



ECONOMICS AND GOVERNANCE COMMITTEE

Members present:

Mr LP Power MP—Chair (virtual)
Ms AJ Camm MP
Mrs MF McMahon MP
Mr DG Purdie MP
Ms FS Simpson MP
Mr RCJ Skelton MP (virtual)

Staff present:

Ms L Manderson—Committee Secretary
Ms S Strauss—Parliamentary Graduate

PUBLIC BRIEFING—INQUIRY INTO THE INTEGRITY AND OTHER LEGISLATION AMENDMENT BILL 2023

TRANSCRIPT OF PROCEEDINGS

Monday, 10 July 2023

Brisbane

MONDAY, 10 JULY 2023

The committee met at 10.32 am.

CHAIR: Good morning. I declare this public briefing open. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples, whose lands, winds and waters we all share.

My name is Linus Power. I am the member for Logan and chair of the committee. I am chairing these proceedings remotely today, as you can hear. I am a little bit hoarse and might occasionally cough, so I ask participants and any viewers watching the live broadcast to please bear with me if we encounter any technical issues. The other members of the committee are: Mrs Melissa McMahon MP, the member for Macalister, and Mr Dan Purdie MP, the member for Ninderry. Joining us today as substitutes for today's proceedings are: Ms Fiona Simpson MP, the member for Maroochydore, who is substituting for Mr Ray Stevens MP, the member for Mermaid Beach and deputy chair; and Ms Amanda Camm MP, the member for Whitsunday, who is substituting for Mr Michael Crandon MP, the member for Coomera. Joining us via teleconference is Mr Rob Skelton MP, the member for Nicklin, who is substituting for Mr Adrian Tantari, the member for Hervey Bay.

The purpose of today's briefing is to assist the committee with its examination of the Integrity and Other Legislation Amendment Bill 2023. The bill was introduced in the parliament by the Premier and Minister for the Olympic and Paralympic Games on 16 June 2023. The committee is required to report to the parliament on the bill by 1 September 2023.

The briefing is a proceeding of the Queensland parliament and is subject to the standing rules and orders of the parliament. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind committee members that officers are here today to provide factual or technical information. Any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House.

These 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. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please ensure any mobile phones are switched off or set to silent mode.

LANG, Ms Jenny, Deputy Commissioner, Queensland Public Sector Commission, Department of the Premier and Cabinet

WELCH, Ms Rachel, Executive Director, Integrity Reform Taskforce, Department of the Premier and Cabinet

CHAIR: Good morning. Thank you for agreeing to brief the committee today. I now invite you to make some opening comments, after which committee members will have some questions for you.

Ms Lang: I would like to begin by acknowledging the traditional owners of the land on which this hearing is taking place and pay my respects to elders past, present and emerging. I would also like to thank the committee for the opportunity for Rachel and me to brief you today about the Integrity and Other Legislation Amendment Bill 2023.

Professor Coaldrake's report *Let the sunshine in: review of culture and accountability in the Queensland public sector* made 14 recommendations and supported the implementation of a suite of other recommendations from former reviews and inquiries such as Mr Kevin Yearbury's *Strategic review of the Integrity Commissioner's functions*. The Integrity and Other Legislation Amendment Bill 2023 is the second tranche of legislation to support the implementation of Professor Coaldrake's report. This second bill builds on the initiatives introduced in the first act, the Integrity and Other Legislation Amendment Act 2022, which was passed by the Legislative Assembly last year.

Four of the Coaldrake report recommendations are addressed by this bill: recommendation 1, strengthening the independence of the position of the Auditor-General; recommendation 3, strengthening lobbying regulation and introducing a prohibition on dual hatting; recommendation 12, enhancing the independence of the five core integrity bodies through the involvement of parliamentary committees in setting their budgets, contributing to key appointments and the tabling of annual reports; and recommendation 13, providing the Ombudsman with authority to investigate complaints against private organisations carrying out functions on behalf of government.

