



JUSTICE, INTEGRITY AND COMMUNITY SAFETY COMMITTEE

Members present:

Mr MA Hunt MP—Chair
Mr MC Berkman MP
Mr SM Dillon MP
Hon. DE Farmer MP
Ms ND Marr MP
Mr PS Russo MP

Staff present:

Ms F Denny—Committee Secretary
Dr S Dodsworth—Assistant Committee Secretary

PUBLIC HEARING—OVERSIGHT OF THE OFFICE OF THE INTEGRITY COMMISSIONER

TRANSCRIPT OF PROCEEDINGS

Wednesday, 21 May 2025

Brisbane

WEDNESDAY, 21 MAY 2025

The committee met at 10.33 am.

CHAIR: Good morning. I declare open this public oversight hearing with the Office of the Integrity Commissioner. My name is Marty Hunt. I am the member for Nicklin and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which we meet today. With me are Mr Peter Russo, the member for Toohey; Ms Natalie Marr, the member for Thuringowa; Mr Michael Berkman, the member for Maiwar; the Hon. Di Farmer, the member for Bulimba, who is substituting for Mrs Melissa McMahon, the member for Macalister; and Mr Sean Dillon, the member for Gregory, who is substituting for Mr Russell Field, the member for Capalaba.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. 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 members of the public that they may be excluded from the hearing at the discretion of the committee.

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BOOTH, Mr Paxton, Deputy Integrity Commissioner, Office of the Queensland Integrity Commissioner

PETERSEN, Ms Krystal, Manager, Corporate Services, Office of the Queensland Integrity Commissioner

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

CHAIR: Good morning. I invite you to make an opening statement for the committee before we go to questions.

Ms Waugh: Firstly, thank you for the opportunity to provide a brief opening statement. I note that this is my first appearance at a public hearing before this committee, having previously been oversighted by the Cost of Living and Economics Committee. The committee has an important role to monitor and review the performance of my statutory functions and to examine each of my annual reports. I look forward to working with this committee over the coming years.

Today's hearing is about my annual report for 2023-24. I trust that the report has provided the committee with a comprehensive account of the work performed during the year and how our budget was allocated. As outlined in the report, we saw sizeable increases in our statutory work with larger numbers across: advice requests; stakeholder engagement work which includes meetings, training and presentations, advisory publications and guidance; and increased work around lobbying register management and lobbying queries. The reasons for the increased workload and demand are varied but include changes to our act, increasing community expectations around transparency and accountability in public administration, greater awareness of my role and, I think, increased trust in my office and the value of what we do.

Last year, the key focus of our work outside of routine statutory work was change management. The changes largely arose from legislative changes and, in particular, the replacement of chapter 4 of the Integrity Act, which is the lobbying regulation chapter. The changes required every lobbying entity and individual to register under the new scheme and using a new registration process. That required significant changes to the operation of the register itself as well as a wide number of internal procedures and business processes. It had to be accompanied by a comprehensive awareness campaign to ensure our stakeholders understood the changes and what it meant for them. That was for both registered lobbyists, government representatives and opposition representatives.

Another significant change management project commenced late last year, in anticipation of becoming a statutory body on 1 July 2024 and to address the need to transition our corporate services to independent providers. This is a large project that has continued to be a priority for us this year. We were challenged in delivering the program of work in 2023-24 and I wish to acknowledge the Department of the Premier and Cabinet, the then department of state development, infrastructure, local government and planning and the then department of justice and attorney-general for providing my office with staffing and FTE resourcing to assist with that workload.

I also want to take the opportunity in a public hearing to acknowledge my own staff. They are a group of committed professionals. They work tirelessly throughout the year and did not hesitate to work additional hours when that was what was asked of them. I will leave it there but thank you for the opportunity to give this opening address. Myself, Paxton Booth, the Deputy Integrity Commissioner, and Krystal Petersen, my manager of corporate services, who are both appearing with me today, are happy to take your questions.

