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Office of the Registrar

10 April 2017

Acting Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane
Qld 4000

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

Dear Sir or Madam

Re: Crime and Corruption and Other Legislation Amendment Bill 2017: Call for Submissions

QUT wishes to provide the following comments in response to the Crime and Corruption and Other Legislation Amendment Bill 2017.

1. Definition of 'corrupt conduct'

The explanatory notes to the Bill state on page 3 that '[...] the Bill simplifies the definition of 'corrupt conduct' by removing: (i) the requirement that conduct is engaged in for the benefit of, or detriment to, a person under section 15(1)(c) because this element has caused confusion among public sector agencies'.

QUT has found no such confusion with this aspect of the definition of 'corrupt conduct' and has, in fact, found its inclusion helpful in considering allegations of corrupt conduct. QUT, therefore, does not see a need for this to be removed.

2. Non-notified matters

The Bill introduces a provision for Units of Public Administration (UPAs) to keep records of decisions *not* to notify the Crime and Corruption Commission of an allegation of corrupt conduct which does not meet the threshold for notification under the Crime and Corruption Act. Whilst QUT understands that the provision may assist the Commission in assessing the effectiveness of a UPA's system for managing complaints about corrupt conduct, universities are already subject to extensive record-keeping and accountability requirements. Further, records relating to internal review of an issue (for example, preliminary assessment of available information) would already be captured under our legislative recordkeeping compliance obligations and the creation of an additional document creates an unnecessary administrative burden.

3. Role of QCAT

The Bill declares 'any person who holds an appointment in a UPA to be within the jurisdiction of QCAT' (page 5, Explanatory Notes). QUT is concerned about this provision because it is a change from the present arrangement whereby action in QCAT for disciplinary proceedings for corrupt conduct (which may involve dismissal, demotion, fines, etc.) only relates to appointments prescribed by regulation. The proposed amendment may have unintended consequences for those UPAs which operate in a different industrial context (i.e. not being subject to the industrial provisions applying to public servants), which is the case for all Queensland universities.

Yours sincerely



Shard Lorenzo
University Registrar