The bill also implements seven of Mr Yearbury's recommendations from his strategic review report: recommendation 9, clarifying the term 'lobbyist'; recommendation 10, confirming that statutory officers are responsible for reporting unregistered lobbying; recommendation 12, allowing the Integrity Commissioner to request meeting records and other information from government and opposition representatives; recommendation 13, enabling the Integrity Commissioner to seek an explanation or issue a direction without first having to issue a show cause notice; recommendation 14, enabling the Integrity Commissioner to warn lobbyists for alleged misconduct without reference to the Crime and Corruption Commission; and recommendation 18, enabling the Integrity Commissioner to issue directives concerning the application of policies as circumstances require.

Clause 40 in the bill, new section 85BA, establishes the Office of the Queensland Integrity Commissioner as a statutory body to achieve financial independence for the Integrity Commissioner to control the office's funds. The bill also amends the Auditor-General Act 2009, Ombudsman Act 2001, Right to Information Act 2009, Integrity Act 2009, Crime and Corruption Act 2001, and the Parliament of Queensland Act 2001 to implement the recommendations. Schedule 1 of the bill amends the Education (General Provisions) Act 2006, Local Government Act, Petroleum and Gas (Production and Safety) Act 2004 and Water Act 2000 to remove obsolete references to the Auditor-General.

There was ongoing engagement during the drafting of the bill with the five core integrity bodies collectively through the Integrity Reform Stakeholder Reference Group and directly with each integrity body. Targeted consultation on the draft bill was also undertaken with peak industry and community representative groups, selected major law and consultancy and lobbying firms, selected associations and corporations—for example, the Local Government Association of Queensland—the Speaker and the Clerk of Parliament. The five integrity bodies, the Speaker and the Clerk were consulted on a full draft of the bill. Other stakeholders were consulted on parts of the bill relevant to them or their sector. The act is proposed to commence by proclamation and the task force will work with core integrity bodies and government agencies on a commencement plan to ensure agencies and bodies are ready for the new and increased powers and legislation.

I would like to thank the committee again for this opportunity to provide you with further information on the bill. We would be very pleased to take any questions that you might have.

CHAIR: Thank you, Ms Lang. Normally I would turn to my erstwhile deputy. Dan, you are a current member of the committee. Is there anyone on the opposition side who wishes to lead off with a question?

Mr PURDIE: Chair, I am happy to defer to Ms Simpson.

Ms SIMPSON: Ms Welch, where in the legislation is the Coaldrake recommendation for the 30-day release of cabinet documents located, as per the Coaldrake recommendation?

CHAIR: Ms Simpson, one of the things is that we want to look at the legislation we have before us. We have already heard that this relates to only a number of the Coaldrake recommendations, but I might give the witnesses a chance to clarify that.

Ms Welch: There are no legislative amendments in this bill related to the proactive release recommendation from Coaldrake.

Ms SIMPSON: Ms Welch, in the Coaldrake review there was also a recommendation about a complaints clearing house. Where in this legislation is the implementation of the complaints clearing house?

Ms Welch: There are no legislative amendments related to the complaints clearing house.

Ms SIMPSON: Ms Welch, the Premier indicated that 10 of the 14 recommendations of Coaldrake have been actioned through legislation or this pending legislation, as I understand it. Could you indicate their status and where are those remaining recommendations with regard to implementation in legislation?

CHAIR: Ms Simpson, we are not doing an inquiry at this stage into the Coaldrake report but the legislation we have before the committee. So far, none of the questions have had reference to those issues in the legislation that is put before us. All of these issues were addressed in the Premier's introduction and also in the statement, so I will put the question to the witnesses.

Ms Welch: The remaining four are still under consideration by government. I am unable to provide any further information.

Ms SIMPSON: The Premier's introduction and public comments have clearly referenced that this was to implement the Coaldrake recommendations, but there are still outstanding recommendations that have not been incorporated and so the Coaldrake review and recommendations are relevant to this legislation. Could you more specifically outline the actual status of review and implementation of the remaining recommendations?

Ms Welch: I think the Premier in her introductory speech indicated that the remaining recommendations would be implemented by the end of the year, in the next six months.

