



COST OF LIVING AND ECONOMICS COMMITTEE

Members present:

Mr LP Power MP—Chair
Mr RA Stevens MP
Mr MJ Crandon MP
Ms A Leahy MP
Ms JC Pugh MP

Staff present:

Mr T Horne—Acting Committee Secretary
Ms M Salisbury—Assistant Committee Secretary

PUBLIC BRIEFING—OVERSIGHT OF THE QUEENSLAND INTEGRITY COMMISSIONER

TRANSCRIPT OF PROCEEDINGS

Monday, 4 March 2024

Brisbane

MONDAY, 4 MARCH 2024

The committee met at 10.47 am.

CHAIR: Good morning. I declare open this public briefing for the committee's oversight of the Queensland Integrity Commissioner. I would like to respectfully acknowledge the traditional custodians of the land on which we meet here today and pay our respects to elders past and present. We are extraordinarily fortunate to live in a country with two of the oldest continuous cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we share. My name is Linus Power. I am the member for Logan and chair of the committee. Other committee members here with me today are: Mr Ray Stevens, the member for Mermaid Beach, the deputy chair and a former mayor; Ms Ann Leahy, the member for Warrego, who is substituting for Ms Amanda Camm, the member for Whitsunday; Mr Michael Crandon, the member for Coomera; and Ms Jessica Pugh, the member for Mount Ommaney, who is substituting for Mr Adrian Tantari, the member for Hervey Bay. Mrs Melissa McMahon unfortunately has an appointment at the moment so she may be joining us later.

The purpose of today's briefing is to assist this committee with its oversight of the Queensland Integrity Commissioner. I remind committee members that the Integrity Commissioner and other participating officers are here today to speak to the committee about the annual report and operation of the Office of the Integrity Commissioner and matters within the mandate of the Integrity Commissioner as set out within the Integrity Act 2009. Questions should not be posed about the merits of particular government policy objectives.

The proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. I also remind those present that you will be filmed or photographed during the proceedings and images may appear on the parliament's website and social media pages. Before we proceed, please ensure that all mobile phones are switched to silent mode.

SYMONS, Ms Lesley, Deputy Queensland Integrity Commissioner, Office of the Queensland Integrity Commissioner

WAUGH, Ms Linda, Queensland Integrity Commissioner, Office of the Queensland Integrity Commissioner

CHAIR: Good morning, Commissioner. Would you like to make an opening statement before we, no doubt, have some questions?

Ms Waugh: Wonderful. I would love to. Thank you for that invitation.

CHAIR: We are giving you a warm welcome today as well.

Ms Waugh: And a warm welcome—very warm. I need a fan! As you are aware, I have been in the role now for 15 months. The annual report that we will discuss today is for 2022-23. I was in the role for the last six months of that year. I will make a few key observations about last financial year, 2022-23. It was a year of change in terms of both the Integrity Act and personnel. There was considerable work being done in the office during that period, and even before I commenced in December, around the Integrity and Other Legislation Bill 2022 in terms of consultation and submission but also particularly once I arrived, because the bill had recently been passed—what our work program would be around the provisions commencing in 2023.

A big, sizeable piece of work when I got there was the replacement of the lobbying register project, and that became more and more resource intensive as we moved towards the go-live date, which was May 2023. The lobbying register was a real achievement for the project team. It has produced a much improved register with enhanced functionality for both users and my staff member who works on the register. We also became an independent office on 1 March 2023. Of course, in 2023 we were busy in the consultation process for the Integrity and Other Legislation Amendment Bill 2023.

As the new commissioner and also being new to the Queensland public sector—I was here a long time ago but it was a long time ago—I ensured I met with as many key stakeholders as I could in my first few months of 2023. As noted in the annual report, in my first six months I had over 120 meetings. During those meetings I also sought feedback about my office and the work we do. There was considerable consensus that further advisory material and guidance would be welcome, as would training and education sessions. That is something that continues to be a priority for my office.