CHAIR: Thank you, Commissioner. I apologise in advance for the lengthy preamble of this question but I want to cover a fair bit about lobbyists. I have canvassed this in a private informal hearing previously. However, I think it is worth fleshing out a bit in this public hearing. With a reported 108 per cent increase in lobbying inquiries, in terms of lobbyists and the lobby register, can you outline to the committee a bit about what a lobbyist is, their requirements, how this has changed over the past year or so and any challenges that has posed to your office's oversight role in that area? Can you also comment on the new code? There is a process of public consultation going on. In fact, the committee has been invited to have input into that. Today, we would also like to hear from you about what you see as that process of the code or what is going to be in it et cetera. Can you let us know a little about it first? I invite you to make comments on all of those things.

Ms Waugh: I am very happy to answer those questions. If I do not remember all of the different parts, please remind me of what they were. The first thing is about lobbying regulation in Queensland. It is directed towards regulating lobbying to professional lobbyists. There are lots of individuals, businesses and groups that lobby government. Not all of those are captured by this scheme. It is professional lobbyists. A professional lobbyist is a person or an entity engaged by a third party to lobby on their behalf in exchange for fee or reward. There are lots of exclusions. It does not include, for example, clubs and associations that represent the interests of their members. It does not include in-house lobbyists, so companies that have what is often called a government relations officer employed. When they are lobbying on behalf of their own entity they are not included in the scheme.

The purpose of the scheme is one of transparency and accountability. What it requires is that all of those professional lobbyists must be registered. They must adhere to a code of conduct that is approved by my position holder after consultation with the committee. The key obligations they have, aside from complying with the code and the act and any directives that are issued, is to enter their lobbying activities into the public register. There are some requirements for them in relation to engaging with government and opposition representatives. For example, on first contact they have to say, 'I am a registered lobbyist. I represent this client. This is the reason I represent the client. This is the purpose of the meeting.' Usually it will be a meeting.

In terms of the scheme itself, it gives me certain functions. I have to maintain the register. I have to approve applications for registration. I take regulatory action when there is a need to, when there is reported noncompliance. I have to manage the annual returns and so on. I now also in that function, with the new chapter 4, have a responsibility to deliver training and education in relation to chapter 4. There is a specific function, a new requirement, that came with the change that requires lobbyists to undertake annual mandatory training. I should mention we started that this week so we have done the first round of annual mandatory training and will roll that out over the next couple of weeks. I think that those are the key elements of the regulatory scheme in terms of new chapter or what was new chapter 4 in May of last year.

CHAIR: Is that face-to-face training or online modules?

Ms Waugh: It is a combination of both. It is currently a session between two to three hours. It is offered in person and virtually. Because this is the first time we have ever done this training and we do not really know the level of comprehension and understanding across the regulated population on all of the things that they need to know, it is really focused on the fundamentals. As a registered lobbyist, what do I need to know about the act and the code, what are my obligations, what things must I comply with, what must I do. We have covered the fundamentals. Moving forward, the annual mandatory training will probably be slightly different for those who are existing registrants. It will be on key issues, themes and trends we see in reported noncompliance or changes that they need to be aware of.

CHAIR: There was the second part of my question relating to the process at the moment of the amended code, where that process is at and what changes you would like to see? Can you run the committee through where we are at with that?

Ms Waugh: Yes, the code of conduct last had substantive changes in 2013. It has had some updates over those years. New chapter 4 really prompted the need to do a proper review of that code and run a consultation process with all key stakeholders to see what they think. One of the changes that comes with chapter 4 is the ability for the commissioner to issue directives. Previously if there was a desire to do an equivalent thing, it was done through the code. When you look at the code as it currently is, it is a value statement; it is a principled statement around expectations of conduct and behaviour, which is typically what a code is. However, as you read further into it, there are some very prescriptive procedural requirements and it was because that was the only vehicle or avenue available.

We have done a consultation paper that has a series of questions. We are asking any and all stakeholders to make written submissions on that. The questions, for example, are—there are procedures in the code at the moment. I am proposing, for example, to turn those into directives to leave the code to do the work of the code, which is about values and behavioural expectations. I also want to hear from stakeholders—and not just the registered lobbyist population like government representatives and opposition representatives—about their thoughts on those.

Ms FARMER: Thank you for your great work. I was interested to ask some more about the training, and you obviously have a series of questions in your review. I understand it is training for lobbyists but also training for representatives and other like people. I realise you are out there to ask questions about it, but for this to be included in the act there clearly was a problem that needed solving. Can you comment on why there is a need? What are you noticing that really needs that education and awareness applied for both groups of people, for both lobbyists and representatives?

