



PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

Members present:

Mr JM Krause MP—Chair
Mr JA Sullivan MP
Mr DJ Brown MP
Ms JM Bush MP
Mr MJ Crandon MP
Ms JC Pugh MP
Dr MA Robinson MP

Staff present:

Ms L Manderson—Committee Secretary
Ms A Groth—Assistant Committee Secretary

MEETING WITH CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF PROCEEDINGS

FRIDAY, 3 FEBRUARY 2023

Brisbane

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The committee met at 11.01 am.

CHAIR: Good morning and welcome to the committee proceedings with the Crime and Corruption Commission. The committee will now commence its public meeting with the Crime and Corruption Commission. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. In relation to the Crime and Corruption Commission's public report, members have been provided with a copy of that report for the period 1 October 2022 to 31 December 2022. Deputy Chair, would you like to move the resolution that the committee authorise the publication of that report to the committee for that period?

Mr SULLIVAN: Sure.

BARBOUR, Mr Bruce, Chairperson, Crime and Corruption Commission

CHRISTENSEN, Ms Cecelia, Senior Executive Officer (Corruption), Crime and Corruption Commission

LODER, Ms Sharon, Senior Executive Officer (Crime), Crime and Corruption Commission

O'FARRELL, Ms Jen, Chief Executive Officer, Crime and Corruption Commission

CHAIR: The deputy chair has so moved. All those in favour? Against? That is carried. The committee will now commence its public discussion with the CCC and I welcome Mr Bruce Barbour, Ms Jen O'Farrell, Ms Sharon Loder and Ms Cecelia Christensen. Before we proceed, I would like to acknowledge that it has been a difficult time for CCC staff as they have mourned the loss of their former colleague Constable Rachel McCrow alongside her QPS partner Constable Matthew Arnold in tragic circumstances late last year. I would like to take this opportunity to publicly extend the committee's support to the McCrow and Arnold families and acknowledge the risks faced by many of our CCC officers, alongside their QPS counterparts and partnering law enforcement agencies, in serving and working to protect the Queensland public.

Mr Barbour, thank you for joining us here today. Would you like to make a brief opening statement before we have questions for you?

Mr Barbour: Thank you, Chair. Good morning, everyone. We are pleased to present the Crime and Corruption Commission's report for the reporting period from 1 October to 31 December 2022. This quarter brought to a close what was a very busy and challenging year for the CCC across all areas of its operations. We delivered our first public progress report on the implementation and delivery of recommendations arising from the commission of inquiry relating to the CCC on 11 November and, in accordance with recommendations, we provided monthly progress reports to the Parliamentary Crime and Corruption Commissioner, the minister and this committee on 7 October, 9 November and 9 December.

The progress report provided updates in relation to the 32 recommendations that have been made, of which five have now been completed, 17 are in progress and nine have been noted but not yet commenced, and noting that one does not sit with the CCC for implementation. We moved very quickly to action the recommendations for which we have sole responsibility and we have also commenced the planning and stakeholder consultation in relation to other recommendations which have required that.

We have also received approval for a budget enhancement of \$5.81 million over five years to fund the new positions that were specifically recommended as well as new positions which are critical to ensuring that the opportunities arising from the commission of inquiry's recommendations are realised. We have filled the new role of Human Capital Capability Director which was created to lead the development and implementation of the capability related recommendations. We have established two new committees to ensure non-law enforcement avenues and outcomes are fully

considered through our corruption investigations as recommended by the commission of inquiry. These are the Corruption Investigations Governance Committee and the Corruption Investigations and Prevention Group.

We have also progressed the redesign of the corruption portfolio in relation to the complaints intake and assessments process, with a new lodgement and assessment process scheduled to commence this month. In addition to the work of our renewable programs operationally for the year, to date our crime portfolio has finalised 22 crime investigations, provided 106 law enforcement intelligence disclosures and held 62 days of hearings related to crime investigations. In our corruption portfolio, we finalised 15 corruption investigations, made four recommendations for disciplinary action as a result of the corruption investigation relating to two persons, made 14 prevention recommendations arising out of our corruption investigations and monitoring activities, received 1,711 complaints of suspected corruption, and assessed 1,686 complaints of suspected corruption.

Following the report that was handed down on 14 November 2022 from the Commission of Inquiry into Queensland Police Service Responses to Domestic and Family Violence, we have commenced discussions and initial planning and scoping work relating to the recommendations for the creation of a police integrity unit within the CCC. I am pleased to advise that on 15 December the High Court of Australia granted special leave to the CCC to appeal the Queensland Court of Appeal's decision in relation to the Carne matter. We can now progress to a full High Court hearing in relation to that matter.

I would also like to note and welcome the recent appointments of Mr Peter Dowling as an ordinary commissioner and Ms Kathryn McMillan KC as deputy chairperson. I am confident that their significant and wide-ranging experience will be most valuable to the commission moving forward.