I will make a few comments about my statutory functions and how work is progressing in each area. In terms of advice, last financial year we had 78 requests for advice. The majority were received in the second half of the year. I think that was probably the product of a substantive appointee, but also I was going out talking to key stakeholders.

In getting ready for this hearing, I looked at advice numbers over the past 23 years that this officer has been in place. You can see a clear upward trajectory on advice requests across those 23 years. That trend continues this year. We have already received over 90 requests for advice—well past the number for all of last financial year. If the rate of requests remains unchanged, by the end of this financial year I think I will have received over 160 advice requests. I think this is a very good thing, of course, and it is probably indicative of the increasing prominence and importance given to integrity, trust and accountability.

We remain busy in our lobbying function. I should note that the establishment of the deputy commissioner, in my view, was absolutely essential. Prior to this position being appointed it was quite difficult for me to find time to think strategically about this function and to design a regulatory program within the bounds of our legislation and powers to perform this function well. Similarly, when there is a backlog of advice requests—which is becoming more frequent—I need to have a senior officer who can assist me with that function but also assist in running the office and deal with other matters I cannot get to. Furthermore, with the very recent passing of the Integrity and Other Legislation Amendment Act 2023, we will have even more work to do in the regulatory function. Of course, added to that will be transitioning to becoming a statutory body in the middle of the year.

Our lobbying figures show that the number of registered entities has stayed about the same for the past few years, but the number of registered listed persons continues to grow—227 in 2021 to 300 in 2022-23 and, as of February this year, 337. Last year—it is reported in the annual report—we also issued a total of 26 show cause notices. Almost of these were associated with failures to comply with the annual renewal process. As far as I am aware, that is the first time this office has done this and I think it was highly effective. Entities either complied or decided to deregister—not too many in that category. I note that this year, when we did the annual renewal process, we had no cause to issue a notice, so there was very good compliance with that process. Overall, in general terms, our work in advice and lobbying continues to grow. I also have an important function to raise awareness about ethics and integrity issues and, in the not-too-distant future, to also develop mandatory and other training in relation to the lobbying function.

I also consider there is quite a bit of work for us to do in terms of delivering resources or guidance. Last year we presented or delivered only four presentations. This year we have delivered 24. The difference is that last year there was an Acting Integrity Commissioner for six months, and in my first six months I was more focused on connecting with my key stakeholders. The presentations we do now are mostly to our key stakeholder groups—executive leadership teams or government boards—and we generally cover the advice function, managing conflicts of interest and obligations in relation to lobbying. In last year's report I said that I would be recruiting a principal training and engagement officer which we have now done, which is fantastic. We do have a backlog of work, of course, and now a forward work program as well, so it will continue to be a key area of focus.

Summing up, we have a pretty sizeable work program in 2024 and going into 2025. A really big piece of work for us will be becoming a statutory body in July. There will be a very high priority on working and planning that transition over the coming months. Thank you for the opportunity to give an opening statement. I am happy to take your questions.

CHAIR: Thank you very much, Commissioner. Normally at this point I turn to the deputy chair, former mayor and member for Mermaid Beach. Ray, do you have any questions for the commissioner?

Mr STEVENS: Thank you, Chair. I happen to have a question. Congratulations on the work you have done so far, Commissioner. It is all heading in the right direction. However, I note that the new lobbying register was launched in May of last year, so in effect it has been in place for over nine months now. There have been media comments brought to our attention in relation to a former high-profile politician who has actually joined a lobbyist firm. Lobbying is a big issue in terms of

integrity and those sort of matters. This former politician is listed, apparently, as a consultant or partner of a major firm, yet she is not a registered lobbyist. How is that able to occur? Are there any penalties involved for not registering and just becoming a lobbyist off their own bat?

CHAIR: We are making an assertion there, but—

Mr STEVENS: I am just relying on a media report that has come through.

CHAIR: No doubt. We have seen lots of discussion in the House about that.