Ms Waugh: For a regulated population such as registered lobbyists, if you do sit down and read chapter 4 there is a degree of complexity with it and not all of these people are lawyers. Perhaps most of them are not lawyers. I think part of your regulatory responsibility is to make sure that they understand what their obligations in compliance are. There are a lot of professions where you need to do some sort of mandatory training or qualification to be registered, for example. In terms of the registered lobbyist population, it seems from the questions I have seen over the last few years that there is a need to assist in delivering education and information about certain aspects of the act and even basic things like, 'What is lobbying? What is not lobbying?', because remember that change with chapter 4. I think it also gives a baseline of understanding and, importantly, part of my role is to take regulatory action when a registered lobbyist is noncompliant. It is difficult to do that if they have not actually been given, and it is not mandatory for them to undertake, the baseline requirements to understand their requirements if you understand what I mean. They could say, 'I did that thing because I did not understand what the act said.' So we make it clear in the training, 'This is what your obligation is.'

Ms FARMER: One of those things, if I understand what you are saying, is if you are going to be enforcing compliance then you do need to show evidence that you have provided every opportunity for the person to understand their responsibilities.

Ms Waugh: Yes, correct. The other thing is I see my role as assisting lobbyists in terms of their compliance—that is the other side of my role—and to make compliance as easy as possible for them because we want them to be compliant. That is why the scheme was introduced.

Ms MARR: I do want to note that you acknowledged the work of your staff. I think that is great that your staff work as a team, so thank you for acknowledging them today. As a new MP—and there were a lot of us this parliament—I see you had 66 instances of lobbyists but it can go away from that as well. Over the last six or seven months with all these new MPs, what would be the best example of something that has happened that we can learn from? All of us want to make sure we are doing the right thing. There is a lot to learn in such a small amount of time. What have you seen as an example that new MPs should take on board when they take on that role?

Ms Waugh: That is a really good question and I will be thinking on my feet. Firstly, the scheme applies to ministers, assistant ministers and shadow ministers or opposition spokespersons. A regular MP who does not hold any of those positions can meet with anyone and registered lobbyists can meet with them and all of those requirements that I talked to in terms of who do you represent and who is your client—those obligations under the code do not apply when they speak to an MP who does not hold one of those positions.

Ms MARR: It would be good if you could include that as well as we do have a lot of new assistant ministers. You can touch on that as well if that is okay.

Ms Waugh: One of the things I did—and it is a requirement under the ministerial handbook because I have to meet with all new ministers and assistant ministers and go through their obligations. I guess the key thing that I would say to a new member is, ‘When you are holding meetings and doing your important work which you need to do—hearing from all stakeholders on policy matters under consideration on a bill before the House—make sure you know who you are meeting with and in what capacity they are there.’ Irrespective of the obligations that a registered lobbyist should have, I just think it is good practice and good due diligence to understand who is in the room, who is being remunerated, who is not, who represents whom and who works for the entity that is actually trying to lobby you. I think that would be my key for all members of parliament. For ministers and opposition spokespersons, again just do your own due diligence with the meeting. Make sure you know who is coming into the meeting. It is good practice to have an agenda that has participants named. Ask the question if you think there is a relationship that looks like a representative relationship between individuals who are in the room with you.

CHAIR: I want to take the time to acknowledge and welcome the students in the gallery. Welcome to the Queensland parliament and the hearing of the Justice, Integrity and Community Safety Committee’s oversight of the Integrity Commissioner.

Mr BERKMAN: I want to ask a couple of questions about the regulatory function of the commission and specifically the 66 instances of noncompliance referred to in the report. Can you tell us more about what were the main reasons for those noncompliance issues? Are there any themes that come through those? Also there was the single show cause notice that is referred to. Can you give us more information about what that was in relation to and what the outcome of it was?

Ms Waugh: I can do both of those things. With the 66 instances of noncompliance, typically they will relate to two or three things. One will be failing to enter a lobbying activity onto the public register. Departments and officers keep their own register and they have staff who do reconciliations. It will be a failure to record. When they come to us they are just alleged noncompliances, and my deputy may be able to assist here. When we go through and do our work some of these are actually not noncompliances; it will be a misunderstanding about whether or not it was a lobbying activity. A really good example would be a registered lobbyist who is doing pro bono work. When they do that, it is not lobbying activity. If they have an incidental meeting with a lobbyist, it is not going to be lobbyist activity because it is incidental.