Chair, as you noted in your opening remarks, this reporting period was particularly sad for the CCC given the loss of their former colleague and friend Constable Rachel McCrow. There is little doubt that both Rachel and Constable Matthew Arnold's tragic deaths will be felt by their family, the CCC and the Queensland community for some considerable period of time. Thank you to the committee for extending your condolences and writing to the staff and also to the families of both officers and I am grateful for the level of the committee's interest and support in relation to those matters.

In closing, as you would be aware, there are important limitations on the matters that we can discuss in open session, particularly with regard to investigations which are in progress. The progress of any current investigation is appropriately dealt with in the private component of our meeting with the committee. Those are my brief opening remarks. Thank you, Chair and members, and we are happy to answer any questions that you have for us.

CHAIR: Thank you, Mr Barbour. I might start with the report that was released by the commission just a few days ago in relation to influence and transparency in the Queensland public sector. I refer to the fact that there were 54 submissions to the CCC's investigation into lobbying and a discussion paper process and I understand that that led into that report. Have any of those submissions initiated further investigations and, if so, could you elaborate about that as best you can?

Mr Barbour: I would be happy to answer that in some detail in the closed session, but certainly there were a range of matters canvassed in the submissions. Many of the matters will provide information which will be of value to the commission in its ongoing work.

CHAIR: The question was whether any investigations have been initiated. Can you answer that yes or no?

Mr Barbour: I am happy to canvass that in the closed meeting. The reason for that is that clearly there is reference to the submissions in the report. I do not want to disclose any particular operational matters that might flow from those submissions.

CHAIR: Mr Barbour, as I understand it, the Deputy Premier in the media recently said words to the effect of 'there is nothing inappropriate about the work of our trade unions'. Can you please give us an overview of the evidence you received that has led to a recommendation in the report about the lobbying activities of trade unions?

Mr Barbour: Firstly, if I could answer the question in this way: the report focuses on influencing practices and it refers to a very large number of participants who influence government through various ways. What has been interesting to us is that there has been a focus publicly on unions, but the influencing practices report that we tabled does not in fact focus on unions. It refers to unions as being like other organisations which currently are exempt from obligations to report and to register and we believe that they and a range of other entities should in fact be obligated to report as other people who are engaged in lobbying activities.

So the thrust of the report is not specifically about unions; it is about any entity, organisation, professional association, in-house lobbyist who currently is not caught by the regulatory framework. We believe that there should be a fair, transparent process so that anyone or any organisation involved in lobbying activity as defined under the Integrity Act should in fact be transparent and there should be rules in place to ensure that that is the case.

CHAIR: Has the Deputy Premier sought a briefing from you about this report?

Mr Barbour: No.

CHAIR: Or any other member of cabinet?

Mr Barbour: No.

CHAIR: Okay.

Mr Barbour: Although there has been no request, we have in fact consulted with a range of government departments prior to the release of the report.

CHAIR: Mr Barbour, just following on from that, your report recommends that trade union lobbying actions are such that the unions should be required to be on the lobbyist register—and I take your point that it was not just about unions but a range of other parties as well—and that that would require their lobbying activities to be disclosed. Given that many members of the government are themselves members of a union, do you anticipate this would require MPs to register as lobbyists when advocating with their colleagues for certain changes that might benefit their union?

Mr Barbour: No, that is not what the report addresses. The recommendations made in the report, I think, speak for themselves.

CHAIR: Sorry, but could you say that again?

Mr Barbour: The recommendations that we have made in the report speak for themselves. That was not one of the recommendations.

CHAIR: Mr Barbour, the unions donated approximately three quarters of a million dollars to the ALP last year. Plainly this sort of donation magnitude could bring influence, and some would say definitely does bring influence. Should union donations be capped the same as other entities?

Mr Barbour: I am not in a position to put a view forward in relation to that. It is not something that I have looked at. However, I would say in a broad sense that donations from anywhere that are potentially able to be seen as buying influence are obviously things of concern and they should come within a transparent regulatory framework. No different to gifts and benefits, donations are a significant issue.

CHAIR: Sure thing.

Ms PUGH: With regard to the 54 submissions—and putting aside the issues of any ongoing investigations—would you be able to give us a flavour of the general feedback that you received in these 54 submissions? I am speaking of course very much in generalities. In addition, I am interested to know if you got submissions from community groups, advocacy groups. Who were the contributors?