Ms Waugh: You have to remember that there are a number of statutory definitions. I do not know about this person you are talking about. I have read the papers, of course. I know that they are not a listed lobbyist or a listed person in the Queensland register currently. I do not know if they have been engaging in lobbying activity that would fall within the act in Queensland. In Queensland, that would have to be where a person is paid by a third party—fee or reward—prior to any lobbying contact being made. Then you are into the category of what is captured in the Integrity Act. What I am saying is that there are lots of things that can happen that will not be captured, potentially, by the way this scheme is structured and operates.

Mr STEVENS: Are there any penalties for not registering if you have been lobbying?

Ms Waugh: Yes. There is an offence of unregistered lobbying. I think that is 200 penalty units.

CHAIR: As you would know from the legislation we did, Ray.

Mr STEVENS: That is right. I remember it. There has been a commitment, if you like, from the government and the opposition in relation to shadow ministers' diaries being made public and kept et cetera. As the Integrity Commissioner, can you explain to me why the shadow ministry, which has no decision-making capacities, is required to provide their diaries?

CHAIR: Obviously we had the point about policy.

Ms Waugh: I was informed that change was occurring. I was not a participant in that process. I imagine the reason it is occurring is in the interests of transparency and accountability. You will see in the definition of the now act that relates to lobbying of the type that is defined in the act that opposition members, the Leader of the Opposition and Deputy Leader of the Opposition are included in there as representatives who could be lobbied.

Mr STEVENS: That is where I was heading. If a lobbyist meets with a shadow minister in relation to their portfolio, is that a lobbying contact? Is it registrable?

Ms Waugh: I do not believe it is. I think it is only for the leader and the deputy leader.

CHAIR: Your question was under the current act?

Mr STEVENS: Yes.

Mr CRANDON: Just following on from the question from the member for Mermaid Beach, we have a situation where Kate Jones has been reported in the paper as being somewhat associated with a lobbying firm. You talked about not being paid and all of those types of things, paid previously et cetera. I would imagine that from time to time Kate Jones and Steven Miles might bump into one another in the Chairman's Lounge or might indeed have dinner together. She has declared herself as being associated with a lobbying firm.

Ms PUGH: Point of order, Chair. That is a very hypothetical, member for Coomera. Do you want to rephrase that at all?

CHAIR: I do notice we seem to have multiple hypotheticals. Mr Crandon, please continue.

Mr CRANDON: Thank you. So Kate and Steve are having a bite to eat and having a bit of a chat about things, and I cannot imagine them ever talking about anything to do with government; can you? Sorry, that was a rhetorical question. I do not need you to answer it. Surely there is something smelly about a situation where you have someone associated with a lobbying firm having a bite to eat with the Premier of this state because they are friends, discussing things that are unrecorded, undocumented, and then being able to toddle off back to the lobbying firm to have a bit of a chat to whomever it is that she is having a bit of a chat to at the lobbying firm. Do you see any issues with that?

CHAIR: There is a whole bunch of speculation there. I think for the decorum and professionalism of the committee we could phrase questions in a way that reflects some of the serious things we are dealing with and the decorum we expect of the committee. I understand people are trying to make a political point, which is fine. I am allowing a lot of largesse with that, but I would like some professionalism in the way we address these issues. Commissioner, could you answer just the question.

Ms Waugh: As the regulator I would be concerned about a person engaging in lobbying activity for a third party meeting that definition in our act if that was in fact occurring. As I indicated before, that is a criminal offence and would be referred to the police for investigation. I would be concerned if that were happening. My job is to implement the scheme and it is limited to those definitions within the legislation. There is lots and lots of lobbying that can go on that is outside of the scheme. I have no function or responsibility in relation to that. I might have views about lobbying, and you know that because I did a lengthy submission to this committee on the bill. In terms of what I can do and what my function is, my function is to regulate registered lobbyists.

Mr CRANDON: I do have one other question.

CHAIR: The member for Mount Ommaney indicated she had a question. I think we have given you a fair go.