Ms SIMPSON: Ms Welch, have there been any issues that the Auditor-General has raised in regard to the implementation of the Coaldrake recommendations?

CHAIR: We do note that the Auditor-General has the opportunity to make a submission before the committee as well.

Ms Welch: The task force has been working quite closely with the Queensland Audit Office, and the Auditor-General has made submissions at appropriate times on the draft bill and independently with the director-general and the Premier. I do not know what those representations were about, but in their submission they have outlined changes that they wish to see to the draft and where possible we have made those changes.

CHAIR: I might put a question now more broadly on that to both Ms Welch and Ms Lang. What is the process of consultation that the department went through in drafting the bill? Can you give us the background of the process of consultation more broadly?

Ms Welch: Yes, I can. At the beginning of the development of the integrity reform task force, a stakeholder reference group was established which comprises all the five core integrity bodies. The stakeholder reference group has met a number of times. They are open to discussion amongst themselves and with the task force and with the chair of the integrity reform steering committee, Mr David Mackie, about the Coaldrake recommendations and about the bill but also about any other non-legislative implementation that was occurring.

In addition, we have worked directly with the integrity bodies. We have met directly with all of them on numerous occasions to discuss elements of the drafting to make sure that the drafting, wherever possible, is practical and able to be implemented by the integrity body. We have been guided in the drafting by those integrity bodies where they have advised that what was being proposed was not necessarily workable. We have an open communication with individual officers who have been nominated by each of the integrity bodies and we have communicated via email and in meetings with each of those.

In March, a full draft of the bill was provided to each of the integrity bodies. As Ms Lang said in in her opening, it was also provided to the Speaker and the Clerk of the Parliament. The bill was then sent in parts to stakeholder groups, and I can read those again. We sent the lobbying section of the bill—that is, the new chapter 4 in the bill—to community and sector representative groups; for example, Community Legal Centres Queensland, the Australian Professional Government Relations Association, the Property Council of Australia and a number of the larger lobbying firms. The provisions related to the extension of the Ombudsman's jurisdiction were sent to QCOSS and the Community Services Industry Alliance; the trusts amendments for the Auditor-General Act were sent to the Public Trustee, the Queensland Investment Corporation and Queensland Treasury Corporation; the lobbying, Ombudsman and Auditor-General trusts provisions were sent to the LGAQ and the Legal Services Commission; and a small amendment that was highlighted by the Together union at the inquiry on the last bill—it raised a concern around some language that was used that was not consistent with the Public Sector Act that was going through at the time—was sent to the Together union, just to advise them that that was occurring. We received in total 15 submissions when that bill or the parts of the bill were sent out and where appropriate we have made some adjustments to the drafting to accommodate concerns or ideas that were raised by the stakeholders.

CHAIR: Further noting that this bill impacts on the powers and responsibilities and oversight functions of parliamentary committees, was any consultation undertaken with the Clerk of the Parliament or, indeed, the relevant committees that currently have oversight?

Ms Welch: The full bill was sent to both the Clerk and the Speaker and the Clerk provided a submission.

Mrs McMAHON: Thank you for attending and for the briefing note that we received. I want to focus on some of the recommendations contained within the bill. I note that this bill will tidy up some of the outstanding recommendation 1 issues, specifically in relation to expanding the scope, and it referenced the number of trusts. What additional bodies or entities does recommendation 1 cover?

Ms Welch: The Queensland Audit Office, in their submission to the 2013 Financial and Administration Committee and again in 2017 and then again to Professor Coaldrake, raised concerns with the definition of 'controlled entity' in the Auditor-General Act and what that covers. When we spoke to them they gave us some specific issues that they have been having with determining which trusts are automatically captured by the act. The Queensland Audit Office have advised us that these amendments are not going to change the number of acts that they audit but instead will clarify those acts that are captured by the act directly and do not require a by-arrangement agreement with the entity.