Mr Barbour: It was a wide range of individuals and also groups that provided submissions. Firstly, when we put out our issues paper and called for public submissions we received a number of public submissions and we extended the deadline to allow for more to come in. We also took the opportunity to write to lobbying companies—companies that were actually directly engaged in lobbying—in case they had specific issues they wanted to raise. At the end of the day, the 54 submissions reflect a broad cross-section from individuals who raised particular issues and concerns through to companies, corporate entities, professional associations and lobbying companies and that, in effect, provided quite a good combination of views, if you like, and selection of views. Importantly, those submissions were only part of what led to the views and the preparation of the report. There was considerable other information from our investigations over a long period of time as well from our recent intelligence activities and from recent audits in relation to lobbying activity. So there was a considerable amount of information that was utilised as well as the submissions to develop the report.

Ms PUGH: Fantastic. I am curious because of the number of recommendations that actually address local government. Were there a significant number of those recommendations focused on local government? What was the breakdown there?

Mr Barbour: I cannot give you an exact breakdown but there were certainly submissions that related to local government and concerns around local government, particularly in the context of property development and relationships with the developers.

Ms PUGH: Is that something you could take on notice?

Mr Barbour: To provide the actual number of submissions relating to local government?

Ms PUGH: Yes. I am interested if it was close or if there was a significant wait in one direction or the other.

Mr Barbour: Yes, we can take that on notice.

Ms PUGH: I noticed a number of the recommendations also refer to the activity of electorate officers, which all of us here have, of course, as members of parliament. Did you get a submission or seek feedback from either the Clerk of the Parliament or the bipartisan electorate officers' reference group, which is a cross-section of all political party electorate officers and that provides feedback to the Parliamentary Service as part of the—

Mr Barbour: No. We did not get a submission from either of those.

Mr SULLIVAN: Did you ask for one?

Mr Barbour: We did not direct the question to ask for those, no.

Mr SULLIVAN: Did you seek any submission or feedback from the Electoral Commission of Queensland, the ECQ?

Mr Barbour: No. We did not seek any particular submission from them. The issues paper—

Mr SULLIVAN: Sorry, but on that point, in terms of the chair's questioning around electoral donations you did not seek information about the transparency reforms that Queensland has in terms of real-time donations, donation caps, expenditure caps? None of that was considered?

Mr Barbour: The current legislative framework is set out very clearly in the document and we are talking about adding to that. We recognise that it is actually a strong framework and we say that repeatedly in the report.

Mr SULLIVAN: Did you seek advice from the ECQ in terms of their role in registered industrial relations internal democracy?

Mr Barbour: No.

Mr SULLIVAN: Do you understand the internal democracy of registered industrial relations organisations with elections run by ECQ?

Mr Barbour: Yes, I do, but its reference to this particular report—you might want to explain a little bit how you see that being particularly relevant to the recommendations we have made.

Mr SULLIVAN: I will not read it out but the definition in your report basically says, anybody asking for anything, any change of policy, any change of program—I think you use the word—and any grant and funding goes to everything that all of us do in any given day. In terms of registered industrial organisations, whether they be employee or employer, and in terms of advocating for their membership—whether that be businesses or individual workers—they are not operating as a third party; they are advocating on behalf of who they are in their constitution. Right?

Mr Barbour: Yes.

Mr SULLIVAN: And they are doing so as elected representatives of their organisations?

Mr Barbour: Yes.

Mr SULLIVAN: You do not see that as being different to somebody who is a hired gun, who is a professional consultant or lobbyist who is paid by a third party to advocate on their behalf?

Mr Barbour: What I do not see as being appropriate is that those engagements and practices should not be disclosed and be transparent because, whilst many might be entirely appropriate, it is clear that there is a risk, if they are not transparent, that they will be seen to be otherwise. The definition of 'lobbying activity' is contained in the Integrity Act. We have not suggested any change or amendment to it. All we have suggested is that some people who are engaged in that activity are caught by the framework and others who do exactly the same thing are not. We have recommended to government that they might want to consider that. At the end of the day, it is a decision for government whether it believes that that is a best practice initiative or not, but certainly simply the fact that representatives may well be elected within an organisation and they may well be very meritorious in terms of the matters they raise does not necessarily mean that they might not be engaged in activity that would be enhanced and in the public interest to have more transparency about.

Mr SULLIVAN: Did you engage with the Queensland Industrial Relations Commission?

Mr Barbour: No.

Mr SULLIVAN: Did you engage any industrial relations expert?

Mr Barbour: No.

Mr SULLIVAN: Do you understand that there is an extensive framework of law that covers both employee and employer organisations in terms of their negotiation, arbitration, pay-deal negotiations and all those sorts of things on a day-to-day basis?

Mr Barbour: Absolutely. If that were seen to be an impediment in any way to a transparent situation being brought in, that would be something that government would consider as perhaps exempting from what has been said. At this stage the simple nature of the organisation does not mean that they should necessarily be exempt.

Mr SULLIVAN: Under the definition, on my reading of the report, you think that lobbying, in terms of changing legislation, a program or seeking a grant would cover community legal centres advocating for vulnerable Queenslanders?