The other area which I think is really hard for departmental staff and people who hold those registers and do the reconciliations to be clear about is when an entity is not in the carve-out of being a professional or technical services entity. If you understand in the act, if you are providing professional and technical services and part of what you do is lobbying—actual lobbying for a third party in exchange for a fair reward—it is not lobbying activity under the act. It would only be if that were the sole purpose of the engagement. As you can understand, that can be confusing when somebody is dealing with a law firm, professional services, a town planner or an architect as to whether it is a lobbying activity or not.

Some of them are actual instances of noncompliance, and we will take the appropriate action to have that rectified. I now have an ability to issue a compliance notice; this was a new power in the changes that came in in May. Until we delivered the training, we have adopted a sort of educational approach to registered lobbyists to correct that action. After the training we will look at how we will exercise compliance notices. That is the answer to the first question.

In terms of the second question in relation to the show cause, I cannot say a lot about it, naturally. I can say that it related to noncompliance with the act and the code. I can report that in terms of the outcome, which was in this current financial year, my decision in relation to that matter was to issue a warning, which is a particular sanction or power I have under the act.

CHAIR: What other powers do you have under the act? Is there a prosecutorial function?

Ms Waugh: No. There are no investigative functions. Under the act there is an obligation for government representatives and opposition representatives to report unregistered lobbying, for example, which is a criminal offence. There is also an offence of holding out and an offence of payment of success fees. If they came to me, say, in the case of unregistered lobbying where the obligation is to report to me, all I can do is an assessment of that information and then refer it to an investigative authority. That would be the Queensland Police Service. In terms of the powers, I can issue compliance notices. Sanctions are to suspend, a warning and deregistration. I also have a new power that came with the last raft of changes, which is to issue a notice for information, and that will be in connection with a reported noncompliance or breach matter.

Mr DILLON: Thank you for being here today. My question is probably a little bit off on another tangent. It relates to the annual report or the method and the mechanism around that. Agencies such as yours are established not only to enforce the laws but to give the public confidence in the decisions of agencies and representative bodies. Do you have any way of measuring or is there a public engagement function aside from your key agencies that gives broader visibility outside of the annual reporting? Is there anything throughout the year that any of your agencies undertake, whether or not it be through a social media presence? Obviously a lot of people would be aware of the work you do when it is front page when someone has done something wrong and they have received advice. Holistically, is there work that the agency undertakes to seek to inform the general public—not necessarily stakeholders—about the work of the agency?

Ms Waugh: It is interesting because there is a public awareness; that is part of one of the functions I have. I would say that we do that mostly through our website and updates that we put on our website. I do not have a particular comms strategy that targets the broader community and public sector in terms of engagement. We do use social media, for example, to get the message out there. We are a very small office and so the resources I have are very much directed to the key stakeholder groups, which is members of parliament, government representatives, registered lobbyists and so on.

Ms FARMER: Issue 8 in your paper is about asking for a meeting, a lobbying activity. I am fascinated that there is quite a range of opinion about this issue, and there are a number of nuances for you to be able to include it as an actual issue. Could you elaborate on the points of view and what those nuances might be?

Ms Waugh: I am very happy to. This would be the issue that is raised with me most frequently and by different stakeholder groups too, not just registered lobbyists—some think it should not be and some think it is confusing. If you look at the question that is in the paper—and I have been asked to revisit this issue also—the position of my office at the moment, which has been the same since before my commencement, is that if you ask for a meeting and you get the meeting it is a lobbying activity, but if you ask for a meeting and you do not get the meeting it is not a lobbying activity—hence the frequent commentary that this is confusing and is logistically difficult to implement and do assessments and reconciliations.

At its most basic, the definition of a lobbying activity is any attempt to influence decision-making. The question then becomes, 'Do you have to explicitly say that is what you are doing in your communication with a government representative and an opposition representative, or is it a course of conduct—for want of a better word—and you do not need to be explicit?' If you are being paid by your third party client to influence government decision-making, then whether you are asking for a meeting or expanding on the purpose of the meeting is irrelevant. That is one argument. It is all part of a theme of lobbying government or opposition to influence decision-making.