The issue was that the definition of 'controlled' that is a general broad definition in the act would mean that a trust that is controlled by a public sector entity for the benefit of that public sector entity is automatically captured and would be audited. Many of the trusts that are managed by public sector entities in Queensland are actually for the benefit of other public sector entities, not the one that is controlling it, and in some cases for the benefit of multiple public sector entities. The definition is placed in there and the mandate is placed in there to pick up trusts that are controlled, in the ordinary course of understanding 'controlled', by a public sector entity for the benefit of one or more public sector entities where there is a 50 per cent beneficiary or more than 50 per cent across one or more public sector entities. It broadens out, but the QAO have advised us that it will not actually increase the number of trusts they are currently auditing because they are already capturing those by arrangement with the establishing entity.

Mrs McMAHON: Can you give an example of the types of trusts that have specifically been identified that previously just were by arrangement only? When we say 'trusts', the layperson could think of anyone, but are there examples of those controlled?

Ms Welch: I cannot provide a specific example of a trust, but a scenario would be the Queensland Investment Corporation, which is investing money on behalf of the department of state development and the Department of Transport and Main Roads into a major road construction. Because the beneficiary is not the Queensland Investment Corporation, the current reading of the bill would not capture that trust. The expanded definition would say, 'Well, it is two public entities that are the beneficiary,' so now the changes will capture that trust. At the moment there is a 'by arrangement' in place and those sorts of trusts are still audited by the QAO, by arrangement with the QIC.

Mr PURDIE: In relation to recommendation 1 of the Coaldrake review—the independence of the position of the Auditor-General be strengthened, extending its scope and according it status as an officer of the parliament—the Premier in her introductory speech referred to representations made by the Auditor-General about aligning budgets with the budget of the Legislative Assembly and stated that the government had received advice that this was potentially unconstitutional, but this model is employed in a number of other jurisdictions including New Zealand and the ACT. Can you please expand on that legal advice?

Ms Welch: Section 20 of the Constitution of Queensland is very specific. The legislation states—

- (1) Legislation appropriating the consolidated fund for the Legislative Assembly and the parliamentary service, including salaries payable under the *Queensland Independent Remuneration Tribunal Act 2013* and the *Parliamentary Service Act 1988*, is to be contained in a Bill separate from any other Bill about any appropriation for any other purpose.

Consequently, constitutional amendment would be required to that part, which is section 20(1), to enable other budgets—for example, the integrity bodies' budgets—to be included in the parliamentary appropriation bill. The Coaldrake report did not explore or recommend any constitutional amendment and I would just refer you back to the Premier's explanatory speech on 16 June.

CHAIR: That is very disappointing for both of us to hear because we wanted to put in amendments that the Economics and Governance Committee could do funding for Logan and for Ninderry!

Mr PURDIE: This might be a policy question, but, in relation to those constitutional amendments—I understand that a number have occurred in the last decade—has there been any investigation from your department about making an application or trying to get that amended to align this with the Coaldrake recommendation?

CHAIR: I did not get the specifics of that question. Can you put that again?

Mr PURDIE: In terms of the previous answer, where constitutional amendments were raised—I understand that has occurred a number of times in the last decade—I am just wondering if there has been any discussion in relation to this legislation or further legislation to see if those amendments could be made to subsequently align with Coaldrake's recommendation No. 1.

CHAIR: The witnesses might be limited, as you indicated, by providing technical information rather than policy.

Ms Lang: I think the only comment I could make is that the Coaldrake report did not explore or recommend any constitutional change and we have been implementing those recommendations from Coaldrake. As Ms Welch indicated, the Premier's explanatory speech on the introduction of the bill did outline some of the considerations in relation to that proposed change.

Ms SIMPSON: I want to ask a supplementary question with respect to the legal advice that has been referenced as being the reason the Coaldrake recommendations have not been fully implemented with regard to the integrity bodies particularly such as the Auditor-General. Who authored the legal advice that is being referenced as being the reason for the Coaldrake recommendations not being fully implemented in respect of the Auditor-General's role?

Ms Lang: Advice was sought from both the Solicitor-General and Crown Law.

Ms SIMPSON: Has a written copy of that advice been provided to the Auditor-General or any other integrity office?

