



Let's call another inquiry

The Morris inquiry was worst practice and a \$6 million waste, argues **Scott Prasser**

WITH the 1989 Fitzgerald inquiry into police corruption, Queensland gave Australia a best practice anti-corruption royal commission. It has been held as an exemplary model ever since.

With the scuttling of the Bundaberg Hospital Commission of Inquiry, Queensland has provided an example of a worst practice inquiry. It has wasted \$6 million. It has raised false expectations. Most importantly, the inquiry has failed to deliver what all commissions of inquiry are supposed to do – give recommendations on how to fix the problem.

While other commissions have been attacked during the course of their investigation for being politically motivated, had their reports and members ridiculed, the Bundaberg inquiry is one of Australia's few inquiries that was cut down in mid-inquiry and failed to deliver a final report.

The bigger tragedy of the commission's premature closure is the besmirching of the commission of inquiry instrument. For some time commissions have been one of the few accepted independent institutions of advice and investigations that we have come to respect and trust.

Now, with the sudden ending of the Bundaberg inquiry the commission instrument has been thrown into doubt. It may be some time before another commission will be appointed in Queensland as it may be seen as tainted as the Supreme Court has ruled the evidence collected by the Bundaberg inquiry.

This is a great loss.

Armed with coercive powers of investigation, public and open, and chaired by reputable and independent persons not beholden to any government, commissions

go where other agencies fear to tread and were incapable of investigating issues.

Indeed, existing institutions often themselves have been a part of the problem. Commissions seemed to be one institution unsullied by the grubby hands of political interference that contaminates so much of the Australian political system.

Commissions like those chaired by Fitzgerald, Costigan, Woodward and Moffitt have served Australia well. They have exposed corruption previously denied, highlighted incompetence hidden in the depths of bureaucracy and made governments more accountable.

The Bundaberg inquiry was established because existing institutions such as the Health Department, the Crime and Misconduct Commission, the police, the Medical Board, and everyone else in government, were seen as too close to the problem, incapable of investigating the issues or too compromised.

The closure of the Bundaberg inquiry means we will never have an independent assessment of the whole picture about who is responsible, who knew what, what advice was given and who did not act, in relation to the Queensland hospitals crisis.

Queensland has not just lost the key to understanding one of Australia's worse health scandals, but also, with the undermining of the commission instrument, we may have lost our last bastion against political manipulation of issues and information.

Commissions are our last vehicle for getting at the truth.

In place of the Bundaberg inquiry we now have the existing institutions doing their normal job whether it is Crown Law, the Coroner, the police, the already

appointed Forster consultancy and the Crime and Misconduct Commission, a body that had previously ruled itself out of contention to investigate most aspects of the hospital crisis.

NONE of these bodies, either individually or collectively, has the same perceived independence or full powers and prestige of a commission.

None were deemed good enough to tackle the issue back in April when the Queensland Government quite correctly appointed a commission because of its special powers of investigation.

Now a new commission, with different terms of reference and focus, and different members, is needed both to finish the job and, more importantly, to assure Queenslanders that the health issue is being investigated properly.

This would not be the first time that a second commission has been established to reinvestigate an issue not done well by a previous inquiry. In 1967 the federal Holt coalition government established a second royal commission to reassess an earlier royal commission into the Voyager navy disaster. It was painful, but it largely worked.

Queensland deserves a second commission otherwise we will never know what really happened in our health department and regulatory bodies, our hospitals and what went on in the decision-making process inside government.

Dr Scott Prasser, a lecturer at the University of the Sunshine Coast, is co-convening the forthcoming conference, Reform in Queensland: Post Fitzgerald Queensland