



PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

Members present:

Mr JM Krause MP—Chair
Mr JP Bleijie MP
Mr DJ Brown MP
Ms JM Bush MP
Mr MJ Crandon MP
Ms JR Howard MP
Ms JC Pugh MP

Staff present:

Ms L Manderson—Committee Secretary
Ms R Ponting—Assistant Committee Secretary

MEETING WITH THE CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF PROCEEDINGS

TUESDAY, 3 MAY 2022

Brisbane

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The committee met at 10.00 am.

CHAIR: Good morning, everyone. I am Jon Krause, the member for Scenic Rim and chair of the Parliamentary Crime and Corruption Committee. Joining me on the committee today are Ms Jonty Bush, member for Cooper; Mr Michael Crandon, member for Coomera; Ms Jess Pugh, member for Mount Ommaney; Ms Jennifer Howard, member for Ipswich, who is substituting for Mr Jimmy Sullivan until further notice; Mr Don Brown, member for Capalaba, who is substituting for Mrs Melissa McMahon, member for Macalister, until further notice; and Mr Jarrod Bleijie, member for Kawana, who is substituting for Dr Mark Robinson, member for Oodgeroo, for today's proceedings.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. As parliamentary proceedings, under those standing orders any person may be excluded from today's meeting at my discretion or by order of the committee. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. I have been advised there may be some interruptions in live streaming from Apple devices this morning due to a technical issue. However, the full record of the proceedings should be accessible on those devices later today and the committee does not endorse or otherwise support any form of mobile telephone device.

The media may be present and will be subject to the chair's directions at all times. The media rules endorsed by the committee are available from committee staff if required. Those of you attending today should note that it is possible you might be filmed or photographed by the media during the proceedings and images may also appear on the parliament's website or social media pages. Before we proceed I ask everyone present, including members of the committee, to please turn mobile phones off or switch them to silent mode.

The committee is beginning its meeting in public to deal with a number of matters. It will then commence its public meeting with the Crime and Corruption Commission. The committee will then close the public part of the meeting and continue the remainder of the proceedings with the Crime and Corruption Commission in private session.

Firstly, are there any apologies or declarations of interests relevant to the public session? I will note the apology from the member for Oodgeroo and the members for Stafford and Macalister. Are there any other declarations of interest?

Mr BLEIJIE: Mr Chair, I inform the committee that, considering we have the chair of the Crime and Corruption Commission here, I wrote some time ago to the chair of the Crime and Corruption Commission and put an allegation that the Premier's office was backgrounding negatively against the Integrity Commissioner, and I know that the Integrity Commissioner has been subject to the committee.

CHAIR: And that is relevant to the public session, yes.

Mr BLEIJIE: That is before the CCC at the moment, but I do not, Mr Chair, believe in any way it impacts on the perceived conflict of interest for me to be here today.

CHAIR: Any other declarations?

Ms PUGH: I have my standing declarations, Chair.

CHAIR: Sure; thank you, member for Mount Ommaney.

Mr CRANDON: Chair, in relation to the Queensland Integrity Commissioner matter, I am on the Economics and Governance Committee, which also is dealing with that matter—I am just making that point—and so I have some information that may not necessarily be available to the committee.

CHAIR: Any other declarations? Members, I sought advice from the Integrity Commissioner in relation to prior lobbying that I was the subject of by Mr Jim Soorley in relation to a dump proposal in the Scenic Rim electorate. Her advice to me in relation to receiving that and the matters relating to her before the committee was to inform the committee of that activity but to also point out that I do not have a conflict in relation to that matter and I do not think it impacts on my ability to ask questions about the matters relating to the Integrity Commissioner before the committee.

There being no other declarations, we will move to item No. 2, adoption of the agenda for today. Members have been provided with a copy of the agenda for today's meeting. I will move that the agenda for Tuesday, 3 May 2022 as circulated be adopted. Those in favour? Against? That is carried.

