

12 January 2022

Economics and Governance Committee
Parliament House
George Street
Brisbane Qld 4000

By email: egc@parliament.qld.gov.au

Dear Committee Members

Thank you for the opportunity to provide a submission regarding the Committee's Inquiry into the report on the strategic review of the functions of the Integrity Commissioner, prepared by Mr Kevin Yearbury PSM, and tabled by the Premier and Minister for the Olympics on 14 October 2021.

The Office of the Independent Assessor (OIA) notes that Mr Yearbury's report, dated 30 September 2021, draws findings and recommendations based on submissions, which were correct at the time, that the OIA had been established with a Ministerial Direction to provide advice, training and information to mayors and councillors.

The report found that it was a duplication for the Integrity Commissioner to provide advice to mayors and councillors as designated persons, when the OIA and other bodies were available to do so.

However subsequent to Mr Yearbury's report, that Ministerial Direction to the OIA was revoked in a letter to the Independent Assessor dated 13 October 2021.

The OIA has not provided any advice or information to mayors and councillors following the revocation of the Ministerial Direction.

The OIA notes that the Local Government Association of Queensland's (LGAQ) original submission dated 14 May 2021 and included as Appendix G, is based in part on the now revoked Ministerial Direction.

Background

The original Ministerial Direction was provided to the OIA under section 150CU(1)(e) by the Minister for Local Government, Racing and Multicultural Affairs on 21 November 2018.

It required the OIA to "provide advice, training and information to councillors, local government employees, local governments and other persons about alleged suspected inappropriate conduct, misconduct and corrupt conduct".

This would allow the OIA to provide advice to councillors on matters relevant to the direction including:

- Recurring or high-risk areas of councillor conduct
- Strategies to manage more complex conduct issues

- Guiding principles on in what circumstances the OIA will prosecute categories of councillor misconduct.

In early 2021, the Local Government Department conducted an internal review of the councillor complaints system and recommended that this Ministerial Direction be revoked.

In a letter dated 13 October 2021, the Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning formally advised the OIA of the revocation stating this was to allow the OIA to maintain a strong focus on its core business.

I trust this submission is of assistance to the committee. Should further information be required please contact Ms Jane Hodgkinson, Director of Media and Engagement, by mobile [REDACTED] or via email at [REDACTED].

Yours sincerely



Kathleen Florian
Independent Assessor