Ms PUGH: I have a couple of questions in a couple of different areas, but I will turn first to the annual report. You mentioned you did not give any oral advice, and before presuming why that might be I first want to check. Is that because you have a preference? Do you prefer to put everything in writing, or is that because people seeking advice prefer to receive it in writing?

Ms Waugh: It is a requirement of the legislation that advice requests are made in writing. There is a subcategory of a subtopic on which I can give advice and it is called interest issues. It is ethics and integrity issues that relate specifically to a member's registered interest or register of related party interest. If I am advising on that category I can give oral advice, but only there. The majority of advices—almost all of the advices, I think, for that year—were all advices that did not relate to interest issues, from memory.

Ms PUGH: Noting the significant work you have done around training and presentations with different executive stakeholders, without breaching any confidence I imagine at the end of those presentations there may be some discussion with the people who have just received that training. Without breaching any confidence, would you be able to outline the flavour of that feedback? Are you seeing any trends around the feedback they are providing to you about the challenges they are facing?

Ms Waugh: I can talk about two different issues. The first is that there are designated people who do not know they are designated persons. Part of the campaign is to make sure that people understand they are eligible to get advice, particularly if they are dealing with a complex integrity and ethics issue. We touch on lobbying. I would say there is a really high degree of interest from departmental staff in particular around lobbying and what their obligations are under the legislation. The third area, which is a growing area—and it will be reflected in my stats for the next annual report—is duty-on-duty conflicts for statutory office holders. The reason that seems to be a growing area is because it includes people who are on government boards. I think a lot of people do not realise they are a statutory office holder under my act. These are the people who hold a part-time role as a board member, so they will have other roles and the potential for conflict arises.

Ms LEAHY: Is the Office of the Integrity Commissioner concerned about lobbying outside the scheme, as we have seen in media reports?

CHAIR: You have made an assertion in that question. The Integrity Commissioner has already made it clear that if that activity had been undertaken it would be illegal. If you are making that accusation it is serious. I would counsel people to be professional in this activity. I understand this is all for the benefit of the back row here, but—

Ms LEAHY: It is a yes or no question. Are there concerns or aren't there?

CHAIR: It is also repetitive, but I am going to put it to the Integrity Commissioner. I would just ask that we do this to a reasonable standard. We could go tit for tat about those former members who were approaching the opposition leader. It just becomes unseemly.

Ms LEAHY: I think the witness should be able to answer the question.

CHAIR: Order! I have put it to the Integrity Commissioner. I have indicated that I will put it to the Integrity Commissioner.

Ms Waugh: Look, I am an Integrity Commissioner so I am generally going to be concerned with all matters relating to integrity. In the lobbying space we have a scheme that requires particular lobbyists to be registered and to enter information. That is complemented by the process of diaries being on the internet that are now searchable. Ultimately if there were instances of improper influence occurring I would be concerned about them. Can I do anything about that? No, I cannot. I am not an investigative authority. My job is to advise, regulate and raise awareness.

I will just add one more point: I consider raising awareness around the potential for improper influence, including lobbying, to be something that we will be dealing with in our training and education program because I think it is important.

CHAIR: Member for Coomera, do you have another question?

Mr CRANDON: Yes, and in fact it is a nice segue into training et cetera. You mentioned developing mandatory training and what have you. I assume there is mandatory training in place now. There was no mandatory training in place?

Ms Waugh: No.

Mr CRANDON: That changes my question slightly. How is it that you can now implement a program of mandatory training? Is that something under your legislation?

Ms Waugh: Yes, it is in the bill that was just passed.

CHAIR: Which we passed.

Ms Waugh: It will require registered lobbyists to participate in mandatory training and it has to be at least annually.

Mr CRANDON: Can you just flesh that out a little bit further? There was no mandatory training at all until this bill was passed?

Ms Waugh: Correct.

Mr CRANDON: Can you flesh out the mandatory training that we can expect to see—how many hours a year, that kind of thing?

CHAIR: It is like you were not here for the bill, member for Coomera.

