

Crime and Corruption and Other Legislation Amendment Bill 2024

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In making this submission I must firstly express my extreme disappointment in the time frames allowed for submissions.

The Bill I understand was first introduced into Parliament on February 15, 2024, and the closing date for submission is February 23, 2024. This is a very short space of time for such an important piece of legislation.

As one of the adversely impacted former councillors for the City of Logan I am stunned that not even one of us or any of our legal representatives were notified of this legislation consultation.

However, I am pleased that having discovered the consultation, due only to the diligence of one of my colleagues, to be able to make a submission.

There are basically five points I wish to raise plus one point not part of this legislation.

1. Any proposed charges that the CCC intend to be carried out MUST be endorsed by the Director of Public Prosecutions. I purposely use the word MUST as many pieces of legislation tend to use the "weasel words" such as "should" or "may". This cannot be allowed in legislation that can and has had such significant impacts on people's futures. In relation to this the idea that the above may be avoided under "exceptional Circumstances" when there is no description or explanation of what "exceptional circumstances" may be or who defines them. If, as we have seen in the case of the Logan Councillors it comes down to a decision of the Chairperson of the CCC, with a possible bias, miscarriages of justice can still occur.

2. There does not seem to be any reference to requiring PROPER investigation of allegations against a supposedly "corrupt" person. It may be that I have missed this in my reading but given the time frames it would be easy to do.

In the case of us Logan Councillors had investigations been thoroughly conducted no charges would or could have been laid. Lives would not have been destroyed and significant amounts of Tax and Ratepayers funds saved.

In this case it was clearly proven that the CCC seconded police officers did not investigate the allegations in any detail. Allegations that were proven later by thorough investigation to be clearly untrue

I point out that none of the persons making those allegations has at any time been charged with false testimony and/or affidavits.

3. The changes that are mooted in this legislation may improve the operation of the CCC but only if they are written in such a way as to have "No Get Out Clause". As stated previously the use of "weasel words" such as should, and may MUST not be included.

4. The Tenure of the Chair and senior executive staff should be statutory not flexible and should be no longer than five years. There should also be the requirement of a 'break' of a minimum of at least 12 months between terms of office.

5. The time frame for the **legislated** changes to be in place should not exceed 6 months. It is easy for **non**-legislated time frames to be extended due to 'minor' difficulties sometimes to the point that they never actually occur.

My last point does not relate to the CCC legislation but to Section 175K of the Local Government Act. This section legislates that a elected official is automatically suspended if charged with an integrity offence. Thus being "guilty until proven innocent". This goes against every tenet of the Westminster System of Government. In the field of politics this not only removes a person from their chosen career and source of income it creates in the mind of the public a distrust that takes considerable time to change if at all.

In the case of the Logan Councillors this also resulted in the dissolution of a legally elected council removing the democratically elected representation of the citizens of Logan City.

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Thank you for the ability to submit my comments on this very important piece of legislation. I appreciate the committee accepting my submission beyond the expiry time.