Item No. 3, minutes: members have been provided with a copy of the draft minutes from meetings held on 29 March and 6 April 2022. I will move that the minutes of the meetings held on 29 March 2022 and 6 April 2022 are confirmed as true and accurate records of those meetings. All in favour? Against? That is carried.

Members have been provided with copies of the incoming and outgoing correspondence schedules. I will move that the inward correspondence is accepted and the outward correspondence is endorsed. Any discussion? All in favour? Against? That is carried.

We will now proceed to the public meeting with the Crime and Corruption Commission, so if we could show them into the room that would be appreciated.

BARBOUR, Mr Bruce, Acting Chairperson, Crime and Corruption Commission

CAUGHLIN, Mr David, Acting Senior Executive Officer (Corruption), Crime and Corruption Commission

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

CHAIR: Good morning. Members have been provided with a secretariat briefing and the Crime and Corruption Commission's public report to the committee for the period 1 January 2022 to 31 March 2022. The proposed resolution, which I will move, is that the committee authorises publication of the Crime and Corruption Commission's public report to the committee for that period. All those in favour? Against? That is carried.

The committee will now commence its public discussion with the CCC. I welcome the Acting Chairperson, Mr Bruce Barbour; CEO, Ms Jen O'Farrell; and Acting SEO for Corruption, Mr David Caughlin, to the meeting. Mr Barbour, would you like to make a brief opening statement before members come back to you with some questions?

Mr Barbour: Thank you very much, Mr Chair; I will. I pass on apologies from Ms Loder, who would have been attending today but unfortunately, like many in our office at the moment, is COVID affected, so she is unable to be present but sends her apologies.

Mr Chair and committee, we are pleased to present the Crime and Corruption Commission's report for the reporting period from 1 January to 31 March 2022. There is a clear public interest in our activities which we acknowledge, and it is very important that our reporting is done in open session to the best capacity that we are able to. However, as you are aware, there are also 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. With this in mind, I am pleased to be able to highlight some high-level performance statistics for the year to date which are set out in more detail in our report and then come to a couple of issues in closing.

In our crime portfolio we have delivered the following results. Twelve investigations have been finalised and 94 crime and intelligence hearing days were undertaken examining 92 witnesses. This included a number of hearings to advance complex major crime investigations, in particular to assist the Queensland Police Service to progress investigations into a number of criminal syndicates suspected of being engaged in drug trafficking, money laundering and weapons offences. During the reporting period the CCC finalised a number of referred investigations, which were advanced through witness examinations by the commission. These included an investigation of a Gold Coast based syndicate alleged to have been engaged in drug trafficking, money laundering and weapons offences and an investigation of a Brisbane based network suspected to have been engaged in trafficking of dangerous drugs—namely, methamphetamine and cannabis. Some 125 law enforcement intelligence disclosures through investigations and operations have been made. In relation to the proceeds of crime, there have been 14 restraining orders obtained with a value of \$8.044 million, 26 forfeitures of property to the state to the value of \$6.111 million and 11 settlement negotiations with a value of \$6.493 million. Settlement negotiations, as you know, mean matters that are currently under settlement negotiation.

In our corruption portfolio we have delivered the following results. In respect of corrupt conduct complaints, 1,196 complaints have been received for the public sector, including government owned corporations and members of parliament. This represents a four per cent decrease when compared

to the previous year. Some 239 complaints were received for the local government sector, representing an eight per cent increase compared to last year, and 1,426 complaints were received in relation to the Queensland Police Service. This represents a 25 per cent increase compared to 2020-21, largely attributed to positive action being taken by the QPS to review incidents of alleged failure of duty on the part of investigating officers responding to domestic violence incidents as well as failure of police staff to comply with the commissioner's direction regarding COVID-19 vaccine and workplace health and safety. Some 94 per cent of complaints have been assessed within 30 days against a target of 85 per cent.

