

## **INTEGRITY AND OTHER LEGISLATION AMENDMENT BILL 2023**

**Submission No:** 8  
**Submitted by:** Organisation Sunshine Coast Association of Residents Inc. (OSCAR)  
**Publication:**  
**Attachments:** See attachment  
**Submitter Comments:**



Recognising and upholding excellence in local government

Mail: [REDACTED]

Email: [REDACTED]

21 July 2023

Committee Secretary  
Economics and Governance Committee  
Parliament House  
George Street  
Brisbane Qld 4000

**Email:** [egc@parliament.qld.gov.au](mailto:egc@parliament.qld.gov.au)

Dear Secretary

**Subject: Organisation Sunshine Coast Association of Residents (OSCAR) response to the Integrity and other Legislation Amendment Bill 2023.**

The Organisation Sunshine Coast Association of Residents Inc. (OSCAR) appreciates the opportunity to respond to the **Integrity and other Legislation Amendment Bill 2023**.

OSCAR is a non-partisan and not-for-profit umbrella/peak organisation covering resident and community organisations on the Sunshine Coast and Noosa local government areas (LGAs) in South East Queensland.

OSCAR currently has 35+ active member groups from the Pumicestone Passage to Noosa and from the Coast to the hinterland and ranges.

OSCAR aims to support member organisations by:

- 1 Advocating to local and state government and the public on policy issues that are of regional significance and of concern to our members;
- 2 Acting to resolve issues of strategic or region-wide relevance that are referred by member organisations;
- 3 Representing the member organisations on region-wide matters of interest to the community;
- 4 Maintaining awareness and responsiveness through frequent and regular ordinary meetings and dialogue with member organisations; and
- 5 Practising professional, honest and ethical conduct.

Further information about OSCAR can be found on our website at: <https://www.oscar.org.au/>

### **OSCAR response to the proposed Legislation**

The Explanatory Notes accompanying the Bill are very helpful, particularly in relation to the Updating of Language and readability of the Bill. Our comments are as follows:

## 1. Coaldrake and Yearbury Reviews

OSCAR is pleased to see that the Government is progressively implementing the recommendations of the Coaldrake and Yearbury Reviews. In our response to the Coaldrake Interim Report (16 May 2022) the review stated that (P3) *“that the community nowadays demands heightened performance and accountability and requires safeguards on the behaviours of government and the use of taxpayer dollars”*.

OSCAR suggested that the word *transparency* should be included in this statement. We are not claiming any credit as we know that many other community submissions would also have referred to this important concept. We are pleased to see the final Coaldrake Report, included this term in the definitions.

We are also pleased to see that most of the following recommendations from the Coaldrake Review relating to Lobbying regulation have been included in this Bill:

- *requiring that all professionals offering paid lobbying services to third parties to register as lobbyists;*
- *abandoning the ‘drop down’ menu on the lobbying contact log in favour of a requirement that lobbyists provide a short description of the purpose and intended outcome of contact with government (implemented in May 2023);*
- *requiring the publication of diaries of ministers and their staff. Diaries should record all external contacts designed to influence government decisions, should readily link to the lobbying register and should be easily accessible and searchable;*
- *an explicit prohibition on the “dual hatting” of professional lobbyists during election campaigns. They can either lobby or provide professional political advice but cannot do both;*
- *encouraging the Auditor-General to carry out performance audits of the lobbying register, ministerial diaries and public records to ensure recordkeeping obligations are being complied with. Coaldrake Final Report page 58.*

## 2. The Bill as it reflects the Coaldrake report

The Explanatory Notes for the Bill outlines the Policy Objectives and reasons for the Bill (Page 1) and states that the Integrity and Other Legislation Amendment Bill 2023 (the Bill) will:

- increase regulation of lobbying activity to address the public perception of undue influence on governments, including clarifying what lobbying activity is and enhancing the regulatory role of the Queensland Integrity Commissioner
- amend the conditions for registration as a lobbyist to reflect expectations around completing training and managing conflicts of interest
- introduce a prohibition on a registered lobbyist playing a ‘substantial’ role for a political party in an election campaign
- enhance core integrity bodies’ independence by increasing the involvement of parliamentary committees in additional funding proposals and contributing to key appointments
- enhance the jurisdiction of the Queensland Ombudsman to consider complaints about, and initiate investigations of government services provided by non-government entities

- establish the Office of the Queensland Integrity Commissioner as a statutory body
- clarify the trusts that the Auditor-General is required to audit.

OSCAR supports these Policy Objectives.

However, we are disappointed that the final recommendation of the Coaldrake Review "*encouraging the Auditor-General to carry out performance audits of the lobbying register, ministerial diaries and public records to ensure recordkeeping obligations are being complied with*" has not been included in the Bill. Monitoring of such a change must occur in order to identify the efficacy of the changes overall.

We appreciate and support the Compliance and Penalties components of the Bill. However, a funded annual audit by the Auditor General would certainly keep this initiative in focus and sharpened.

### **OSCAR Recommendations**

1. That the proposed legislation be amended to include the recommendation by the Coaldrake Review that the *Auditor-General to carry out performance audits of the lobbying register, ministerial diaries and public records to ensure recordkeeping obligations are being complied with*
2. That a review of the Legislation including its Policy Directions and Outcomes is undertaken within a given timeframe, for example 4 years and with Bipartisan support.

### **Conclusion**

Overall OSCAR supports the specific provisions relating to:

- Integrity Act 2009 - Lobbying reforms
- Strengthening independence of integrity bodies
- Funding proposal decisions
- Parliamentary committee involvement in appointments, annual reports and strategic reviews
- Independence of the Office of the Queensland Integrity Commissioner
- Queensland Ombudsman's jurisdiction over non-government contracted service providers

OSCAR certainly hopes that the following description and analysis of how an integrity system applies to all levels of government and made by Professor Coaldrake in his Interim Report (p6) is at the Centre of government commitment – *integrity is not an adornment to the system but essential to it and should be seen as such by the public, even if sometimes discounted in its value by the actions of some players.*

Yours sincerely



Melva Hobson PSM,  
President OSCAR Inc. (Organisation Sunshine Coast Association of Residents)