The other side of the equation is logistical. It is just asking for a meeting. It does not specifically say what we would like to influence your thinking on; therefore, it should not be lobbying activity. They are the two opposing views. I would like to hear from as many different stakeholders as I can about their views. The question I ask reminds the submitter they must have regard to this statutory definition. It is not an open-ended question; it is, 'What do you think, having regard to what the statutory definition is?'

CHAIR: Regarding the section on advice sought in your annual report, the increase in advice requests between 2017-18 and 2021 was exceptional and resulted from mayors and councillors being able to seek advice during that period. Mayors and councillors are no longer eligible to seek advice. I am just interested to know how that came about—the history of it and the legislative changes. Was that role passed on to another department? Where do mayors and councillors get advice from these days?

Ms Waugh: Good question. Under the previous legislation any minister could nominate a class of persons to be a designated person. Mayors and councillors were never in section 12 of the act, which sets out the definition of 'designated person'. They were never explicitly mentioned, but there was a provision that allowed a minister to nominate any class of persons. The Minister for Local Government nominated mayors and councillors, probably because somebody asked them to get advice. The consequence of that, of course, was a tsunami of requests once mayors and councillors knew that they could get advice about conflict of interest matters in particular, and that overwhelmed the office. You can see it in the numbers. There was a big jump in those three years.

One of the legislative changes that came through the Integrity and Other Legislation Amendment Act was the nomination power. You will now see there is no broad nomination power for a minister in the act anymore. There is power for the Premier to nominate a class of person or persons for a 28-day period, but generally they are made through regulations. If you have a look at the integrity regulation

you will see all of the positions that are nominated as designated persons. I should mention that, when the numbers got overwhelming, the previous commissioner imposed a service limitation. They just started saying, 'I can't give you the advice.' When the act was amended that nomination ceased to have any authority, so mayors and councillors were no longer designated persons anyway.

What do mayors and councillors do now? I do not claim to be the expert because, obviously, I do not do local government work, but I imagine the department has peak bodies they could probably go to for advice. There is certainly no equivalent of an expert independent authority to give them that advice, which exists for members of parliament and the Public Service.

CHAIR: The obligation on lobbyists is not the same as for mayors and councillors. They do not have to—

Ms Waugh: It actually is, yes.

CHAIR: I suppose that broadly exposes them to the risk of bad advice at this point in time.

Ms Waugh: Yes. For example, you will see local councils are in our presentations. Why are we doing local councils? It is because we are talking to councillors or council staff about lobbying regulation. In fact, our proactive comms program includes a key stakeholder group whom I know we have to have a better reach out to and better resources for because they deal with, as I mentioned before, professional and technical services. They really do need to be attuned to that because they are dealing with town planners and the like in terms of development applications and all of that. They are very high on our list as a stakeholder group, but we need to do much more.

CHAIR: Broadly speaking, there is training available but not specific advice?

Ms Waugh: Correct. I should say that a councillor, or a council employee, could absolutely ring my office or send an email to ask a question about lobbying regulation and we will provide them with all of the assistance that we can give them.

Ms FARMER: This question has been considered and asked of previous integrity commissioners. If you provide advice to an elected representative whose behaviour comes under public scrutiny or is controversial and they quote your advice—and it actually may not be the advice you provided—what are the parameters and the challenges for you around that?

Ms Waugh: The secrecy provisions apply to me and my staff. They do not apply to the advisee: the designated person can share their advice with whomever they like. I specifically ask advisees if they are going to disclose the advice to disclose it in full and not to selectively quote it. That is the first thing I do.

Hypothetically, if that happened, I probably would be minded to contact the designated person directly about what was said and ask for the record to be corrected, but I would not seek the authority or power to choose to disclose advice documents myself. The reason behind that is it is a confidential service. If you give the commissioner the ability to disclose on public interest grounds, that will make advisees nervous. Commissioners change and they may interpret that differently and decide to do that. I am not unhappy with the system. I will say it is not a concern I have.

Mr DILLON: Commissioner, you have touched a couple of times today on the fact that it is a small office and you have peak periods, and obviously one of those was around the time the legislation changed. I would imagine the 2024-25 report will have the change of government, so you have had considerable stakeholder input. The report does reference, though, that there was a secondment of staff. What is your current staffing arrangement like in that respect? Do you anticipate any other time in the near future where there will be an elevation of requests for assistance from your office?

