



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

PROOF

MATTERS OF PUBLIC IMPORTANCE

**Royal Commission into Trade
Union Governance and Corruption**

SPEECH

Tuesday, 18 August 2015

BY AUTHORITY OF THE SENATE

SPEECH

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Speaker	Lambie, Sen Jacqui	Question No.	

Senator LAMBIE (Tasmania) (16:49): I rise to speak to the matter of public importance. As a royal commissioner leading an inquiry examining union governance and corruption, it is clear that Mr Heydon has displayed a form of bias in accepting an invitation to become a keynote speaker at a Liberal Party function.

A royal commissioner cannot decide his own impartiality or perception of bias. You do not need a law degree to work that out; you just need to use some common sense. For heaven's sake—we have a situation where the Australian people know how a royal commissioner will vote at the next election. The royal commissioner has personally admitted that he was the main act at an important Liberal Party event. What next? Will Commissioner Heydon suspend royal commission hearings so that he can hand out Liberal how-to-vote cards at the Canning by-election?

No judge, after overwhelming evidence of bias has been produced, including words from this own mouth, can make a ruling on his own impartiality or perception of bias. He can defend his bias, he can argue and put forward a case to the contrary to a higher authority, but he cannot then make a judgement on his impartiality and expect the average Tasmanian to accept the integrity and fidelity of that decision.

Evidence may have emerged in this royal commission that has implicated the Liberal Party and its associates in corruption. But, because Commissioner Heydon has refused to allow crossbench senators to access his secret volume, we will never actually know the truth. He must resign now, and his secret report must be viewed by all crossbench senators.

You cannot, as Commissioner Heydon himself has written, have a confidential report that shows 'a grave threat to the power and authority of the Australian state' without people associated with all sides of politics being involved in serious corruption, criminal or subversive activities.

The longer the Prime Minister and Commissioner Heydon cover up that secret report from crossbench senators, the greater the likelihood that the Liberal Party is implicated in serious illegal activities. It is up to the Liberal Party and the Prime Minister to prove that they have not been implicated or linked to illegal activities in Mr Heydon's confidential volumes.

The Prime Minister made another captain's pick when he chose Justice Heydon to lead this royal commission, knowing full well the strong family and professional links that he had with the Liberal Party. When this sorry farce ends in a successful High Court action against the commissioner, it will ultimately be the Prime Minister who is at fault for the waste of hundreds of millions in taxpayers' money.

The ACTING DEPUTY PRESIDENT (Senator Seselja): Order! The time for the discussion has expired.