Mr Barbour: At the moment there are a range of diverse entities that engage frequently with government to pursue particular issues. They are often not-for-profit. They are often working pro bono. They are often professional associations. They are often in-house lobbyists. They are often union delegates. There are a range of people.

Mr SULLIVAN: Across that spectrum, Mr Barbour, you are talking about people who are not-for-profit or professional organisations. You put them in the same basket as in-house lobbyists or, as we understand, people who are currently required to register as lobbyists?

Mr Barbour: If they are engaged in an activity that is the same then the activity should be the subject that is reviewed.

Mr SULLIVAN: So the activities that are covered in your report would include a sporting club coming to my office and asking for an upgrade to their lights because that is asking for a grant?

Mr Barbour: And all that is being recommended is that there be appropriate records of that to ensure that there is openness and transparency. It may well be that an approach by any organisation may be, as you say, extremely appropriate and very minor. We are not saying that it is inappropriate to advocate. We are not saying that it is inappropriate to lobby. We think that that is a fundamental right and an appropriate step. We are just saying that some people have rules that apply to them and others do not and the community—

Mr SULLIVAN: Some people pay as a third party as lobbyists and some people are volunteers at their local footy club who are trying to advocate and we advocate on their behalf for a grant. They could be the local P&C. It could be local DV support groups that want a change in policy. You are putting them in the same basket as people who are paid as professionals to lobby government.

Mr Barbour: We can distinguish a whole range of different activities. I think the point that I am making and I cannot make any clearer is that if the engagement is the same as what is currently defined as 'lobbying activity' then the activity ought to be the reason for the transparency and that is appropriate. I think generally the community would say that it is in the public interest to understand, as clearly as possible and as openly and transparently as possible, the way in which significant decisions are made by government in relation to public funds or in relation to the implementation of new legislation. Ultimately this is a matter for government. We have recommended what we think is a scheme that could potentially fill some gaps that we believe are there.

Mr SULLIVAN: You say it is a matter for government but you have not engaged key areas that it is going to impact. I think you said to the member for Mount Ommaney that you have not engaged the Speaker or the Clerk, if I heard that correctly. You have not engaged the ECQ. You have not engaged the Queensland Industrial Relations Commission. You say it is a matter for government but you have not actually spoken to people whom it is going to impact. What are the members here supposed to tell our electorate staff? Every person who comes through the door is advocating for something, whether or not it is for themselves. If somebody comes in and they are trying to get public housing and we advocate to the local regional office on their behalf, that is a personal benefit for them; right? Do you think that is lobbying?

Mr Barbour: It potentially is and it would potentially come under the definition of 'lobbying', but clearly there are going to be gradations and there are going to be discussions of the kind you are now raising if government considers to implement any changes along these lines. I mean, we can have—

Mr SULLIVAN: You have signed off on this report—

CHAIR: Hang on, member for Stafford. Can we let Mr Barbour finish what he was about to say.

Mr SULLIVAN: All right.

Mr Barbour: We can have a situation where we nominate a particular agency or a particular body. They may well engage in an entirely appropriate way and they may engage in a less than appropriate way. The fact is we do not know what the circumstances are going to be of that. If there is a record kept—this is not an onerous responsibility. It is not an onerous requirement. I would have to say, even beyond that, it is almost common sense that when meetings are happening with people who are asking for the person they are having the meeting with to do things for them or to argue for them or to advocate for them in a particular way then that is something that appropriately ought to be recorded. It is not an onerous responsibility. We are just saying that the transparency needs to be improved.

CHAIR: Mr Barbour, I will pick it up from here. The CCC has previously been provided with and, in fact, this committee published an email exchange between the ETU and Minister Bailey some years ago where Mr Peter Simpson from the ETU wrote to Minister Bailey—

Straight after the election I joked with a few of our guys about how long it would take the new crew—the government—

to convince themselves that they got themselves into Parly and into the Ministry without any assistance from the Union movement or in our case the N4S Campaign.

That email was sent to Minister Bailey's mangocube address. We have had lots of discussions in this committee about that matter. Under your proposals, would the Queensland public have been made aware of this degree of influence and lobbying activity or would there just have been an entry into a register somewhere that there was a policy discussion held?

Mr Barbour: It would depend on the compliance with policies and ultimately what was introduced in the framework. Clearly there are areas that are problematic. There can be telephone conversations. There can be chance meetings at public events or private events. There can be dinners held. We have tried to contemplate in the report that circumstances where those kind of contacts take place are best recorded if there is a discussion about particular issues. Whether everything is going to get recorded and whether there would be full compliance is very difficult for me to answer.

