



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 M Westcott—Acting Committee Secretary
Ms A Groth—Assistant Committee Secretary
Ms S Pruim—Assistant Committee Secretary

MEETING OF THE PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

TRANSCRIPT OF PROCEEDINGS

TUESDAY, 11 OCTOBER 2022

Brisbane

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The committee met at 1.06 pm.

CHAIR: Good afternoon, everyone. Welcome to this meeting of the Parliamentary Crime and Corruption Committee. I am Jon Krause, member for Scenic Rim and chair of the committee. Joining me on the committee today are Mr Jimmy Sullivan, member for Stafford and deputy chair; Mr Don Brown, member for Capalaba; Ms Jonty Bush, member for Cooper; Mr Michael Crandon, member for Coomera; Ms Jess Pugh, member for Mount Ommaney; and Dr Mark Robinson, member for Oodgeroo.

Before we begin, I would like to acknowledge and pay my respects to the traditional owners of the land on which we are meeting today and their elders past, present and emerging whose lands, winds and waters we all now share. The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. The committee is beginning its meeting in public to deal with a number of matters. The committee will then close the public meeting and continue its meeting in private session.

Are there any apologies or declarations of interests relevant to the public session? Given that everybody is here, I do not think there are any apologies. Any declarations?

Mr SULLIVAN: Just my standing one, thanks, Chair.

CHAIR: Thank you, member for Stafford. There being no other declarations, we will go to the next item, which is that the agenda as circulated be adopted for today. I will move that motion. Those in favour? Against? That is carried. Thank you.

No. 3: correspondence register. Members have been provided with a copy of the incoming and outgoing correspondence schedules. Michael Crandon, will you move that the inward be accepted and the outward be endorsed?

Mr CRANDON: Happy to, Chair.

CHAIR: Michael has moved that. Is there any discussion? I put that motion. All in favour? Against? That is carried. Thank you.

Item No. 4: correspondence from the Crime and Corruption Commission. Members have been provided with the CCC's response to a question taken on notice by the CCC at the meeting of 19 August 2022 regarding the impact of the decision in *Carne v Crime and Corruption Commission* in the Court of Appeal.

Ms PUGH: I am really sorry, Chair. Is there a meeting agenda we can follow? You know how we follow along on the agenda? I just wanted to keep—

CHAIR: That is no worries, member for Mount Ommaney. The secretariat will set up the meeting and you should be able to follow it. We will just pause for a moment; that is okay. Member for Mount Ommaney, are you able to follow now?

Ms PUGH: I can see it; thank you.

CHAIR: No worries. As I was saying, this item of business is about a question taken on notice by the CCC at the joint meeting we held with them on 19 August 2022 regarding the impact of the decision in *Carne v Crime and Corruption Commission* in the Court of Appeal. Members have also been provided with a draft letter to the CCC in relation to this matter. The question that was asked that day is in relation to reports or other public statements that have been made by the CCC or its predecessors in the past which, in the view of the CCC, would not have been able to be made or at least not made public by the CCC if the decision in *Carne* that was handed down by the Court of Appeal had been in effect at the time of those reports.

There is a response that has come back from the CCC which it is proposed to be published, but there was also another element to that question asked which the correspondence from the CCC does not deal with and so the draft letter is aimed at going back to the CCC and requesting some further information in relation to that question—a question that was asked in a public meeting from the CCC.

The chair's proposed resolution is that the committee publish the letter from the CCC dated 26 August 2022 responding to a question taken on notice at the public hearing of 19 August 2022 and write to the CCC in the terms of the chair's draft letter provided in order to seek that further information that was not provided in its response on 26 August. I am moving that. If there is any discussion in relation to the motion, now is the opportunity.

Ms BUSH: Chair, I am happy to kickstart a discussion on it and am certainly not suggesting that I would be going against the proposed letter. Now that I see it laid out, I think at the time I might have made the assumption incorrectly that what we were requesting was a summary of the impact. What I see now is that we are seeking a full itemised list of all of the documentation. I guess I am just reflecting on where this fits in relation to our powers and functions under the act. What is the objective? Sorry, but you might have to explain to me what we are trying to do here.

CHAIR: No, that is okay; I am happy to explain. I will go first, but Michael was the person who asked the question and he might have something to say as well.

