



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

PROOF

**QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS**

Answers to Questions

SPEECH

Thursday, 14 May 2015

BY AUTHORITY OF THE SENATE

SPEECH

<p>Date Thursday, 14 May 2015</p> <p>Page 63</p> <p>Questioner</p> <p>Speaker Lambie, Sen Jacqui</p>	<p>Source Senate</p> <p>Proof Yes</p> <p>Responder</p> <p>Question No.</p>
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Senator LAMBIE (Tasmania) (15:31): I rise to speak to this motion to take note of all answers given today, and I wish to take note of the answer given by the senator representing the Prime Minister, Senator Brandis, to a question without notice I asked today relating to a secret or confidential royal commission report examining organised crime, union and/or political corruption.

Before I move into the detail of my speech I would like to acknowledge and thank my Independent crossbench colleague Senator Madigan, who kindly allowed me to take his scheduled question without notice. I consulted with Senator Madigan about the question I asked of Senator Abetz. He immediately realised the importance and urgency of my question's subject matter. Senator Madigan selflessly gave up his rostered question without notice so that I could try to force an explanation from the government about an extraordinary matter. Yesterday, after finding out about the existence of an explosive confidential or secret report written by Royal Commissioner Heydon, who looked at organised crime, union and/or political corruption, I wrote to the former justice and asked him if he could share that report with me and the other crossbench senators. Put simply, this report, judging by its brief description in last December's royal commission interim report, must be one of the most important and explosive documents ever written in recent Australian political history. It is not every day that a very experienced and respected judicial officer, in justification for making a document confidential, writes:

It is necessary for that volume to be confidential in order to protect the physical well-being of those witnesses and their families. This is unfortunate, because the confidential volume reveals grave threats to the power and authority of the Australian state.

I will repeat that key phrase again, just to give the listener time to think properly about the extraordinary nature of the royal commissioner's comment: 'because the confidential volume reveals grave threats to the power and authority of the Australian state'.

Implicit in these words is a warning, and from an important, informed judicial officer, that somehow the good government of Australia—indeed, the very authority of Australian government—is under threat by an unknown hostile entity. And even though the Prime Minister's representatives in this house of parliament, Senator Brandis, continued today with his tricky, sly and evasive replies to my straightforward questions, we know from media transcripts of the ABC's 7.30 that there is a strong link between the threats to power and authority of the Australian state and the Abbott government's—and I will use Senator Abetz's own words—'Registered Organisations Commission legislation and the reintroduction of the Australian Building and Construction Commission'.

Now, every senator in this place knows that one of the biggest and most important decisions we will have to make in the near future is whether to vote for the controversial government's laws that take away building workers' basic civil rights—the right to an assumption of innocence, the right to silence et cetera—so that we can address the widespread lawlessness and possible influence of organised crime in Australia's building and construction industry. Any responsible person would assume that if a government had a report that contained findings of a royal commission that were relevant to the legislation at hand then the government would bend over backwards to make sure that every senator, especially Independent crossbench senators, were made aware of the information in that confidential report. But what we had confirmed today is that this government has deliberately covered up that confidential report. Even more concerning is the fact that there is not just one secret report but two secret government reports containing potentially explosive, damning information about corruption and organised crime affecting Australia's building and construction industry.

The second report I refer to is the Hadgkiss report, which a letter from Royal Commissioner Heydon that I have just received today confirms was also covered up by the former Liberal state government. Royal Commissioner Heydon writes to me: 'In April 2014 commission staff contacted the Victorian government to request a copy of the Hadgkiss report. The Victorian government declined to provide one.' So, in summary, we have two explosive secret reports into alleged union corruption and links to organised crime have been covered up by two Liberal

governments. It is likely that the reputations of both major political parties, Labor and Liberal, may be harmed if these reports were ever made public or viewed by independent parliamentarians.

In closing, the government must come clean. We can protect witnesses by de-identifying those secret documents. It is a simple process with precedence in this Senate. Crossbench senators must be allowed to view these documents before they cast their vote.

The DEPUTY PRESIDENT: The question is that the motion moved by Senator Collins be agreed to.

Question agreed to.