In respect of corruption investigations, there have been 23 investigations commenced and 10 corruption investigations finalised, and 80 per cent of the investigations have been completed within 12 months against a target of 85 per cent. Seven people were charged with 67 criminal offences, 12 recommendations for disciplinary action were made in relation to nine people, 33 prevention recommendations were made and the CCC held six days of hearings in relation to the corruption investigations.

In our monitoring program, a median time of seven days to complete a review was maintained when compared to the period in 2020-21. There were 65 final reviews and 90 interim reviews in relation to police matters, and 118 final reviews of Public Service matters and 266 interim reviews in relation to the public sector, including local government matters.

I would also like to highlight this morning the very successful organised crime investigation which was undertaken by the commission which, after 13 months of investigation, this past Friday resulted in the seizure of nine kilograms of methamphetamine estimated to have a street value of approximately \$1.73 million together with substantial sums of cash and a number of other items. A 37-year-old man was arrested and has been denied bail. In addition to acknowledging the work of the commission's investigative team in that matter, this operation once again highlights the commitment of law enforcement agencies to work together in tackling organised crime. I would also like to acknowledge today the support provided in that operation by the QPS and Australian Border Force.

Finally, this reporting period has been particularly busy as well because we have been engaging with the commission of inquiry. As the committee knows, the commission is underway and is reviewing certain matters that came from the Logan review. During the reporting period we have provided substantial submissions to the inquiry—one major submission in early April—and we have also provided a range of information in response to multiple requests from the inquiry. That is all I propose to say in opening. Thanks, Mr Chair and members, and we are happy to answer any questions that you may have.

CHAIR: Thank you, Mr Barbour. I will invite members to ask questions, but before we do that I urge members to take care not to refer to any private matters in the public part of the meeting. As I endeavour to with all new or substituting members of the committee, earlier today I outlined to the member for Kawana his obligations under the standing orders and the Crime and Corruption Act regarding private committee proceedings. Having said that, we will go firstly to the member for Coomera for a question.

Mr CRANDON: Mr Barbour, first of all, as I understand, an investigation is still underway in relation to the Queensland Integrity Commissioner and Public Service Commission matter. I wonder if you could, as best you can, outline—there has been a great deal of media interest and public interest in that—where things are at that you can divulge in the public meeting.

Mr Barbour: Thank you. There are two matters which are currently continuing with the commission. One is Operation Workshop. We provided an update on that matter at the last hearings. We indicated to the committee that we estimated that we would have a draft report prepared by the end of April. I am pleased to say that we do have a draft report prepared. That report is in the process of being finalised and we anticipate that over the next few weeks we will be in a position to go to the procedural fairness stage in relation to that report, to provide it to the commission for its consideration and also to provide it to the committee.

In relation to the other ongoing matter, I will not go into details about the specifics of the matter. I am happy to do that in the private session. However, that matter is progressing. It relates, as you will recall, to certain allegations involving alleged bullying. That matter is currently a public interest review being undertaken by the Public Service Commission and we received updated information in relation to that. I can go into that in a little bit more detail in our private meeting.

Mr CRANDON: In your report you indicated that the commission of inquiry has impacted on other work of the CCC: moving resources in to take care of that. I note, though, that the Logan City Council matter which caused this occurrence was also very time consuming and I am wondering if

you could outline any impact it had on operational matters before the CCC last year. I am talking about the impact of that Logan City Council matter and the resources that you had to put towards it on other work of the CCC.

Mr Barbour: If I can answer in general terms rather than specific terms, any extraordinary external inquiry for any organisation obviously creates the need to make amendments to the way in which the organisation deals with its resources to ensure it is in a position to be able to provide appropriate responses. Any major inquiry of the kind that you are discussing, either Logan or indeed the commission of inquiry, means that you need to identify who are the key staff within the organisation that can assist in those particular matters and are able to be responsive to requests for information or the preparation of submissions and materials. That will have an ongoing impact—a bit of a domino effect, if you like—because you are often pulling key people out of areas where there is significant day-to-day work.