Ms Waugh: Yes, there are some. I will give you the figures for today. This year, I have a budget of 15 FTE, or 15 staff. I am currently sitting at around 16.8. That is up from when I first started, where it was between five or eight. Sometimes you can anticipate it, definitely—a general state election, a cabinet reshuffle and movements in the senior ranks of DGs and SES officers. It is always a busy period when we do annual returns for lobbyists. Some things that we do will cause a surge in work as well. For example, I have spent a bit of time talking to boards for government owned corporations, government boards and Hospital and Health Service boards. A lot of these board members did not realise they were designated persons, and that is in part because the office did not have the capacity to do comms to make sure that designated persons knew that they were in fact designated persons. When you start talking to boards, somebody will suddenly realise, 'I'm a designated person. I'm going to get advice now that I know I can.'

The other thing with statutory office holders is they have an obligation under my act to report any conflict of interest to their minister. When they realise they have to disclose that report, they will come to me for advice. I will assist them in terms of the advice itself but also give them their conflict of interest

management plan and guidance on how to get that to the minister to have it approved. Sometimes it is predictable. Sometimes it is unpredictable. We have had periods where we just had a lot of advice requests and I cannot point to a particular antecedent that caused that little surge in advice requests.

Mr BERKMAN: That was actually the question I was going to ask, but another interesting issue flows from it. The term 'statutory office holder' captures a lot of different roles, as I understand it—essentially anyone who is appointed under enactment by the Governor in Council or by a minister. Do you have a sense—or can you give the committee a sense—of how many statutory office holders are subject to that obligation and do you feel like the office is adequately resourced to proactively make all those people aware of their obligations?

Ms Waugh: I honestly could not tell you and I have not tried to count how many statutory office holders there are. We are limited in the communications and reach-out we can do. We are paced by our own resources. You are right; the number will be quite large because it is any position created under an act where you are appointed by a minister or Governor in Council. It will be a large number. In terms of resourcing, I have asked for what I think is a modest increase in resourcing. I cannot tell you the answer to that, but I think if I were successful I would be pretty confident that we can manage the workload and do the communications.

If you go back to the Kevin Yearbury strategic review of this office, he talks about what the strategic priorities of this office should be, and they should be around resourcing, working with in-house ethics and integrity advisers to raise awareness, to raise capacity and capability for an in-house adviser to advise on issues so that only the most significant matters come to me and so that the most significant decision-makers are the ones that come to me. I think that the Yearbury commentary on the strategic priorities for the next few years is right and is where I would really like to direct resources.

Ms MARR: Just talking about resources, can you give us a bit of an understanding around when you get an inquiry, an advice request—you can give an example if you like—from start to finish what the process is, how that involves your staff and how long it actually takes to give that advice?

Ms Waugh: There is quite a range of advices that we get, from fairly straightforward to quite complex. There will be advice requests that are from a member of parliament. There is no doubt that they are a designated person and the only thing I have to be satisfied with is that they are actually getting advice on an ethics or integrity issue or, in the case of a member of parliament, an interests issue.

There is a group of public servants where we have to do an assessment of whether they are actually a designated person. Sometimes that can be a little bit complex and take up a little bit of time. Step 1: is it an eligible advice request? Yes, it is. Then we look at how complex it is, is it the first time this person has sought advice or have they sought advice before, because it matters as to how much information we put in the background about their obligations and requirements. Some are fairly straightforward; it will be a single issue which will just be a consideration. Usually you have to gather some more information to properly understand the circumstances. If it is a conflict of interest the test I am going to apply is a reasonable person test, but I need to really understand what the private interest is in detail and I need to really understand what their official duties are so that I can identify the nexus and then apply the reasonable person test on where this conflict of interest sits on the scale—is it actual, perceived, is it significant, is it minor—and then from there what will be an appropriate management strategy. I focus on management strategies and actions that are practical and usable in the real world.

From there is actually drafting the advice. The advice is always upfront—this is my advice, this is what I think you should do—but I always include, either in the letter or in an attachment, basically my reason decision-making, because I think it is important for the recipient to understand how I got to the view that I hold. I have a few staff. For more complex matters—a board member who holds four different roles, two of which give rise to a number of conflicts—I will get my staff to undertake that research and gather the further information and set it out so that we can properly analyse it.