Mr CRANDON: This is a public hearing, Chair. I take it very seriously that the Integrity Commissioner, who just mentioned she is developing mandatory training, can flesh that out for the people of Queensland.

CHAIR: That is fair enough.

Ms Waugh: We are in the process of developing that, at least doing the concept of what it will be. You have to remember that this will be paired with my regulatory powers. In my view, what is important about this training is that it ensures that registered lobbyists fully understand what their obligations and responsibilities are so there is no, 'Oh, I forgot to do that. I didn't realise I had to do that,' which of course is a defence that is available now because we are not delivering that sort of training. They are also people who have jobs, so we will look to keep the training in a way that is proportionate to delivering that message without asking them to take two days off work to attend a mandatory training program. I am guessing, because we have not done the detailed work, but I imagine it would be a few hours. We will look at how we then roll that out across the year and the points at which we will redeliver that training, because of course people are registering throughout the year to be lobbyists so we will want to intercept that group fairly quickly after they are registered.

Mr CRANDON: There is not any prerequisite for someone to undergo a certain amount of training before they register? They register, and then you need to pick up on it fairly quickly after that?

Ms Waugh: They are the kinds of details we will have to work out, but I imagine they will be registered and then have a period within which to do the mandatory training. When somebody registers we give them a whole heap of information about what their obligations are, where they have to look. They need to look at the act, the lobbying code. The obligation is on them to comply. It is their obligation.

Mr CRANDON: Just reflecting on people in other parts of society, various professionals, of course, prospective councillors, have to go through a process—I am talking about local government now—before they can register, before they can do something. Is there anything within the act that could allow you to require a certain amount of work to be done prior to someone registering?

Ms Symons: The new provision in the act is proposed section 53. It gives us the ability to impose a condition on registration. It can either be a condition that it is a precursor to becoming registered or it can be a condition that relates to the ongoing registration of the person or entity. Those are the sorts of things that, as the Integrity Commissioner said, are yet to be fleshed out in terms of the absolute timing of these things. That is what the provision in the new legislation will enable.

Mr CRANDON: I would have thought that, given the way of the world, given the damage that could be caused, there would be some sort of pre-training process so they hit the ground running on day one. Otherwise, they could cause a whole lot of damage and then just put their hand up, as you said earlier, and say, 'Oh, I'm sorry, I didn't know that,' because they had not done the training.

Ms Waugh: I think that is a good point, and we will definitely look at that as we do our planning about how, in what format and in what mode we deliver that. There could be further requirements. Aside from telling them that they have to comply with the act and the Lobbyists Code of Conduct, there could be some, like you say, pre-training requirements. I will definitely factor that into our deliberations about that.

CHAIR: Upon registration you do make it clear that the onus is on them to understand the act and you give them information about their roles and responsibilities as a registered lobbyist.

Ms Waugh: Yes, we do. This is an area where—the deputy and I have been discussing this—we would like to have the capacity to provide additional resources and guidance to lobbyists. The idea is that we want people to comply, so we want to make compliance as easy as possible and the scheme easily understood.

CHAIR: Just to be absolutely clear, as the Integrity Commissioner you have the ability to make that training a condition if you thought that was a concern about the integrity of lobbyists.

Ms Waugh: Yes, absolutely.

CHAIR: I just wanted to clarify that. In 2018-19 when we had requests for advice coming in from local government as well there were considerably more. One of the things we heard from the past commissioner is that there is an increase in election years as people want to have reassurance. Have you noted an increase in the nature of requests for advice this year?

Ms Waugh: No.

CHAIR: Further to that, does the number of requests reflect the high levels of complex requests or less complex requests? Is there a way for us as the oversight body to measure whether novel and difficult issues are coming forward that take considerable time, whereas others may simply have been dealt with by the commission before and the commission has great confidence in giving you advice, and you have the confidence in giving straightforward advice in relation to similar integrity issues that have been brought up before?

