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Crime and Corruption
Commission

QUEENSLAND

Our Reference: AD-17-0796 & 17/199864
Contact Officer: Mark Docwra: (07) [REDACTED]

26 October 2017

The 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/Madam

RE: Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2017

The Crime and Corruption Commission (CCC) welcomes the opportunity to make this submission to the Legal Affairs and Community Safety Committee (the Committee) on the Local Government (Councillor Complaints) and Other Legislation Amendment Bill 2017 (the Bill). The policy objective of the Bill is to implement the Government's response to the Independent Councillor Complaints Review Panel's Report '*Councillor Complaints Review: A fair, effective and efficient framework*' (the Councillor Complaints Report).¹ The Bill deals with many issues which do not directly concern the *Crime and Corruption Act 2001* (CC Act). Accordingly, this submission is limited to matters directly related to the CCC and its functions under the CC Act.

The CCC has been consulted regarding the interaction of the *Crime and Corruption Act 2001* and the broader system for dealing with complaints against councillors now dealt with by the Bill. The CCC engaged with the Councillor Complaints Review Panel (the Panel) before the release of the Councillor Complaints Report. At the Panel's invitation the CCC had opportunity to provide early comment on the operation of the current system for dealing with complaints about local government councillors. The CCC also responded to the Panel's '*Discussion Paper: Issues and options for Queensland's councillor complaints policy, legislation and operations*'.

The CCC is generally supportive of the Bill's proposed model for dealing with councillor complaints, including the establishment of the Independent Assessor. The Bill maintains the CCC's primary responsibility for dealing with corrupt conduct. The Bill prioritises the obligations of public officials² under the CC Act to ensure that councillor conduct complaints will not compromise investigations under the CC Act.

¹ The Bill Explanatory Notes, p. 1

² The Independent Assessor is a public official for the purposes of the CC Act.

The CCC is satisfied that the Bill provides appropriate accountability and independent oversight regarding the exercise of coercive powers under the Bill for matters involving corrupt conduct.

The CCC would be pleased to provide any further information as required. I trust this is satisfactory.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A. MacSporran', with a long horizontal stroke extending to the right.

A J MacSporran QC
Chairperson