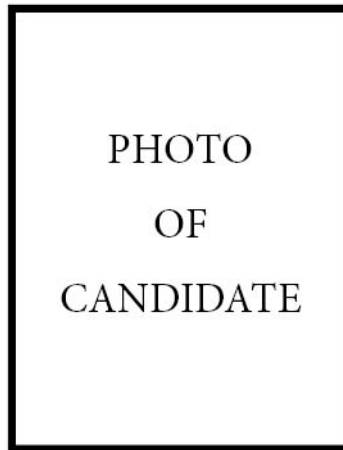


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GREG McMAHON

INDEPENDENT SENATE CANDIDATE for QUEENSLAND FEDERAL ELECTION - 2 JULY 2016

Official destruction of documents and evidence...time to call a halt

Allegations regarding destruction and disposal, by government entities in Queensland, of documents sought for likely or existing legal action against the government, should be the subject of a Commission of Inquiry, Independent Queensland Senate candidate, Greg McMahon, said today.

“In Australia today, it appears that many governments are too accepting of wrongdoing within their ranks...amongst elected and appointed officials and public servants,” Mr McMahon said.

“It is only when that wrongdoing accumulates, to levels given prominence in the media, that action is taken to address the wrongdoing.

“It appears that it is the accumulation of serious or heinous wrongdoing, rather than the single act, that finally receives some attention.

“This pattern was part of the history of complaints about patient abuse in hospitals in Queensland – disclosures by Director of Nursing Teri Lambert regarding a Hospital Board in the Bundaberg region (1990), Senior Specialist Visiting Physician Dr Senewiratne regarding Princess Alexandra and QEII hospitals (1994), Intensive Care Nurse Wendy Erglis regarding the Royal Brisbane Hospital (2003), Senior Cardiologist Dr Aroney regarding the Prince Charles (2004), accumulating with the disclosures by the Manager of the Intensive Care Unit at Bundaberg Hospital, Toni Hoffman (2005), leading to the Morris/Davies Inquiries into Bundaberg and six other hospitals (2005).

Similarly, in the case of child abuse ... a series of unsatisfactory attempts at such inquiries by the State Government (Heiner (1989), Kimmins (1998), Forde (1999) and Carmody (2013) Inquiries) leading to a national Royal Commission currently in progress.

“Queensland whistleblowers are alleging that actions by government agencies to destroy or to dispose of documents sought for litigation against the government have reached an accumulation deserving an Inquiry.

“The first and the major of these allegations are the Lindeberg disclosures about the Goss Cabinet’s destruction of documents concerning the management of, and treatment of, children in a youth detention centre.

“Together with the present assembly of narratives by whistleblowers and other ordinary citizens of similar actions within other parts of government, this accumulation of disclosures is indicating that the practice now is commonplace at middle levels of the bureaucracy.

“The agencies may have become quite brazen in their actions.

“In one case, when the police sought to investigate a claim about alleged destruction of footage from a government camera sought for a civil court action, the agency that allegedly destroyed the material may have then informed the police that no officer in the agency would speak to the police.

“When the investigating officer recommended that this position by the agency be referred to the Crime Commission, one of the police officer’s superiors allegedly refused the recommendation, and the police ceased their investigation.

“The police themselves are subject to allegations of destroying materials, taken by members of the public of police involvement in incidents, including alleged assaults, in which members of the public had recorded the events concerned.

“Twenty-five years of defending the destruction of all the ‘Heiner’ documents, and the disposal and destruction of selected documents from other whistleblower cases, lead to the conclusion that Queensland’s systems for administering court actions taken by citizens against the government have been undermined.

“Public officers can feel the pressure to engage in maladministration, misconduct and/or criminal action regarding the handling of documents sought for such litigation.

“What is seen within those agencies can give rise to perceptions that mishandling of such documents may be expected by superiors within Government agencies, in defence of such litigation,” Mr McMahon said.

“Whistleblowers and citizens cannot reasonably be expected to have confidence that government agencies would deal properly with such allegations.

“Watchdog bodies have rejected calls over two decades for a thorough and impartial Inquiry into the lead case, the Heiner Affair.

“In the absence of an Upper House in Queensland, it is the Senate, in its constitutional role as the Grand Inquest for the Nation, that appears to be the appropriate body to initiate a call for submissions from Queensland citizens about these matters. The results of a Senate Inquiry could initiate a Commission of Inquiry if the submissions received call for such a step to be taken.

“Authorities in Queensland have pursued citizens for destroying documents (union records, a child’s diary and telephone call records), for example.

“It is government agencies who may need to be encouraged to engage in lawful behaviour as model litigants in responding to investigations and court action taken against them,” Mr McMahon said.

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