

Additional Statement by Senator Andrew Bartlett

The protection of whistleblowers and the integrity of our political and public systems has long been a key concern for me and for the Australian Democrats. The actions of government must be accountable and our accountability and review mechanisms must be the subject of review themselves. Senate inquiries into matters such as the Lindeberg Grievance are important for that reason, even if in this case, the findings are not conclusive. The process of opening up our public institutions, inquiring into whether there has been a miscarriage of justice and seeking the evidence is as important as the findings themselves.

As well as participating in this Inquiry, I have a long-standing exposure to the issues examined by this inquiry. At the time of the two Senate Select Committees on whistleblower issues, I was on the staff of Senator John Woodley, who was a member of both of those Inquiries, and I followed much of the evidence at that time. Based on the evidence before this and previous inquiries, it is my view that the decision to order the shredding of the documents in question was clearly wrong. However, this is a separate matter to the focus of this Inquiry, which predominantly dealt with the matters of contempt of the Senate. On these matters, I agree with the findings of the report.

I wish to make these additional comments because the opportunity should not be missed to emphasise the seriousness of child sexual and physical abuse and the widespread failure of Governments at both state and federal level to recognise that seriousness.

This matter is raised in the second term of reference of the Inquiry. However, for reasons which the report outlines, these were not able to be dealt with by the inquiry and, as a result, in the findings.

Term (b) the implications of this matter for measures which should be taken:

...

(ii) in relation to the protection of children from abuse

Mr Lindeberg has brought these new allegations because of concerns that evidence about child abuse including pack-rape and criminal paedophilia was withheld from the Senate in previous inquiries. Whilst the report acknowledges disturbing information about child abuse at John Oxley Youth Centre (JOYC), given that the main focus of the Inquiry was around the narrow matter of contempt and that almost all the evidence focussed on this, it was not appropriate to make recommendations regarding measures that can be taken to protect children from abuse.

The fact that it was not feasible for the Inquiry to address the issue of child abuse in any depth should not be misrepresented as a lack of interest by the Committee in this issue. Whilst it was asserted that a main reason for the shredding of the documents

was to cover up the sexual assault of a young girl, there is insufficient evidence to determine if there is any substance to this.

The document shredding which generated the long saga covered by this and previous Senate Committee reports may not have had anything to do with a desire to cover up evidence of child sexual assault. It is only because of the pursuit of this saga over so long that the incidents of assault came to light, along with the total failure to properly address it. Sadly, one reason why it is possible there was no intention to cover up this incident is because incidents such as the sexual assault of a young girl in state care are so common and unremarkable that it might not merit sufficient individual attention to warrant such an act. Incidents such as those alleged to have occurred have regularly been ignored or dealt with in a peremptory manner in the past without the need to involve Cabinets in document shredding.

I have previously called for a Royal Commission into Child Abuse to heal victims' suffering and impose adequate standards on all institutions that care for children. This call has also been regularly made by other Australian Democrat Senators and other advocates in the community. A Royal Commission would provide a major opportunity to investigate the actions of the past, protect children in the future, and assist victims and families to move forward. Such a Commission could include instances of abuse at JOYC and other institutions.

Only a Royal Commission provides the real prospect of addressing the issues that need to be dealt with in a comprehensive way, across all states and all different organisations – government and non-government – that have failed so terribly and continually over so many years.

The fact that delving into this matter has uncovered allegations of very serious child abuse provides yet another clear argument for a Royal Commission to enable all these matters to be properly dealt with once and for all.

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