There were some impacts in relation to the organisation during the course of the Logan inquiry, as there are to an extent with the commission of inquiry, but I think the important thing to emphasise is that we see those matters as being significant, we see the importance of being responsive, and, whilst it requires us to juggle resources a little bit, we are more than happy to provide the level of support and response that we do in relation to those matters. It is important that we are frank about the fact that it can have a negative consequence and we do our best to manage that within the organisation.

Mr CRANDON: Have there been requests for additional budget funding in relation to trying to fill that gap with seconded staff and that type of thing?

Mr Barbour: Not that I am aware of specifically for Logan, no.

Ms O'Farrell: No. For Logan, a number of the people we had to rely on were actually no longer in the organisation so the QPS bore an impact for having to have a number of their investigators and team come back to assist with that during that period.

CHAIR: Before I go to members to my left, I have a couple of quick follow-ups. Mr Barbour, are you able to inform the committee: that bullying allegation that you referred to in relation to the office of the Integrity Commissioner does not involve the Integrity Commissioner herself, does it?

Mr Barbour: No. As we advised the committee previously at the last hearings, we are not investigating in any way the specific conduct of the Integrity Commissioner.

CHAIR: Thank you. Will the CCC provide this committee with its submissions and other information provided to the commission of inquiry?

Mr Barbour: I do not see any reason why we cannot and I would be happy to do that, but I think I would probably seek the advice of the commission of inquiry prior to doing so to make sure it is not going to cause any impediment or any inappropriate consequence to their considerations of the matter. If you would allow me to do that first, subject to that advice, I am happy to do so.

CHAIR: If there is an issue around that and you are able to provide them to us with that advice included, that would be appreciated. I will go to members to my left for a question.

Ms HOWARD: I am interested in your comment that there has been an eight per cent increase in the amount of local government complaints coming your way. I just wondered if you wanted to reflect on what you think that is attributed to.

Mr Barbour: I do not think there is any particular factor which has led to that. One of the things you become aware of in any integrity agency, whether it is the CCC or another, is that complaint matters will fluctuate from time to time and numbers will go up and down, and unless you see a particular trend over a long period of time it is very difficult to really identify a specific cause or a reason for it. There is nothing that we are aware of at this stage which would suggest that there is a particular pattern of conduct that is being reported. Also we are very live to the fact that over this period, the last two years, numbers in terms of complaints and matters referred have been a little bit odd and up and down and all over the place because of the impact of COVID and people responding in different ways to different issues.

Ms BUSH: I have a fairly operational question. I am a bit more familiar with the corruption work that you do, more so than the major crime aspect of your portfolio. I know that it is in the report you have provided us, but I was keen to see if you could elaborate on some of the work you have been doing in the major crime area. Specifically I am interested in knowing what enlivens your interest in particular matters.

Mr Barbour: There is a range of factors. Obviously a large amount of our crime work comes through the crime reference committee. That is a process where the references will come through that committee and be either endorsed or not endorsed by the committee prior to coming to the division for appropriate work. There are areas which are targeted. Those areas are set out in the material that we have provided to the committee. Particular areas of focus are illicit markets of high value or high public impact. In addition to particular investigations, whether they are done on the basis of being self-initiated or through the crime reference committee, we have an intelligence function where we are developing intelligence holdings and potentially providing that information to external agencies and there are also strategic projects. It is a really interesting area. It was one of the reasons I wanted to highlight that particular operation. Sometimes with the work that we do you can understand that it takes quite a long time between initiating a matter and actually getting a result. This particular result was a very positive result, but it came after 13 months of considerable work.

Ms PUGH: I have a question about cryptocurrency. I am wondering if you are seeing an increase in the use of cryptocurrency right across all of your investigations. I have a follow-up question to that. It is not an area I am particularly across and I think that is why I am so interested in finding out if you are seeing that as an issue that is emerging.