Ms Waugh: Yes. One of the things we would like to do in the coming 12 months is look at a case management system and revise our KPIs and the way we code the work that we do. For example, I definitely get requests that are quite straightforward, in my view, in terms of me providing advice. I also get requests which are incredibly complex and require quite a bit of research and consideration to get to the threshold of applying the standard or applying the test that I am going to apply.

CHAIR: The confidence that you could give advice.

Ms Waugh: Yes. I will comment that, in relation to the local government elections, local government councillors and mayors cannot get my advice anymore and they have not since I have been commissioner, even though they actually technically could until December last year. During my time as commissioner, I have not received an advice request from a councillor or mayor.

Mr STEVENS: Further to your earlier comments, basically you were saying that all requests for information have to be written except for matters that are tied to registered interests. They can get verbal advice. The interesting part for me is why did you mention matters in relation to registrable interests relating to the Labor Party? Why was that a particular area you singled out for only a verbal communication?

Ms Waugh: I might have accidentally confused you, and I apologise for that. The members' register of interest applies to all members of parliament.

Mr STEVENS: Right. I got that, yes.

Ms Waugh: The register for related parties, I did not tie it to a particular political party. If I did, that was not intentional.

Ms PUGH: Following on from the member for Coomera's question, he talked about local government undergoing training pre-emptively. Members of the public may not be aware that after members of parliament are elected we always undergo a training course here at Parliament House. It covers a lot of territory, but I would imagine there is always still a presentation—there certainly was when I came through—from the Integrity Commissioner. Can you update the committee about any changes or updates that training would have, the module that you present to members of parliament and how that might have changed—I respect that you have only been in the role a relatively short time—for example, what was said in 2020 and what you are planning to say after the next intake?

Ms Waugh: I probably will not turn my mind to that presentation until a little bit later this year. The legislation has changed quite a bit. There has been a long period without change and then suddenly we have had two amending acts, so I will definitely be covering those sorts of topics. I imagine that my predecessor would have covered off on conflicts of interest, and I think that is probably a topic I will revisit. It will be updated. I am not sure. I cannot say because I have not looked at the content, but I will give it careful consideration well before October.

Mr CRANDON: Just on that, there might be something there that you want to talk to us about. Just before you do that, I will just bring it to your attention that on 16 March we have two new members coming in. You might want to turn your attention to that material a little bit earlier than you perhaps originally thought about doing.

Ms Waugh: Yes. I do a range of presentations quite frequently now on the act, conflicts of interest, and the act in relation to advice and lobbying, so it is something I can turn around quite quickly. The point that is being shown to me is that the act actually says that the lobbyist—the listed person—will undertake an approved training course within a stated period after registration takes effect. The legislation says the training will be delivered after registration, so we will aim to deliver it very quickly after registration. It is not optional to deliver training prior to registration, but there is material and information that we can provide upon registration which will assist in dealing with the issue you are raising.

CHAIR: Thank you very much for that clarification, Integrity Commissioner.

Mr STEVENS: In relation to those oral requests, you mentioned 227 so far this year; is that correct?

Ms Waugh: No, they are registered—

Mr STEVENS: Registered requests.

Ms Waugh: No; listed persons in the register.

Mr STEVENS: I beg your pardon; 90 requests this year so far.

Ms Waugh: Yes.

Mr STEVENS: How many of those were oral?

Ms Waugh: None.

Mr STEVENS: You had none in 2022-23, as I understand it. Can you expand on why there are not any oral requests coming through?

CHAIR: Is this a different one?

Mr STEVENS: It is just a different take on what was mentioned earlier.

CHAIR: That is what I was hoping. If it is different, perhaps let the commissioner explain which bit is different. If the commissioner does not answer to your satisfaction, just let me know.

Ms Waugh: People do contact me and will ask me for advice orally. I will say to them, 'I can give you advice,' and I might discuss the issue with them, but they then have to commit it to writing because the act requires it to be made in writing. I do not have the discretion to accept a request for advice orally unless it relates to an interest issue.

Mr STEVENS: But you have actually already discussed the issue with them about 'you will have to put that in writing'. Have you given them any advice to say, 'That is a question that needs to be in writing because it is not about your registrable interest'?