Ms MARR: I like the way you do your processes and now we can understand why, when somebody actually comes out and says what advice they get, you want them to disclose all of the advice and not just part of it. I do understand that a bit more now, thank you.

Ms FARMER: Commissioner, there are obviously integrity commissioners in other jurisdictions across Australia. Can you comment on whether your roles are quite similar? Is there any marked deviation from the general core of responsibilities that we have here in Queensland?

Ms Waugh: I think Queensland is unique. I am not aware of a directly comparable position in any other jurisdiction. There are parts done in different ways. I think in New South Wales, for example, there is a parliamentary ethics adviser for parliamentarians. In terms of lobbying regulation, sometimes Brisbane

it is done by an electoral commission and sometimes it is done by some other entity. Those schemes are different; they are not the same. Probably the closest to us, I suspect, might be South Australia. There is certainly no equivalent that I am aware of here in Australia that does what I do and in the combination of duties that I do.

Ms FARMER: When you say Queensland is unique, are you saying perhaps no other jurisdiction has as comprehensive a range of responsibilities? You seem to be quoting particular activities in some of the other states.

Ms Waugh: Absolutely. There is not an equivalent. It might be scattered across different bodies or different agencies and parts not done at all. I am in the job. I applied for the job, and when I applied for it I remember thinking this is unique, it is not like anything I have really seen before, but now having done it—and I am halfway through my term—I can absolutely see the value, particularly around the advice work, of being able to get independent advice—not legal advice; independent advice—on ethics and integrity issues, particularly for people who are in very senior roles with significant decision-making that they very much must be publicly accountable for.

CHAIR: In my observation from the short time I have been a part of this committee and had involvement with your office, I would comment that your office is primarily focused on assisting people to comply with the law rather than prosecuting or compliance. The ex-police officer in me says there is no excuse for ignorance of the law, but do you see a time where you will need to get stricter in relation to compliance or do you think your office is going to be generally in that focus of assisting people to comply, or a bit of both? Can you comment on that?

Ms Waugh: They are very different functions. The advisory function is an advice function and we will always provide that. Over in lobbying, where the regulatory responsibilities I have are, I do see a shift. These are relatively new powers that I have had for just on a year. I really was very committed to delivering that mandatory training before we started, looking at how we approach in particular these instances of noncompliance but also proactive regulatory work which we are not doing at the moment. I think in my mind, and we talk about building this regulatory program, it will be about how many instances of noncompliance will occur before you get your first compliance notice. Then how many compliance notices can you get in a 12-month period before we commence a show cause process. Yes, I do see a change. They are all about compliance and obligations. Unregistered lobbying, remember, is by a person who is not registered, so they are not really in my jurisdiction. That is a matter that goes to police enforcement—criminal investigation. I would never propose to bring that power into my office because that would require me to have a unit with basically seconded or ex-police officers or people who bring criminal investigation expertise, and for the low number of reports that we get I think the model that we have is appropriate.

CHAIR: Are there any further questions?

Mr BERKMAN: We have a minute left so I figure I will throw it wide open: are there any other matters that you think would be worth sharing with the committee? Are there any final thoughts or things you want to highlight or bring to our attention?

Ms Waugh: On the last question you have caught me out. I had not given it thought. I would say I think there is still important work for this office to do and it is on that strategic side. When we give advice, and when I give advice and we do that work, you can see that there is still work to be done to raise awareness around ethics and integrity issues and how to deal with conflicts of interest, particularly complex ones. I guess in terms of further information for the committee, I think there is further work to do and I think I need to bring that more strategic focus that Kevin Yearbury talked about. I hope to be able to do that in the second half of my term. The first half has been very much setting up, dealing with legislative change, becoming a statutory body and managing all of that. The second half will have that strategic focus.

CHAIR: Thank you for your attendance. There being no more questions, that concludes the public oversight hearing. Thank you to everyone who participated today. Thank you to our Hansard reporters. A transcript of these proceedings will be available on the committee's webpage in due course. I do not believe any questions were taken on notice so I declare this public hearing closed.

The committee adjourned at 11.27 am.