

Senator Len Harris



Senator Santo Santoro



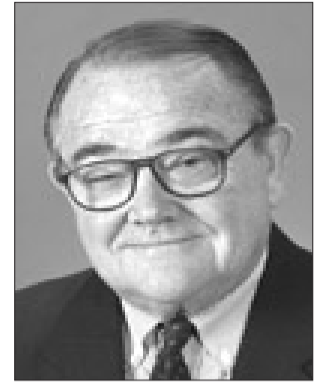
Senator Andrew Bartlett



Senator Claire Moore



Senator John Watson



Senator Alan Eggleston

# Senate probes John Oxley saga

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In February 1995, the then-Member for Clayfield Santo Santoro tabled a leaked Cabinet document in State Parliament.

It stated: "It is possible that the Committee will invite certain officials involved in the Heiner case to give evidence."

"If such invitations occur, it is proposed that officers concerned be directed not to attend."

The submission also stated the Office of Cabinet, the Department of Family Services and Aboriginal and Islander Affairs, the Queensland Police Service and the Department of Justice and Attorney-General

all agreed to the proposed approach.

Senator Santoro said he hoped the current inquiry would receive the full cooperation of the relevant agencies and public servants it called.

"It's not a Mickey Mouse inquiry, it's a fair dinkum effort," he said.

But Senator Bartlett said he would not be surprised if there was "something less than total cooperation at the State Government level".

Former union representative Kevin Lindeberg said it was not surprising, under the overwhelming weight of new evidence, that the Senate had come back to the issue.

"The Senate has before them an immensely serious task and they must follow all the consequences of any findings of contempt to the full extent of the law," he said.

Senator Harris said he hoped those asked to appear before the committee would do so voluntarily, but if it was necessary to test or establish the authority of the Senate he would seek to have anyone who did not agree to appear brought before the Bar of the Senate.

But Senator Bartlett said there were some limitations to what Senate inquiries could do in terms of demanding evidence and witnesses.

He said the clearest alternative would be a judicial inquiry with the power to compel people to appear.

"Technically a Senate Committee has the same powers, but in reality it won't use them," he said.

Senator Santoro said the committee itself would decide the way it would conduct the inquiry when it met for the first time in May.

Queensland Labor Senator Claire Moore was not available for comment on the matter.

The Committee will be chaired by Tasmanian Liberal Party Senator John Watson.

## Bishop slams state's handling of rape incident ... and Heiner affair

*Continued from page 1*

"Quite clearly, once there had been a rape it was not a question for the young girl to make any decision about it," Mrs Bishop said.

"It was a question for the authorities to take proper action to have those boys [involved in the rape] prosecuted," she said.

Mrs Bishop said the fact that staff at the John Oxley Centre chose not to report the incident to authorities when several of the boys involved absconded after the incident, was a further indicator of an early cover-up.

"I mean, they called the police to find the boys, and then they sent the police away, and they didn't report it for three days," she said.

"It's mind-bending," she said.

Mrs Bishop also commented on evidence she received about the "loneliness" of the terrain the young girl was taken.

"To be the sole female taken with this group of boys and then left unsupervised was, again, absolutely irresponsible.

"Older boys too," she said.

Evidence taken in the Committee's earlier

hearing indicated the girl had previously been subjected to sexual abuse at an even younger age.

"So the trauma for her would have been even worse," Mrs Bishop said.

"But it's the sheer cynicism of the cover-up, I suppose, that really upsets you, when you hear the evidence starting to spill out and you realise the subterfuge that went on about pretending that they could shred this evidence if there was no other legal proceeding on foot that would have required that documentation as evidence."

*"There's quite clearly one rule for those people who are in power, and exercise power, and a different law for ordinary citizens"*

It has been claimed by the CJC under no less than three separate chairmen, by a former Director of Public Prosecutions, by a currently serving magistrate and by the current State Coroner that destroying material required for legal action was not an offence unless such an action had actually commenced.

Such a claim has been rejected by other senior legal figures and has since been totally discredited.

Earlier this month a Baptist minister was tried and convicted for destroying evidence potentially required for a legal proceeding.

On three occasions the judge in the District Court case rejected the views put forward by Counsel that a legal proceeding had to be on foot before a charge of destroying evidence could succeed.

Those responsible for shredding material about the John Oxley Youth Centre, including information about the rape, however, have never been charged.



Bronwyn Bishop

Mrs Bishop said the Baptist minister was given "quite different treatment".

"There's quite clearly one rule for those people who are in power, and exercise power, and a different law for ordinary citizens," she said.

"Those persons who destroyed documents, just like the pastor destroyed documents, need to be brought to account.

"What the court decides subsequently, is a different question.

"But they should be treated in exactly the same way as the pastor was treated.

"In other words they need to be dealt with in precisely the same manner, with a police investigation, a DPP acting, and, presumably, the DPP bringing charges."

Mrs Bishop was unable to say what her Committee's next move would be.

"Well, that's a matter for the Committee to decide upon and it will be going through those ... looking at the options of where we go next and then, when we make that decision, people will become aware."

She was, however, able to confirm one thing.

"It's certainly not the end of the road," she said.

## No response to questions about rape victim identity

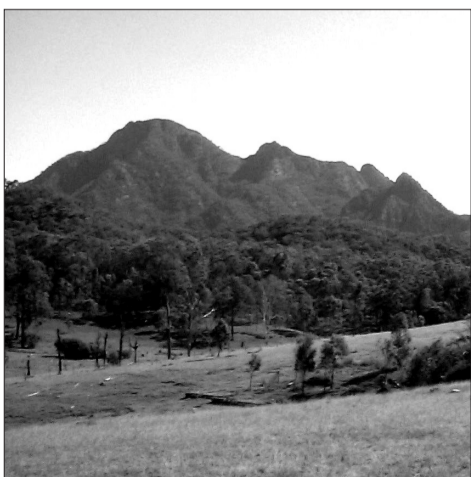
IN THE last edition of *The Independent Monthly* we reported that a news media story in 1989 had referred to the rape of a girl on an outing from the John Oxley Centre.

It was claimed in the story the girl was 17 years old.

We are aware that a 14-year-old girl was raped on an outing from John Oxley.

Three weeks ago *The Independent Monthly* asked the Minister for Child Safety, Mr Reynolds, a series of questions about the 17-year-old girl.

To date the Minister has not yet responded to our inquiry.



Mount Barney ... rape scene

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