Ms Lang: Not that I am aware of, no.

Mrs McMAHON: I turn to recommendation 3, relating to lobbying and lobbyists. I note that it is a rewrite. I want to outline some of the minor changes and probably some major changes. In relation to the description of meeting purposes, could you clarify what change we are going to see in relation to meeting purposes? What was under the old scheme and what will be under the new requirements in relation to description of meeting purposes?

Ms Welch: I am sorry; I am not able to answer that one right off the bat. If the member is happy to wait for five minutes, I have an officer here who can write down the response.

Mrs McMAHON: I am happy for you to come back to it. I have a couple of other questions in relation to recommendation 3. You made reference to it in your opening statement. The powers to review ministerial diaries has now been expanded to include ministerial advisers and staff; is that correct?

Ms Welch: That is not one of the legislative amendments, but that is one of the recommendations that government has foreshadowed.

Mrs McMAHON: And those requirements in relation to staff meeting with lobbyists are extended to both government and opposition members?

Ms Welch: I do not think it is an extension; I think it is what is currently in there.

Mrs McMAHON: There was reference to the Integrity Commissioner's powers in relation to establishing things such as mandatory training for lobbyists. Can you explain who does the training, how this training happens and what kinds of powers the Integrity Commissioner has if someone fails to comply with what is set down?

Ms Welch: Kevin Yearbury's report recommended that there be training or that the Integrity Commissioner have authority to require training. The training is to ensure that lobbyists are aware of and continue to maintain awareness and education of their requirements under the lobbying regulation and to remind them of their obligations. The new provisions provide for the Integrity Commissioner to have to approve a training program. The legislation will also provide that that training needs to be taken on a regular basis, with a gap of no more than 12 months. What training is approved and the timing of that training will be a matter for the Integrity Commissioner to determine once the bill has commenced.

In terms of additional powers, both the Coaldrake and the Yearbury reports said that at the moment the Integrity Commissioner has one avenue, which is a fairly big hammer—a show cause notice. Quite often, particularly for things such as not having completed their training, that is a very heavy-handed approach, so additional powers have been placed into the Integrity Commissioner's act to enable the Integrity Commissioner to give a notice to rectify. That might be a notice to undertake training as they have not done it yet or to request more information—in the case of training it would be to request information as to why the training has not been undertaken—before issuing a show

cause notice. After a show cause notice, the Integrity Commissioner will have the authority to suspend or to cancel a registration if there is blatant and ongoing disregard for the requirements of registration, which in this instance would be related to the mandatory training they have to undertake.

Mr PURDIE: Further to the extended powers for the Integrity Commissioner, this committee was enmeshed with some previous issues around the Yearbury review, essentially. I remember there was an issue with the previous public service commissioner. The then integrity commissioner had requested information and there was some discrepancy as to whether she had the power to request that information. Is that what we are talking about now with this extra power to ask for information without issuing a show cause notice? Does this rectify that issue that this committee was alerted to some time ago? Chair, does that make sense to you?

CHAIR: I think it might be at cross-purposes, but I will put the question.

Ms Welch: I am not aware of the previous issue that you are speaking of, but the power does allow the Integrity Commissioner to seek records or information from a variety of people including government and opposition representatives, other senior Public Service roles and lobbyists. It is a fairly broad power to seek information before a show cause notice, yes.

Ms SIMPSON: I want to ask a question with regard to lobbyists, particularly to do with the code of conduct. With the ban on dual-hatting and other updates in respect of regulations around lobbying, could you advise the time frame in which you envisage a new code of conduct will be released? I understand that it has not been updated since about 2013.

Ms Lang: That will be a matter for the Integrity Commissioner as to when and how she may update that code.

Ms SIMPSON: Just to clarify, you envisage that the Integrity Commissioner will be responsible for the update of the code of conduct. Do you have an understanding of the process for the revision of the code of conduct? Is that something that usually would be undertaken in consultation with the Public Sector Commission or with the Department of the Premier and Cabinet, or is that completely under the auspices of the Integrity Commissioner?