Mr Barbour: That is a very perceptive question, if I may say, and certainly it is an area of considerable activity and work at the moment. There is no doubt that the commission and many other law enforcement agencies and integrity agencies are seeing increased use of digital currencies and particularly links to organised crime, drug trafficking and those kinds of activities. It is an area that we not only need to be live to but also need to do a lot of work in relation to. We have just completed a project where we have done some significant work in relation to cryptocurrency, and that has been provided to staff within the organisation. We are also looking at providing that externally. There is no doubt that all the information we are seeing suggests that cryptocurrency is going to be used far more frequently and more actively, not just in a criminal context but also across the board in the community. It is an area of research and work that we are definitely undertaking.

Ms PUGH: That leads into my second question. There is a general lack of information about cryptocurrency. There is a lot we do not know about cryptocurrency. Is there a danger that members of the general community could inevitably become involved in criminal activities because they have engaged with cryptocurrency? Is that something you are seeing at all in your investigations or am I a bit wide of the mark there?

Mr Barbour: No, I would not say that we are seeing that in our investigations. We are certainly seeing the use of cryptocurrency by criminals in our investigations. I think the take-up within the general community, if you like, is probably still a little slow, but all of the research and information suggests that that will continue as more and more digital currency options become available to people. But we are not seeing, I do not believe, a link between the two. It is certainly an area that we would be watching very closely.

Mr BLEIJIE: Good morning, Mr Barbour and other delegates. Mr Barbour, you talk about the keen interest the public has in the functions and what the CCC are doing, as we do on the committee and parliamentarians. In that vein I have a couple of questions. There have been calls publicly for a wider remit royal commission into integrity issues in Queensland. The Integrity Commissioner said it, the former state archivist called for it and I saw former minister Jo-Ann Miller has called for it. It has then been reported that the CCC have all the powers of a standing royal commission and that a full commission of inquiry is not required because the CCC can do all of this. My question is: what budget does the CCC currently have for a commission of inquiry style inquiry with respect to integrity matters in Queensland? Are you considering it and what is the budget for that?

Mr BROWN: Hypothetical.

CHAIR: Member for Capalaba, the question is not hypothetical. It is a question asking whether the CCC is considering a particular course of action. That is not a hypothetical question.

Mr BROWN: If I may add, Chair, it also goes into policy decisions of government in regard to budgeting of the CCC.

CHAIR: There is no point of order, member for Capalaba. This is the oversight committee for the CCC. Asking a question about budgetary matters or their line of thinking about particular courses of action is the job of this committee, as well as oversight. Mr Barbour?

Mr Barbour: Thank you. The best way I think I can answer the question is this: the commission has a broad remit, but that remit is in relation to reducing the incidence of crime—serious crime—and also corruption within Queensland. It does not have a general or broad remit to do wideranging

inquiries that may be worthwhile or of interest but are not within the jurisdiction of the CCC. I think the first step would be that any inquiry we would do would need to be within the terms of our jurisdiction to permit us to do so.

To the second element of the question around budget, clearly the budget that we have at the moment is based on the work that we have currently and on the best estimates we have projecting that work. It is not inclusive of funds that would permit a much broader ranging inquiry that might be asked of the commission were it within jurisdiction. Like any organisation, if there was a specific task given to it I would imagine our response would be to go to the government and seek additional funding if we believed that we needed it.

Mr BLEIJIE: From my understanding, having previously set up three royal commissions for previous governments, the bare minimum cost for a royal commission was the Carmody commission of inquiry I set up and that was \$5 million budgeted. I understand the Fitzgerald commission of inquiry being undertaken with the CCC at the moment has a budget allocation of \$5 million. Based on the answer you have just given to the committee, is it fair to say that the CCC currently would not be able to fulfil a royal commission style inquiry with respect to the issues that I just mentioned—the integrity issues—with the current resources you have with the CCC without going to the government—this is despite the fact that you even have the remit to do it—for additional resources for a very broad inquiry?