Certainly the intent of what we are recommending, and I hope what government sees as us recommending, is that there is potential for an enhanced system that removes risk, that removes engagements not being open and not being transparent. Those are key things in a range of areas that members of parliament, local government councillors, ministers of the government are engaged in on a regular basis. That is really the import and the thrust of what we are saying. Can I say that they would necessarily be caught, those particular engagements? No, I cannot, but the thrust of our recommendations are designed to improve the system so that much more is open and transparent.

CHAIR: As part of this review, has the CCC undertaken a review or included in their remit of the influence practices in Queensland the companies or enterprises that are owned by the trade union movement or any particular union?

Mr Barbour: That was not part of this particular process. This process was, as indicated in the report, not designed to look at specific instances or specific matters. It was to look at things in a general sense so that we could provide general recommendations about how to improve the system.

CHAIR: On another point altogether, and it is in relation to conflict of interest management in government boards, we have previously discussed matters around the QBCC. There has been media reporting about particular complaints and issues that have been raised by members of parliament and members of the public around the QBCC. I want to ask whether you could comment, please, about a complaint that was raised in relation to a QBCC board member supporting changes to fire licensing regulations that financially benefit the National Fire Industry Association. The CCC advised the complainant that 'they had taken appropriate action to address your concerns'. What were those appropriate actions?

Mr Barbour: I do not propose to speak about any operational matters that are currently ongoing. I am happy to answer any questions that you might have in relation to any ongoing matters or the subject of investigation in the closed meeting.

CHAIR: So there is an ongoing investigation?

Mr Barbour: That is not what I said. I said I am happy to take the question and answer it the best way I can in the closed session.

CHAIR: Mr Barbour, we will come back to that in the future. On another matter, and it is a slight deviation, you mentioned in your opening statement the Peter Carne matter, and that the High Court had granted special leave to appeal.

Mr Barbour: Yes.

CHAIR: Can you advise the committee when you expect that to go to a full hearing?

Mr Barbour: The process for filing of documents and the timetable are currently public. It is on the High Court website. We anticipate that most submissions will be filed, I think, by the end of April. I am happy to check on that for you. It is a slightly complicated as we are likely to have some interveners in relation to the process. I am happy to discuss those in a little bit more detail because that is not publicly available information at this stage. Depending on those matters, that may push the timetable out a little bit. Traditionally, if someone wants to intervene in a particular hearing, they will be given additional time and the parties will be given additional time for the filing of documents.

CHAIR: Are there any reports or statements that the CCC has not been able to issue as a result of the Court of Appeal's decision in the Carne matter, and what did they relate to?

Mr Barbour: We have publicly indicated before that there are two reports that have been prepared that the committee is aware of and briefed on. Neither of those reports are able to be proceeded with at this time. Both are under litigation. The committee is well aware of those two matters.

CHAIR: Any other statements?

Mr Barbour: No, but we are proceeding very cautiously. I do not propose to risk doing anything that would bring me into conflict with the decision of the court, but I have to say that it has not at this stage prevented us in a significant way from what we would normally do. That, of course, may change down the track.

CHAIR: Of course. Depends what happens. Have you asked the government to legislate to address the limitations on the CCC arising from the current decision?

Mr Barbour: No, I have not, and my position has not changed since I was asked that previously.

CHAIR: You have anticipated my next question, Mr Barbour. It is arguable that this is the easiest and fastest way to address the uncertainties, so why will you not ask for it to be done?

Mr Barbour: We maintain there is in fact no uncertainty. We maintain that the legislation is appropriate. That is certainly consistent with our advice. We believe that the best way forward is to proceed to have the matter determined on the basis of the existing legislation. Any amendments to legislation raise the potential risk associated with whether or not previous work is able to be tabled, whether amendments are retrospective and so forth, but we do not see a need for legislative amendment at this stage. Subject to the High Court decision, I am happy to review our position in relation to that.

CHAIR: Could you please provide an update on the cost to the CCC in respect of the Carne matter?

Mr Barbour: The current total cost of including High Court filing fees and special application fees is \$229,663.29.

CHAIR: Did the decision of the Court of Appeal include a costs order against the CCC?

Mr Barbour: It did.

CHAIR: Has this led to costs for the CCC?

Mr Barbour: It has, but that decision will also potentially be revisited subject to the outcome of the High Court.

CHAIR: How much in the way of costs has that led to for the CCC?

Mr Barbour: Approximately \$79,000, I am advised.

CHAIR: Is that part of the \$229,000?

Mr Barbour: No, they are our costs.

Mr SULLIVAN: Mr Barbour, noting that you have not consulted the Clerk, the Speaker or the Leader of the House referring to the report released this week, have you considered whether the recommendations interfere with the role of parliamentarians that is protected by parliamentary privilege?

Mr Barbour: I do not believe that it impacts, but if you believe it does, I am happy to take on board any comments that you have.

Mr SULLIVAN: In releasing the report, you had not turned your mind to the role of advocacy and the protection that members of parliament have in terms of parliamentary privilege?