Ms BUSH: Yes, I remember.

CHAIR: In terms of our oversight and review functions, we asked this question in order to get an understanding of not only the number of reports and statements that may not have been able to be published if Carne had been in effect but also the nature of those reports and statements. In terms of seeking a specific list of those reports and statements, that gives us a fairly good idea of what they are about rather than simply just a bald number. So that is the clarification.

Ms BUSH: Yes. I guess for me I assume what we are trying to do is get a sense of the impact of that decision on the CCC.

CHAIR: Yes.

Ms BUSH: Our monitoring and review function is quite specific, which is to the performance of the commission's functions, so I am just wondering how a full and detailed list would advance that. I am not disagreeing with maybe listing the reports—I think that would be significant—but in terms of a list of all of those media reports I just wonder if a sample or something might be more convenient. I wonder if there is another way of achieving what we are trying to achieve, which is a flavour, I think, of two things: firstly, the size and the scale of the issue but then probably a flavour of what that impact would be in terms of upholding the commission's functions.

CHAIR: I have been careful in this discussion not to actually disclose what is in the correspondence we have before us, but I think the best way to get that flavour—and the CCC has gone to the task of putting together that bald number, so I would not have thought it was a huge step or an huge amount of extra work to actually list out what they are, given that they have already gone to the trouble of collating the number of them, and they are the best people to do that. There may be other parties that could do that, but, given they are the owners of those documents, the easiest and most efficient way for them to provide this information into the public domain is to just send us a list.

Ms BUSH: Yes. I am not suggesting that they would not be the right person; I guess I am querying how this fits neatly within our functions, that is all. If you believe it does—

CHAIR: I think it does because it sort of gives us, as the oversight committee, a better practical flavour of what the Carne decision means by reflecting back on the reports and media statements and other statements that have been given in the past which the CCC tells us may not have been able to be given if Carne had been in effect then. Remember, we had quite a lengthy discussion with the chair about this matter. Michael, did you want to add anything?

Mr CRANDON: Thanks, Chair. I think you have covered it fairly well, and I understand where you are coming from, Jonty.

Ms BUSH: Yes.

Mr CRANDON: I think what we are also looking at here is that they accepted the question on notice as given to them and that question on notice is very clear. They accepted it; they agreed that they would provide it. In the past we have also had the scenario where we see the CCC, with a past chair of the CCC, only providing us with minimal information, and this has happened again. I think it is erroneous. I do not think it was done on purpose. It has happened, but it has happened again and it was very clear what we were asking for and accepted by them.

Coming back to what the chair has reflected on, it will give us a much better understanding by being able to go through those various press releases and reports. Typically, a press release was one or two pages. I will not reflect on how many they have indicated in this correspondence so far because we have not agreed to publish at this stage, so one or two pages. With regard to the number

of reports, I cannot quite pick it up here at the moment but it was not that many either. So it would not be difficult for them to put that together and certainly a lot easier for them to put it together because they are the authors rather than our team—our secretariat—trying to put it together from the number.

Ms BUSH: Sure.

Mr CRANDON: That is my thinking on it.

Ms BUSH: Yes, and that is okay. As long as we are operating within the functions, I am not disagreeing with it. I guess I am just also recognising that we have to balance the requests and the very important oversighting role—that is, recognising that every time we do that we are taking them away from their core business, and I just need to say that.

CHAIR: I take your point. I think this is a legitimate exercise of it though, given the impact of that decision, and there was a great deal of concern expressed to us by the chairperson about the impact of that decision on its future reporting functions. I am not putting words in anyone's mouth, but it was a pretty dire outlook in terms of public reporting if that decision stands—and then we were informed that they are going to the High Court. I have moved the motion. Is there anyone else who wants to contribute?

Ms PUGH: Sorry, the motion is to publish both of those pieces of correspondence, or are we moving them individually, Chair?

CHAIR: It is proposed as a single resolution, which is to publish the letter that we have already received from the CCC dated 26 August but then, further, to write again to the CCC to seek those further particulars, as the draft letter before you outlines. All those in favour? Against? That is carried.

Thank you, members. This concludes the public component of today's meeting, and thank you to those who are watching online or at home. The committee will now continue its meeting in private session.

The committee adjourned at 1.20 pm.