Ms Lang: I would not expect that the Integrity Commissioner would be consulting the Public Sector Commission. She may choose to do so. As you will recall, the Integrity Commissioner has control of her office and is independent. Those provisions were included in the first Integrity Act. It will be a matter for the Integrity Commissioner as to if she consults and who she consults in relation to the code.

Ms Welch: The new provisions will actually require the Integrity Commissioner to consult with the committee.

Ms SIMPSON: Obviously we support the independence of the Integrity Commissioner in their role. As this code of conduct lands, how will the training in respect of the public sector, ministerial staff and opposition staff be rolled out? Do you envisage that there will be a complementary training regime, or is it only being left to the Integrity Commissioner? There would be internal processes, I would imagine, in your own training that would still be required for the implementation of adherence to the law and the code of conduct. Could you unpack what that would look like?

Ms Welch: Internal training of department staff is the responsibility of each department's chief executive officer. I cannot speak for any other department; I can only speak for the Department of the Premier and Cabinet when I say that we have annual mandatory training on integrity and ethics. This is probably an opinion, but I would expect that our human resources team would update that training with the new information from both the bill and the code of conduct as they would be required to do, but there is no formal process that I am aware of.

CHAIR: Is that a recommendation the committee could make, to ensure those were added to the training processes?

Ms Welch: I would not presume to advise the committee on its recommendation. That certainly would be in keeping with our responsibility as public servants.

Mrs McMAHON: I turn to recommendation 12 of the Coaldrake report in relation to parliamentary committees and funding. It suggested that there would be representations made to such committees where there might be new functions or short-term projects. Could you advise of any examples of when this would occur in terms of new functions—I am assuming that we have introduced some more legislation—and short-term projects? On what kinds of activities would some of these organisations or commissioners be approaching the committee? Where has this come to a head before? Can you provide some examples?

Ms Welch: I can. An example that we looked at occurred through the COVID pandemic, where the Ombudsman received significantly more complaints from the public than in previous years or in subsequent years. It might be that a sudden and dramatic increase in workload due to an external factor such as that would require some additional funding to be able to address those complaints in the time frames needed. We would envisage that the Ombudsman would provide a funding proposal seeking some short-term increases to enable the staff to address the increased workload.

Another example, as you said, might be that government introduces a new function to the Information Commissioner that would require additional staff or an additional unit to be created. In those circumstances we anticipate that government would allocate funding before that legislation passes, but it might be that the funding that has been provided by government does not meet the need and, in this example, the Information Commissioner might want to seek further additional funding because the amount that has been allocated for the new function is not enough.

Mrs McMAHON: In terms of writing to the committee, the 20 business days and going to the minister, what kinds of potential delays to processes are envisaged within this? If quick funding is needed or backdated, what kind of period are we looking at between an organisation or commissioner writing to the committee and going through this process? What kinds of time lines could be expected?

Ms Lang: It is difficult to predict without knowing the particular matter. The funding proposal would be required to have consideration by the Cabinet Budget Review Committee, and those processes would apply as they currently do. The additional time is up to 20 business days for the committee to consider the proposal. That period was developed to enable the committee to have an appropriate period to consider but also having regard to efficiency and effectiveness in making those decisions for the relevant integrity body.

Mr PURDIE: At the start we spoke about some of the recommendations that are not included in the legislation. I think we covered two. Can you tell me how many Coaldrake recommendations are still outstanding, not just from this legislation but also from last year's legislation?

Ms Welch: I am sorry, can I ask for clarity? When you talk about the first act or the first bill, are you talking about what has not yet commenced?

Mr PURDIE: To this point now, how many of Coaldrake's recommendations, including in this bill and the previous bill, are still outstanding? We spoke about two at the start and I think there was some suggestion that there might be four. I am not sure what the other two are.

CHAIR: Just to clarify, some recommendations are less of a requirement than others so it might be difficult to answer for some that are not. I will put it to Ms Welch.

Ms Welch: Of the 14 recommendations, I think, only four or five have required legislative amendment. The other recommendations are all operational policy. I think there is only one recommendation of those that remain that might require legislative amendment but I am unable to talk about that. That is the recommendation concerning mandatory data breach notifications.

