6th May 2022

To Coaldrake Review

Re: Non Investigation of DNRME (Now RSHQ) Queensland Public Servants accused of misleading Black Lung White Lies Parliamentary Committee.

I wish to bring the matter to your attention once again with additional information I received yesterday from an RTI application.

It is the correspondence from Mr Robert Setter (Public Service Commission Chief Executive) to Mr Neil Lawrie (Clerk of Parliament) on the 10th August 2017.

In my view it demonstrates at least

1. Disregard/Contempt and actively breaching the provisions of Separation of Powers.

2. Potential Misconduct for a Type A Offense under the Crime and Misconduct Act 2001

3. Breach of Role by Mr Setter writing to Mr Lawrie seeking legal advice.

*“Type A” corrupt conduct involves conduct that affects, or could affect, a public officer (an employee of a public sector agency) so that the performance of their functions or the exercise of their powers:*

* *is not honest or impartial, or*
* *knowingly or recklessly breaches public trust, or*
* *involves the misuse of agency-related information or material.*

Mr Setter as PSC Executive Officer should have written to the Premier directly instead of Mr Lawrie in the first instance and likely the Speaker with a request for the legal advice/support; whether from external Legal Counsel, or from Crown Law.

Mr Lawrie as Clerk of Parliament should have informed Mr Setter of the need for the PSC to act on its own behalf in his reply to Mr Setter instead of whatever Mr Lawrie’s personal view were.

In short this is a calculated now templated, accepted and written way to circumvent and undermine the actions of Parliament.

This example is what is now an institutionalised way to for Public Servants to totally disrespect the Parliament process.

They can lie, obfuscate, refuse to cooperate, cover documented evidence and escape any investigation into their actions, let alone censure or discipline.

These are the most relevant findings and Recommendation of the Coal Workers' Pneumoconiosis Black Lung White Lies Select Committee Report No. 2, 55th Parliament

***Key finding***

***The cooperation of DNRM, and some of its senior executive officers, with the work of this committee fell well below the standard required of public service officers assisting a parliamentary committee.***

***Despite repeated assurances from DNRM that it would work expeditiously to assist the committee in any way possible, the committee has been met with resistance and obstruction by some officers of DNRM. Documents requested have not been produced in a timely manner, requiring the issue of a summons. Key departmental witnesses, vital to understanding the failure of the health scheme, were not advised they would be required to give evidence, were then produced only under threat of summon, and were not properly prepared by DNRM prior to their appearances before the committee. Frequently senior officers of DNRM have been unprepared and unable to answer important questions relevant to the committee’s inquiry and where answers were given, often the officers were argumentative and resistant to acknowledging the wide-ranging failures of their department.***

***Recommendation 67***

***The committee recommends that the Public Service Commissioner review the transcripts of public and private hearings of the committee involving Queensland public servants and consider the extent to which those officers cooperated with and assisted the committee, including whether or not any public servant misled the committee or otherwise breached the Code of Practice for Public Service Employees Assisting or Appearing Before Parliamentary Committees.***

All that has ever been said by anyone on the public record is by then Minister Lynham when he appears to have knowingly mislead the Parliament by just stating that Recommendation 67 had been actioned.

The most senior Mines Department Public Servants among other actions refused to produce and acknowledge the documentation and information they had about coal mine workers exposure to a known deadly industrial disease going back decades.

If Public Servants can lie about a deadly disease without consequence and get away with it, there is no accountability at all.

In fact, it is wilful and criminal negligence, maladministration, coverup and now corruption.

In this case involving the then DNRME (now RSHQ) public servants, not only have they escaped investigation, but appear to have since been in fact rewarded with promotions.

As you would be aware there are numerous Parliamentary Committees charged with oversight of various functions of Government.

These include Estimates, Portfolio, and all other standing and select committees including the Parliamentary Crime and Corruption Committees.

This is an all of Government problem that strikes at the very heart of Government and Public Service legalities, ethics and accountability.

Mr Setter is PSC Chief Executive is the most Senior Public Servant in the State of Queensland.

He in effect answers directly to the Queensland Premier.

Other officers in the Chief Executives correspondence as being aware are Mr David Reed, Director and Corporate Counsel and Mr Joe Meagher, Principal Policy Officer, Workplace Policy and Legal.

Mr Lawrie is the Clerk of the Parliament.

Mr Dave Stewart the Director General, Department of Premier and Cabinet has been cc’ed into the correspondence

How many other Director Generals or Agency Heads have written to the Clerk of Parliament or the PSC and received a similar reply from Mr Setter, Mr Lawrie or other subordinate officers?

This now written out precedent is an open and officially endorsed pathway to maladministration and potential corruption.

These people are at the very top of the Civil Administration and its Political Administration.

Their attitudes, actions or lack of them are at the very centre of the culture of the Public Service and its oversight and Parliamentary Integrity.

Mr Lawrie as *Clerk of the Parliament assists the Speaker and advises Members with interpretation of parliamentary procedures and Standing Rules and Orders.*

*The Clerk is responsible for ensuring all proceedings of the Assembly are recorded in the Record of Proceedings; distribution of Bills and Notice Papers; and has custody of all documents in the possession of the Assembly. All legislation passed by the Assembly is certified by the Clerk prior to the Governor's Royal Assent. The Clerk is also the Chief Executive Officer of the Parliamentary Service and is responsible for the efficient and economical management of the parliamentary administration*

There needs to be immediate Legislation to fix this exposed corruption template.

The culture within the public service is so rotten with lies, so inept, so disrespectful of the Queensland Parliament that it knows full well that officers can lie, tell half truths, omit information pertinent to any Committee and get away with it Scott free.

They know this. This rotten culture stems from the very top of the Govt and the public service and is exacerbated as it flows down the chain of officers.

Some officers who have made this culture an art form get promoted for their behaviour. It is disgraceful and I cite the aftermath of the Black Lung Committee as a case study.

On behalf of many coal miners in Queensland and good decent honest citizens that you recommend a Royal Commission into Queensland Government Administration. The Commission should also include statutory corporations.

Only a full Royal Commission has the power to compel evidence from these most senior Public Servants

Yours in Safety

Stuart Vaccaneo