive which included drawing up fair electoral boundaries, so that future Governments of all persuasions would face the full effects of their actions.

But much more importantly, it is a testament to the will of the people that, despite all the hurdles, they ultimately prevailed.

So how does all this bear on the revelations of the past month here in Queensland?

Having considered the deeply-entrenched, systemic corruption of the pre-Fitzgerald years, let's now recall how recent events unfolded.

A retired Cabinet Minister has been convicted of 36 counts of receiving secret commissions.

Gordon Nuttall's conviction was the result of an investigation that began after the Sunshine Coast Daily ran a series of articles alleging improper dealings regarding the then Health Minister and land for a hospital.

The allegations were referred to the CMC by then Premier Peter Beattie for investigation who was later interviewed by the CMC and gave video evidence at the trial.

When, during the course of that investigation, the Government was approached to release Cabinet documents to assist the investigation and they were promptly provided.

As acting Premier at the time, I authorised the documents be released immediately.

Furthermore, such is the public expectation of transparency, that had the Government refused, there would have been outrage - as quite rightly there should have been.

Not only did I give evidence for the prosecution, but as a Government, we provided the Office of the Director of Public Prosecutions with an extra \$3.4 million to conduct major prosecutions, including the Nuttall case.

In my view, far from confirming that nothing has changed, this case illustrates just how much has changed. It should serve as powerful and compelling evidence that the systems put in place post-Fitzgerald actually work.

Nothing could illustrate more how much times have changed.

To blithely assert, as some commentators have, that nothing has changed, is to diminish the work of all those who have made it their life's work to eliminate corruption.

If Gordon Nuttall had been a Minister 25 years ago, he could have confidently relied on the protection of a corrupt Police Commissioner to ensure that no investigation proceeded and on the protection of a corrupt Premier – and he would have received it.

He could have relied on culture so sick he never would have faced trial – in fact such behaviour may have warranted a promotion!

But, in direct contrast, we have a situation where the Premier of day referred the allegations to the appropriate organisation, resourced and supported the investigation, and an independent Commission and judicial system did their jobs without fear or favour.

Similarly the recent CMC Report into corrupt behaviour by some police, was the subject of active co-operation of the Qld Police Service, supported by the Police Commissioner who has publicly condemned the behaviour. He is also, appropriately, now using the Report to improve the scrutiny and supervision responsibilities of senior officers.

These recent matters speak volumes of the seismic shift in Queensland's culture – and in the culture of public expectation.

In the immediate post-Fitzgerald period, Queensland's police service and public sector had a Gerni gun taken to it.

Years of systemic and endemic corruption were blasted away, leaving a cleaner surface to build upon ... and built on solidly in the 20 years since.

There has been recent debate about whether the lessons of Fitzgerald have been forgotten ... individuals may be too young to remember or memories may have faded.

But the system of accountability forged after the Inquiry, and continued by successive Governments, means we now have a *system* that *doesn't* forget ... a well established system that doesn't rely of individual memories.

The anti-corruption measures are enshrined in legislation.

They're resourced and supported.

And, they're equally enshrined in public expectation.

It is the great irony of accountable public administration that if you establish an independent watchdog, give it the powers and resources needed to investigate improper behaviour and it exposes wrong doing, question marks will be raised about your administration. Conversely, if you have no such independent watchdog and nothing is investigated or discovered your administration will escape perceptions of odious behaviour.

Despite the inevitable embarrassment from time to time, I would much rather live and work in a system which is not afraid to pick up the rock and discover the ugliness underneath than one that is content to leave the rock alone and assume that an undisturbed rock is a sign of good health.

So, are these mechanisms a good investment? Yes.

Are they value for money? Absolutely.

Since the initial post-Fitzgerald reforms, Governments have worked to improve the system of accountability in Queensland. Under Peter Beattie, this quest reform saw the introduction of tough prostitution laws, a Ministerial Handbook and Code of Ethics, the banning of Ministerial Credit Cards and the development of our Community Cabinet process to name a few.

Since I became Premier, that work has continued. We have introduced the most comprehensive and transparent reforms to FOI laws, introduced a Lobbyists Register to prevent former Ministers and Ministerial staff from using information from their former positions to make money, toughened political donation laws, banned Ministers from holding shares or company directorships – the only jurisdiction in Australia to do so.

As result of that ongoing work our expectations as a community have changed.

We expect our elected leaders and office-holders to conduct their affairs with integrity - nobody laughs or shrugs off corruption as quirky Queensland behaviour anymore.

We expect the independent watchdogs to do their job unencumbered, and bring those who choose to do the wrong thing to justice.

We expect the Government of the day to get on with the job of running the State with openness and accountability.

Am I disappointed that there have been instances of corruption? Yes

Am I pleased that those actions have been investigated, prosecuted and punished? Absolutely.

Because that shows the system works.

The Fitzgerald Inquiry opened the floodgates of accountability reform and transformed the way Queensland operates.

But the drive for reform is never over.

I endorse the view expressed this week by Tony Fitzgerald that complacency is an enemy to accountability.

In government there is a duty to continually reform and adjust to changing circumstances and emerging public concerns.

To this end, my Government will issue a green paper on Integrity and Accountability in Government to canvass the next wave of reforms in this area of administration.

The green paper will canvass political fundraising, the ministerial code of conduct, the pecuniary interests register and the effectiveness of internal investigation mechanisms in the public sector, including the Queensland police service.

And we'll be seeking public feedback on broader issues of integrity and accountability - because listening and responding to Queenslanders' concerns is what good Government is about.

In addition, Queensland will become the first State in Australia to ban success fees for lobbyists. We will adopt the Canadian model, giving the ban the widest possible application, including contract procurement, license approvals, legislative changes, and securing a meeting with a Minister.

Legislation will be brought to Parliament before the end of the year.

These success fees erode public confidence by implying that lobbying, not the merit of the proposal, secured the outcome. Success fees paid to other professionals will not be regulated in this legislation. Fees paid to professionals such as architects or engineers involved in a contract bid do not raise this question because their contribution goes directly to the merit or otherwise of the proposal.

This reform is intended to send the strongest possible signal that business does not have to pay success fees to lobbyists to succeed with this Government.

Over the past 20 years, accountability measures have been consistently updated, improved and modernised.

It's time to do that again. Queenslanders can be an active part of that process and I encourage them to do so.

And, finally, I'd like to take the opportunity, to acknowledge the work of Queensland's watchdog - the CMC and its Chair Robert Needham.

I acknowledge its continued vigilance, its work in investigating allegations of misconduct and its commitment to a better Queensland.

I conclude by paying tribute to all those decent and honest public servants and police officers who not only carry out their duties with care and diligence but have been prepared to put up their hands and

report wrong doing, regardless of the risk to themselves. The part they have played in improving public administration in Queensland can never be underestimated.