

The Research Director
Legal Affairs and Community Safety Committee
Parliament House
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Via Email: lacsc@parliament.qld.gov.au

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Submission to the Legal Affairs and Community Safety Committee regarding the Crime and Misconduct and Other Legislation Amendment Bill 2014

The Crime and Misconduct Commission (CMC) is an important institution for Queenslanders. Its independence and wide range of powers provides a needed safeguard against misconduct and corruption, and is essential to good governance in Queensland.

The Committee's deliberations and report on the proposed legislation will be scrutinised carefully, and condemned by future historians if a weakened and politically pliable anti-corruption commission is the result.

- 1- The proposed omission of *chairperson* and insertion of *chairman* is a needless, anachronistic step that does not have any place in 21st Century legislation.
- 2- Changing the definition of misconduct to corrupt is of concern. Although the Callinan/Aroney report, *found that the definition of 'official misconduct' has a wider application when compared with the definitions contained in other interstate anti-corruption legislation*, is noted, owing to the past history of Queensland, and its unique parliamentary system, a watering down of thresholds should not be enacted.
- 3- The removal of the requirement for bipartisan approval by the parliamentary committee of the appointment of a Commissioner is ludicrous. The CMC must not be perceived as a tool for a particular government or political party. The appointment process must be non-political, and by appointing a person without bipartisan support opens the door to partisan politics being played at the commission at the behest of government. The Commission is weakened with a Commissioner appointed in partisan way.

4- Changing the research functions of the Commission to that of: *research to be undertaken in accordance with a three yearly research plan that is approved by the Minister and which:*

- 1. supports the commission's functions;*
- 2. is required to be undertaken by the commission under an Act; or*
- 3. is referred to the commission by the Minister.*

These proposed changes allow partisan politics to intrude on a Commission that should be above politics and have the perception of being above politics. These changes do nothing but weaken the role of the Commission.

Queensland needs a non-partisan, effective and efficient Commission that has sufficient powers to fight crime and corruption, and be seen as a deterrent to those that would put material gain and crime before their service to the people of Queensland.

The current Bill does not advance the fight against crime and corruption in Queensland, and certain aspects are a backward leap in maintaining a world-class independent Commission.

Kind regards,



Dan McIntyre

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