Mr Barbour: Presumably exactly the same privilege applies to members of parliament that are currently under the regulatory scheme. I am not aware of any difference between them or difference of approach between them. At the moment we have members of parliament who are currently obligated under the regulatory scheme. I am not aware of those obligations interfering with parliamentary privilege. That has not been brought to my attention at all.

Mr SULLIVAN: The expansion of the regime that is proposed in the report covers basically everything that MPs do, where there are quite strict restrictions—that is not a pun—in terms of trying to interfere with the work of parliamentarians?

Mr Barbour: I do not believe that anything we have suggested in the report implies that there would be an interference in the work of parliamentarians.

Mr SULLIVAN: Have you considered the impact of cabinet confidentiality in terms of CBRC processes, budgetary processes, cabinet processes?

Mr Barbour: They would already be potentially caught by the fact that ministers and senior public servants are already under the regime. They already have to publicly report on those meetings.

Mr SULLIVAN: For lobbyists, but it would not capture things like a humble backbencher asking for an upgrade to their local school. That has to go through a whole bunch of processes to get to the budget. Under the definition contained in that, asking for a grant, asking for funding, asking for a program change, or asking for legislative change is considered lobbying.

Mr Barbour: The recommendations are merely to record in the member of parliament's diary the fact that a meeting has taken place and what the nature of the meeting was about. There is no intention to impede in any way, shape or form the process. As I have indicated previously and as the report makes clear, we believe that the role of people in advocating to their local members, to councillors and to others is an important role and it should be protected. I do not see that there is any impediment as a result of our recommendations. It might be seen as adding some degree of inconvenience, but beyond that, I am not sure what additional burden it creates.

Mr SULLIVAN: Noting who you are meeting with and what it is about in the process of trying to deliver a budgetary outcome, program outcome or legislative change that has to go through the process does circumvent cabinet-in-confidence. I make the point that the purpose of cabinet-in-confidence claiming confidentiality and their committees, including CBRC, is so that you actually get fearless and frank advice.

Mr Barbour: Yes.

Mr SULLIVAN: We want a public service. We want advocates to provide fearless and frank advice. You do not get that if you do not have the confidentiality that is required to run government.

Mr Barbour: Senior public servants are officers who are already caught by the current regime, so I can only repeat what I have just said: I do not see any change here which would cause the difficulty that you are expressing. Currently ministers and senior bureaucrats are caught by a regulatory scheme where they need to disclose these particular contacts. There are already proposed reforms to increase that reporting to a range of other entities. I am not aware of any of those reporting obligations causing difficulties with cabinet-in-confidence.

Ms O'Farrell: May I correct the record on a previous question that Mr Krause asked about the costs order? The actual figure was \$70,256, not \$79,000.

CHAIR: Thank you.

Mr BROWN: A lot of the questions have been focused on the gaps in the regulatory framework. If you go to theme 7, the second paragraph—several submissions, particularly those from registered lobbyists, raise concerns about the visibility of lobbying. Is the CCC being lobbied by the lobbyists to fill the gaps to create an even playing field again for their financial interests to ensure that their business model becomes more profitable again by putting an onerous burden on other groups?

Mr Barbour: No, that is certainly not the case.

Mr BROWN: But it says it in the words there that the registered lobbying companies have raised these and this is part of the gaps.

Mr Barbour: We have assessed those comments alongside our other information holdings, but we certainly have not been captured by the lobbyist groups; far from it.

Mr BROWN: Particularly those.

Mr Barbour: The important thing to recognise is—and I guess I am trying to labour the point; I do not mean to—the recommendations are designed to simply comply with the existing definitions within the Integrity Act of lobbying activity. If for any reason it is deemed by government to be too onerous to do that in respect of certain activities, then there may well be legitimate reason to consider that, but at this stage we have not been able to identify particular activities that we think ought not be covered in principle by that gap filling and the recommendations that we have made.

Mr BROWN: So I can wrap my head around your recommendations and the functioning in the real world of an MP, say this Saturday I have to go to the rugby club, if the president of the rugby club raises a matter down there about grants or infrastructure, do I then have to record that and publish his name under your recommendations?

Mr Barbour: Under the recommendations, if you believe the conversation is such that that particular individual is trying to lobby you to exercise in any way influence over how you might think or approach your role as a member of parliament in terms of any decisions, then I think it would be sensible, apart from what we are recommending, to make a note of that and for it to be recorded.

Mr BROWN: If I go to a school and a teacher lobbies me in regards to the upcoming enterprise bargaining for better wages and conditions, would I have to record that? Would I then also have to inquire with that teacher whether they were a member of the QTU and then inform that teacher I would have to be disclosing this conversation publicly and registering that?