Mr PURDIE: What about the Yearbury report recommendations? Do you know how many recommendations from that report are still outstanding?

Ms Welch: I am sorry, I do not have that information directly with me, but that is a matter that we can provide back to the committee. May we take that one on notice, please?

CHAIR: We will put that on notice and get an update at the end of the proceedings or through written correspondence.

Ms Welch: Yes.

CHAIR: I want to note for those who attempted to watch proceedings but will have to watch later that we had an issue with the streaming. I am informed that the recording will be placed on the web. I apologise to those who will have to follow up a bit later. Ms Camm, did you indicate earlier that you had a question?

Ms CAMM: I did, Chair, thank you. The bill also represents the second tranche of legislation following the Coaldrake report and the Yearbury report on the strategic review. It also seeks to implement recommendations or address matters raised in the strategic review of the Queensland Ombudsman et cetera. I will not go through all of that because you have done that in your summary documents. With regard to any of the recommendations outstanding from the 2018 report of the strategic review of the Queensland Ombudsman and subsequently, is there anything outstanding from the 2013 Finance and Administration Committee report on the 2010 strategic review of the Queensland Audit Office?

CHAIR: I want to counsel that our responsibility is to look at this bill. I have given significant leeway to talk about things that are not contained in the bill, but we do want to examine the bill before us because that is the requirement of the committee. I will put the question to the witnesses.

Ms Welch: Can I please confirm: is it the strategic review of the Ombudsman or the strategic review of the integrity office?

Ms CAMM: Of the Ombudsman. That is the information I have in front of me. Elements of the Coaldrake recommendations seek to address matters raised in the 2018 report of the strategic review of the Ombudsman.

CHAIR: Again, we are asking our witnesses to speak about issues that are not in the bill that the committee has to report on. I will put that to the witnesses.

Ms CAMM: Chair, I am happy to withdraw that question.

CHAIR: Okay. Are there any other questions from the committee?

Ms CAMM: I did have one on something that Ms Welch referenced in her explanatory statements. Noting that this committee is reviewing the draft legislation in the bill and given that Ms Welch also outlined that the integrity reform steering committee, which has been a major and key stakeholder in leading this tranche of reform, is also charged with the non-legislative reforms, I have a question as to how they are measured and monitored. Is that something that would be reported back to cabinet? How will the task force report that back more openly to ensure those non-legislative reforms are underway?

Ms Welch: The integrity reform steering committee has been meeting fortnightly and has now moved to meeting monthly. The Integrity Reform Taskforce provides a project status update. The way we structured project management was to look at all of the recommendations and parts of recommendations of both the Coaldrake and the Yearbury reports and we report against each of those. Closure reports are provided to the steering committee when an action has been closed. For each step that we have had to go to cabinet, we also provide an update on the progress of each of the recommendations and the actions under those.

Ms CAMM: Ms Welch, would those reports be accessible if requested by the Integrity Commissioner or that department?

Ms Welch: I am sorry, I do not know that I can answer that. It would depend on what they request.

CHAIR: I am sorry to interrupt, but we might be dealing with a hypothetical question around 'if' a process would happen. Within that scope I will allow the question, Ms Welch.

Ms Welch: Some of the closure reports and some of the actions have required working in partnership with the integrity body. Where those actions have occurred, the integrity body is involved in the closure report that goes to the steering committee. For the reports that go to cabinet, they would have to make an application and a decision would have to be made. That is not to do with us.

Ms SIMPSON: The Premier gave a commitment for the Coaldrake recommendations to be implemented, as I understand it, lock, stock and barrel. However, it appears that there is a recommendation for greater autonomy of the Auditor-General that has not been reflected in legislation. That was for greater independence. It has come to light or certainly been emphasised, and the Premier indicated in her introduction of this legislation, that there was legal advice about providing greater autonomy for the Auditor-General, as I understand it. Could you outline what Coaldrake recommendations with regard to the Auditor-General have not been fully implemented by the legislation before the House?

