

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Crime and Misconduct and Other Legislation Amendment Bill 2014.
SUBMISSION
to the **Legal Affairs and Community Safety Committee**

Though I'm working full-time I have found it necessary to take the time to respond to the Legal Affairs and Community Safety Committee's invitation to provide a written submission regarding the Crime and Misconduct and Other Legislation Amendment Bill 2014.

I feel that the current government with these proposed changes to the legislation, had failed to learn the lessons of the past. The proposed changes weaken the ability of the CMC to perform its allotted task with the independence and vigour that is needed to maintain the integrity and trustworthiness that is needed from this body.

Calling the CMC another name is only a cost burden to the organization, we could call it the Department of Many Name Changes, but there are too many departments already vying for the title.

For these changes to limit the CMC from investigating 'minor' corruption, leaves the commission an out for failure to correctly investigate corruption. We have seen the failure in the case of Queensland Health and the twice that allegations of concern with regards Barlow with his multimillion dollar fraud were raised, they handballed the allegation back to Queensland Health to investigate, an organization that is in the business of medicine, not corruption or fraud investigating. Now clearly the Barlow affair was far from a minor fraud, yet the CMC walked away from a Major problem in the officialdom of the Queensland Health. To enable the excuse of it only being minor therefore not worthy of the CMC's time, allows the opportunity for major fraud to slip through the cracks so to speak. What at first appearance may appear to be a minor corruption or fraud could, on full investigation reveal major corruption or fraud.

The CMC should be having its powers to investigate official corruption increased not diminished. Even the diversion of its resources to investigate general crime in the community weakens its ability to investigate official

corruption. The Police should be the ones tasked with investigating crime within the general population with the CMC having the task of investigating Official Misconduct & Corruption.

Without a strong independent commission to fight corruption within government Queensland is the worse off for that. By taking away the requirement for Bipartisan support for the selection of the commissioner reduces the independence of the Committee and weakens the legitimacy of the CMC in the eyes of the Queensland public. As one of the stated goals of this legislation is to improve public confidence in the CMC the legislation should be strengthening the CMC's ability to investigate all levels of corruption.

In particular when the CMC hands the investigation of complaints of QPS officers back to the Queensland Police Service, who then in turn, have the officer who the complaint has been made about be the one to investigate him or herself, how can this possibly promote confidence within the CMC? With only 189 investigations of complaints made against police in the 2012-13 annual report only resulting in 9 persons charged, this begs the question, why were the other near 2000 complaints against QPS officers or operatives not investigated. Clearly the CMC needs more resources not less scope for investigation.

Clearly with Queensland's past history any government of Queensland should be doing its utmost to ensure the probity of Government and Officials of the government.

Russell Wattie

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