Mr Barbour: I think there has to be appropriate balance to all of these things. We can come up with a number of examples that would seem to be unnecessary to cover. It may well be, as I said, that government would consider removing some of those particular minor matters or matters that are not genuinely of concern from any legislative changes that they might introduce. But the difficulty is you cannot prescribe those easily and certainly in the general thrust of this report, it would be inappropriate to do so. As I have said, you have associations and community representatives who may well come and speak about a very minor matter involving very little money and involving very little action by the MP, but you might have exactly the same group come with a very significant matter and putting forward very significant issues involving large sums of money or potential changes to legislation. How the gradation of those particular matters works would be a matter that would need to be considered if the government were looking at introducing these measures. It is not particularly easy, but that does not mean it is not appropriate.

Mr BROWN: What I am getting to is pretty much every single interaction or meeting I have as an MP is lobbying. That is the baseline. A single constituent might happen to own a courier company and wants road upgrades; that is a beneficial issue to them—lobbying. Even simple things like deferring a SPER debt which is a financial benefit for that person is lobbying, right? Under the current recommendations, I cannot figure out any meeting or interaction that is not lobbying in my role.

CHAIR: I am not sure there is a question there.

Mr BROWN: It is a statement. I want to give over to the commission that the role of an MP effectively is being lobbied 24/7, by all of your constituents. I think the barriers of these recommendations would turn people and constituents away from actually lobbying their local MP because they would be scared of being published and put on the public record for every single conversation that they have with their local MP.

Mr Barbour: I certainly understand the challenges that you are relating to in your question. I understand that and I recognise that. It is important to note that this is not the only jurisdiction where similar recommendations are being made. There have been significant reforms made in overseas jurisdictions. In other states similar recommendations are being made. This is an area where obviously a range of entities have turned their minds to, governments have reviewed and some governments have implemented a reform.

At the end of the day as we have said in the report, Queensland already has very strong frameworks in relation to this area; we acknowledge that, but these are apparent gaps. Given that there is currently reform underway, given that there is legislation currently being drafted to deal with these, it is a perfect time for these matters to be considered further by government.

CHAIR: Mr Barbour, there have been allegations raised that the chair of the QBCC board instructed that an advertising campaign contract be given to a union or Labor aligned company called Campaign Edge run by Dee Madigan. Can you please provide an update on this matter that was referred to the CCC on 4 August 2022 by Mr Tim Mander, the member for Everton?

Mr Barbour: I would welcome that question in the closed session. There is nothing I have to say in response to that question in the public session.

CHAIR: I table a letter from Mr Mander to the CCC dated 4 August 2022. Mr Barbour, can you give us an update, as much as you can? There was some media commentary and reporting in the past regarding allegations of unregistered paid lobbying by Mr Jim Soorley. Can you give the committee an update about that matter, please?

Mr Barbour: I do not propose to talk about any current operational matters, as I have indicated previously, in the public session. I am more than happy to deal with those the best way I can in the closed session.

CHAIR: Mr Barbour, I refer to the Working for Queensland Survey—and if you are not the best person to answer this, I understand. Are we in a position yet where that data has been released for public consumption in relation to the CCC?

Mr Barbour: No, nor will it be. The Working for Queensland Survey is a survey which is conducted in confidence and anonymously. The purpose of that is to ensure that people feel comfortable raising any concerns and responding to the survey. Those results, apart from a broad snapshot across the Queensland public sector, are not generally released publicly by any organisation. If there are any specific questions in relation to the commission's Working for Queensland Survey, we are happy to address those—the CEO and myself—in the closed session.

Ms O'Farrell: I am happy to say publicly—

CHAIR: We sort of touched on it last year.

Ms O'Farrell: We did, in November. It is a survey that is conducted every year right across the public sector. The commission chose to start participating back in 2016. Prior to that it did not participate in it and, in fact, did not conduct on a regular basis any perception survey of its workforce.

As I said back in November, we receive the results in late October. As is our custom, we take some time to digest those at the whole-of-CCC level and at the divisional level. We enter into some detailed analysis plus also some action planning at the divisional level. That action planning has been undertaken at the divisional level. Specific action plans have been devised and agreed, and their implementation has also commenced. Those implementation plans are designed to address those areas where we would like to see improvement across specific domains.

Generally speaking, the action plans are designed to see improvement around communication within the commission, particularly around executive level communication of the future operating environment of the commission as well as particular themes around fair and equitable treatment, performance management and professional development opportunities for commission officers, and consistent with what is said about executive communication, really understanding the operating environment within the commission.

CHAIR: This is a different matter again, but I want to ask when the CCC's report into the Child Protection (Offender Reporting and Offender Prohibition Order) Act of 2004 will be completed?

Mr Barbour: I am just looking at the specific dates because I do not want to mislead the committee. I think probably around May we would expect to finalise that and report to parliament.

CHAIR: It will go straight to parliament? It will not be one of those reports that comes through the committee?