CHAIR: If I might clarify: there is advice for the purposes of the act and advice; is that correct?

Ms Waugh: It would be very unusual, unless it was an urgent situation, for me to give advice. If somebody rings me or calls my office I might discuss the issue with them, but I do not give them definitive oral advice because I cannot. I explain to them, 'Under the act you have to make your advice request in writing, and I can only give you advice in writing.'

Mr STEVENS: I get that, but in terms of the registrable interest matters you can give verbal advice?

Ms Waugh: I can.

Mr STEVENS: But we have not had any of those?

Ms Waugh: We have not had any. I suspect that the key issue with interest issues is generally the questions are around requirements and compliance and what needs to be registered and what does not. For that you have the Clerk of the Parliament and the Deputy Clerk of the Parliament.

Mr STEVENS: So they go to him first?

Ms Waugh: I suspect that is where they are going, yes. To be fair, they have considerable expertise in both of those registrable requirements.

Mr STEVENS: So you work fairly closely with the Clerk of the Parliament on these registrable interest requests?

Ms Waugh: I do speak with the Clerk of the Parliament on a regular basis, yes.

Ms PUGH: I have a follow-up to the member for Mermaid Beach's question. Obviously you have just highlighted how there is something of an overlap. Could you outline those areas where the Clerk of the Parliament might be the suitable person to provide that advice? Members do, as you say, often go to him and ask for that advice, and so do staff members.

Ms Waugh: When the question is a technical question—'Do I have to register it or don't I?' 'Is this something that is captured by that definition?'—they will go to the Clerk. This is in the guideline that goes with the code for members, from memory. When there is an ethics and integrity issue that relates to a registration matter, that is when the Clerk will say to a member, 'You should get the advice of the Integrity Commissioner.' On strict questions such as, 'What are the requirements?', 'How does it work?', and 'What do I need to declare?', the Clerk can answer all of those questions. If there is something a bit more unclear or ambiguous or if it is an ethical dilemma, then they will come to me.

Mr STEVENS: In a verbal fashion.

Ms Waugh: They may do that.

CHAIR: If it crosses over into ethical considerations, you may ask them to put the request in writing because it is no longer a registry question.

Ms Waugh: I think under the act they can make their requests orally. If they did that, I record—

CHAIR: Where the question about the registry of interests becomes a question about advice of an ethical nature is where it crosses over to a point—not that this has come up this year, so that is a moot point.

Ms Waugh: Yes, that is correct.

Ms PUGH: I imagine that there is also a significant volume of work that the Clerk does in this space. We probably would not get any numbers around that because a lot of those discussions would be fairly informal in nature resulting in advice one way or the other that the member then acts on. Would that be correct?

Ms Waugh: I honestly cannot speak on behalf of the Clerk. I am not sure if he records that data or not.

Ms LEAHY: These questions are a little bit different to the lobbying space. I read in the briefing notes, and you mentioned earlier, that the lobbyist register has been rebuilt. There was a contractor who was engaged to do that. Are the servers that contain that information in Australia or are they overseas?

Ms Waugh: They are in Australia.

Ms LEAHY: Can you advise us of the security requirements around those servers?

Ms Waugh: I cannot advise you of the details of the security arrangements off the top of my head, but I am very happy to take that question on notice.

CHAIR: Just to clarify, the question was about the lobbyist register.

Ms LEAHY: Yes, the lobbyist register, because there was a contractor engaged to build that register.

CHAIR: For much of the lobbyist register there is a public component to the register as well.

Ms Waugh: It is a public register.

CHAIR: That is what I was indicating in terms of the security risks of the public register. That is what I was questioning. Sorry, member for Warrego. I interrupted you.

Ms Symons: All I wanted to indicate is that we have a service level agreement in place between our office and the Department of the Premier and Cabinet which includes certain provision of IT services, whether it be through a contract or otherwise. Those contractual arrangements comply with DPC standards for security.