CHAIR: Are you talking about the constitutional issue, Ms Simpson?

Ms SIMPSON: I am referencing—

CHAIR: I will put the question.

Ms SIMPSON: The Premier gave a commitment that everything would be implemented lock, stock and barrel, but it appears that it has not been.

Ms Lang: I think the Premier outlined that in her introductory speech and I am not sure there is anything further I can add to that in relation to the Auditor-General.

Ms SIMPSON: The Premier has referenced legal advice. We have talked about this in earlier answers. Could the government table this legal advice so that we have transparency about why this recommendation from the Coaldrake report is not being implemented?

CHAIR: That may be something of a policy question but I will put it to whomever is best placed to answer that question.

Ms Lang: That is a matter for government. I am not able to respond.

Mrs McMAHON: I want to quickly round out on recommendation 13 in relation to non-government entities. Ms Lang, could I get an indication of what sort of non-government entities will now be captured under this recommendation?

Ms Lang: As you have indicated, the recommendation was giving the Ombudsman authority to investigate complaints against private organisations—non-government organisations carrying out functions on behalf of government. Really, this is looking at entities that may be undertaking government activity. For example, should the department of child safety delegate decision-making in relation to a child under the Child Protection Act to a non-government organisation then that organisation, in relation to that function, would be captured by this standard definition.

Mrs McMAHON: Going back to my last question about what actions can be taken as a result of an investigation by the Ombudsman, Ms Lang, what kinds of actions can then be taken against a non-government entity?

Ms Lang: The Ombudsman can look at the entity's decision-making practices and their procedures in relation to that particular matter and could recommend ways to address the effects of inappropriate administrative actions that involve improving practices and procedures, provide advice to the entity and also provide training and information.

Mrs McMAHON: Thank you for that. Do we have an answer to the recommendation 3 question about the meeting purpose?

CHAIR: Yes, I was going to ask that. You were going to get back to us with information during the meeting for Mrs McMahan. Do you have that information to hand?

Ms Welch: Yes, I do, Chair. The bill focuses on capturing the activity of lobbying. This is a shift away from regulating a lobbyist; it is about regulating the activity. Specifying the meeting purpose on the register, which is what the bill will require, will allow greater transparency over the meetings that are taken. This will be particularly helpful for the Integrity Commissioner in situations where a registered lobbying firm or individual may have conditions about what they can and cannot engage in in lobbying. The Integrity Commissioner is implementing this through an amended lobbying register, which I understand has just recently gone live—in May. On that lobbying register there is a space for the meeting purpose to be added so that it is clear and transparent in terms of the topic that is being discussed.

Mrs McMAHON: It is not just that they are having a meeting but they have to identify the subject of the meeting?

Ms Welch: That is correct, yes. One of the observations by Professor Coaldrake and Mr Yearbury was in relation to former opposition and government representatives who register as lobbyists. There is already a prohibition, and that continues, on that person lobbying in a field related to their formal duties as a government or opposition representative, but there was no way to determine whether they were or not other than by the person they were lobbying reporting them for inappropriate lobbying. There is a dual arrangement here. Placing on the register what those former obligations or duties were and then reporting what the meeting purpose is about provides some check and balance as to that particular regulation.

CHAIR: Another question was taken on notice or you said that you would endeavour to get back to the committee with information for a member of the opposition. Do you have the details of that?

Ms Welch: We will have to take it on notice to do an audit and report back on the number of recommendations from the Yearbury report that are implemented in the bill or in both—

CHAIR: Thank you very much. With that, the time allocated for this morning's briefing has now expired. I thank you for the information you have provided today. Thank you to our Hansard reporters, the broadcast staff and, of course, the secretariat staff for their assistance. As noted, we did have issues with the web broadcast. I apologise for those who have to watch in a delayed fashion. A transcript of the proceedings will be on the committee's webpage in due course. A question was taken on notice. Responses will be required by 5 pm on Friday, 14 July 2023. I declare this public briefing closed.

The committee adjourned at 11.32 am.