Mr Barbour: No, I think it will go straight to parliament because it is under a piece of legislation and it is a requirement under the legislation.

CHAIR: Has the CCC been notified of any complaints or concerns in respect of the recording of gifts and benefits received by officers in state government agencies that the CCC oversees?

Mr Barbour: The receipt of gifts and benefits is a matter that comes up frequently in allegations and matters that are referred to the commission. If there is a specific matter that you wish to ask questions about, I am very happy to address that in the closed meeting. Certainly, gifts and benefits is an area that does come up in allegations and complaints made to the commission and it is an area that we certainly review seriously.

CHAIR: I want to ask you a question about the proceeds of crime legislation but with a particular focus on the local government sector where there have been investigations, prosecutions and convictions. The Ipswich City Council case is one that immediately springs to mind in this respect. Has the commission considered or, indeed, taken any action in relation to the restraint of assets or recovery of assets under proceeds of crime legislation in respect of both Ipswich and also any other local government prosecution that has been made?

Mr Barbour: I think there is some limitation in terms of what we can say in response to that.

Ms Loder: I can probably say two things. There was one proceeds of crime action, and the name of the person escapes me. I think the person did a YouTube video. As a general principle, the proceeds of crime legislation is not used to recover proceeds where there is actually a rightful owner to those funds. We do not recover proceeds for victims of fraud et cetera. The funds go into the consolidated revenue of the state, so those funds would not go back to the council.

CHAIR: Does legislation in a general sense extend to reaching out for assets that may be the result of corrupt action on the part of public officials?

Ms Loder: Yes, it would generally if it was serious crime related activity. Theoretically, the legislation can do that, but as a matter of policy, ever since the legislation was implemented that is the policy that has been applied.

CHAIR: It was a question that has been—

Ms Loder: Yes, Carl Wulff was the person.

CHAIR: There was an application of the law in respect of Mr Wulff?

Ms Loder: Yes.

CHAIR: It is an issue that has been raised with me in the context of the Ipswich matter where there were some convictions for corruption offences of various types. I wondered whether the CCC had taken any action in relation to any potential assets that have been a result of that, so thank you for clarifying. It was Mr Wulff but not anyone else who was part of that?

Mr Barbour: We did not say that.

Ms Loder: I do not believe there was anyone else in that regard. For example, there were some issues around items that were donated to charity. I understand that the council recovered the items and they auctioned them themselves. We would not use the proceeds of crime legislation for the reasons that I just said: any funds will go to consolidated revenue. It just goes into the state government coffers.

CHAIR: For each of you present is there anything you might consider you might need to clarify or have the record corrected arising from the last public committee meeting with the CCC?

Mr Barbour: I do not believe so. If there is anything you particularly want to draw my attention to, I am happy to respond to it.

CHAIR: No.

Mr Barbour: Can I add regarding the questions from Ms Pugh, in relation to the submissions, 10 submissions specifically related to local government and 17 discussed the multiple levels of government, so they discussed each of the levels of government. There was no submission for electorate offices. I am just being reminded that electorate offices was, in fact, covered as a recommendation made by the Victorian IBAC in its 2022 report. That takes me back to what I was saying earlier about the fact that these issues are being looked at by multiple agencies in multiple jurisdictions.

CHAIR: Mr Barbour, my final question was actually for each of the officers. Is there anything you consider might need to be clarified or have the record corrected arising from the last meeting?

Ms Christensen: I confirm no.

Ms O'Farrell: No, I am not aware either.

Ms Loder: I am not aware of anything.

Ms PUGH: I appreciate that. Going to your point about electorate offices, my electorate office sits alongside other electorate offices from different political parties including the minor parties on the electorate officer reference group. My concern is electorate offices deal very heavily in paper. They are also unique in that they take walk-ins off the street, which is very uncommon for a lot of Public Service institutions where there is a filtering system. I do not know of any electorate office across Queensland where you cannot walk into that office and receive service at that point; they need to engage with that person. That work is usually done in paper. Some days you will have none. Other days you will have 15. The skill level and skill set of the people who work in those offices generally is that they work very heavily in that paper space. I am very concerned about the workload it will put specifically onto our staff at a time when the feedback I am hearing is that the workloads have never been higher. In light of the fact that you have put out the report and there has not been an engagement with those staff, I wonder what can be done to address that?

Meeting with Crime and Corruption Commission

Mr Barbour: I am certainly happy to meet with any of those representatives now if that would be of assistance. However, given that we have made those recommendations, I think any concerns around the application or the implications of what is being recommended would probably be part of the consultation process and stakeholder engagement that would happen with government.

CHAIR: This concludes our public session this morning. Thank you very much for your time. Thank you to everyone who is watching us on the online broadcast. We will now wrap up this public session and move into a private meeting with the CCC.

The committee adjourned at 11.59 am.