Ms PUGH: Following up again on a data question, are you able to tell the committee about the changes implemented in May 2023 in terms of the more quantitative or qualitative data that you are able to capture as a result of the class of designated persons seeking advice and the matters on which advice is sought?

Ms Waugh: Do you mean in addition to what is in the annual report?

Ms PUGH: No, not in addition to what is in the annual report. I suppose it is about what you can put in the annual report. Has that qualitative or quantitative data changed as a result? I am not asking you to furnish additional information as to what was in the annual report. Does that make sense?

Ms Waugh: I am still not sure I fully understand your question. Obviously I cannot report on individual matters—

Ms PUGH: No.

Ms Waugh:—because of the secrecy provisions.

Ms PUGH: Of course. Let's go to trends, as I was speaking about earlier on, when we were looking at the feedback. We had the legislative changes in May 2023. Would you be able to speak to any changes in advice that has been sought as a result?

Ms Waugh: I cannot think of any change as a result. What I can comment on, for example, is that at the end of last year senior officers were taken out of the jurisdiction. I can also tell you that they have always represented a very low number of advice requests. In terms of trends, I do not see any trends that I see having any connection to legislative change.

Ms PUGH: That is interesting. Thank you.

CHAIR: Recent amendments to the Integrity Act about lobbyists having a significant role within political party campaigns is a change that you have some oversight of. There are 60 days until the bill is assented to. Are there any preparations you need to make in order to inform people or are there any other requirements for the lobbyist register to ensure compliance with that provision?

Ms Waugh: We are still contemplating some of the changes. Off the top of my head it would not seem to me that the register itself will need changes, but there will need to be critical communications to registered lobbyists very quickly about what that new provision means and how it will work and what they need to do if they decide to participate or would like to engage in election campaign activity—and all the things that come with that. We will write individually to lobbyists. They will have the opportunity to come back with any queries. We will modify our website so that that information is clear on our website. I do not think there would be a requirement to amend the register itself. The process is that they deregister. We do not publish reasons for entities deregistering.

CHAIR: This is an important integrity enhancement that we have made. In terms of how we advertise that and ensure compliance, would you write to all political parties to let them know that someone who is a registered lobbyist who is taking a significant role could have a role in keeping people informed?

Ms Waugh: Yes, we would write to the parties.

Mr STEVENS: As I understand it, lobbying firms making donations to political parties of either side has not been made legal by recent integrity legislation that was passed by the House. Can you give advice in relation to the propriety of lobbyist firms themselves making donations to either major political parties? It is just the integrity issue that we need to tie to lobbying firms. It is not actually in your report and those types of things, but it is a matter that is tied in closely to the public perception of lobbying firms.

CHAIR: We are probably straying into opinion. The secretariat wrote to me about not putting the commissioner in the position of giving an opinion on public policy.

Mr STEVENS: No. It is not public policy; it is more an integrity issue that the commissioner may or may not like to comment on. If she does not, I am okay with that.

CHAIR: We have probably put the commissioner in a particular spot given her statutory role. I will put it to you, Integrity Commissioner.

Mr STEVENS: I am okay if she does not want to answer.

CHAIR: No. I think there is a reasonable answer.

Ms Waugh: My job is not to comment on policy. I think there is risk with political donations—full stop. There are lots of reasons political donations are given. I do not think it relates particularly to one entity type over another. There is just risk and perceptions that go with political donations.

Ms LEAHY: In relation to your knowledge, Integrity Commissioner, has anyone been investigated or charged with a new offence for unregistered lobbying?

Ms Waugh: To my knowledge, no. I should say though that I might not necessarily know if that had occurred because investigation and charging is the remit of the Queensland Police Service.

CHAIR: There being no further questions, I thank the Integrity Commissioner for attending today. I note there are no questions taken on notice. Thank you to everyone who has participated today. Thank you to our Hansard reporters. Their hard work will mean that a transcript of these proceedings will be on the committee's website in due course. With that, I declare this public briefing closed.

The committee adjourned at 11.39 am.