Mr Barbour: It is very difficult to answer a question like that because it depends so much on what is the subject of potential review. When we contemplate or talk about broad-ranging reviews of the integrity framework, it is difficult to know with any precision what we mean. At the moment there is the Fitzgerald commission of inquiry, which is looking at specific issues relevant to this organisation. There is the Coaldrake review, which is looking at a whole range of other integrity related matters. We have a number of agencies within the state that are all charged with looking at specific issues and they all have an integrity function, so it is a little bit difficult to hypothesise about what might be the subject matter of an inquiry, whether it was broad and what the budget would be in terms of needing to do that. That is really as far as I can take it. I think at this stage Professor Coaldrake has indicated that he is not certain about whether anything further is required, but it will be interesting to see his further report and see whether he makes any recommendations along those lines.

Mr BLEIJIE: Mr Barbour, with respect to the Coaldrake review that you have just mentioned, I note that the Premier said the other day that if Professor Coaldrake recommends a royal commission she will adopt it. The current Integrity Commissioner of Queensland has recommended a royal commission and the former state archivist has recommended a royal commission, based on their various observations in the integrity space for different reasons. At what point would the CCC look at the information and advice from the Integrity Commissioner, the former state archivist and some of the information contained in the Coaldrake review and decide that the CCC thinks this is of such a nature that the CCC will conduct its own investigation in all of these matters in a royal commission style inquiry—

Ms BUSH: Point of order, Chair.

Mr BLEIJIE:—with public hearings so actually it is a royal commission without having a royal commission?

CHAIR: Member for Kawana, we have a point of order from the member for Cooper. What is your point of order?

Ms BUSH: My point of order is that this question has been asked. It has been put to Mr Barbour, who has spoken about the limited jurisdiction he has to make an opinion or to make a comment on that.

CHAIR: What is your point of order under the standing orders?

Ms BUSH: Relevance.

Mr BLEIJIE: Mr Chair, I think the Labor member has just confirmed that the CCC does not have the power to do a royal commission.

CHAIR: Member for Kawana, could you cease speaking for the moment, please. The point of order was relevance?

Ms BUSH: Yes.

CHAIR: I think it is relevant but I will allow Mr Barbour latitude in answering the question.

Mr Barbour: I think the best way to answer it is that, as we have indicated to the committee at the last hearings and meetings of the committee, we have had an extraordinary number of matters referred to us relating to the Integrity Commissioner's office and relating to matters associated with Brisbane

the state archivist. All of those matters have been the subject of very careful consideration and decisions made by us. Issues that are being raised are not being raised in a void so far as the CCC is concerned. Any matters that are referred to the CCC will be reviewed and considered appropriately and we will make decisions.

CHAIR: Thank you, Mr Barbour. I will go to members to my left for any further questions.

Ms BUSH: Mr Barbour, there are multiple ways to achieve the objects of what you do. I am interested in the preventive work that you do in education, particularly targeting the Public Service around raising awareness of corruption risks and how you improve the maturity of the Public Service.

Mr Barbour: It is a very important element of our work and it is important on two fronts. One is that it informs the way we do our business but, as you correctly point out, it also provides additional information to make the public sector as corruption resistant and aware of risks as possible. There is a whole range of ways that we approach that. We obviously garner intelligence from the matters that we are investigating and the matters that are referred to us. We frequently do surveys. We did a significant survey recently in relation to the public sector and their attitudes to these issues and that informed a lot of the work. I mentioned in our report that we provided two new publications in the last period. One is *Misuse of confidential information*, which is a corruption prevention advisory piece, and also *Conflicting commitments—Managing other employment and volunteering*. The corruption and prevention advisory process is one where we regularly identify issues that come out of matters before us, we put together relevant information and we provide that back to agencies. We do a lot of engagement work. We obviously speak at various events and we prepare a lot of material. We also place a lot of material on the website for agencies. There is a range of practices that we adopt to work in that prevention space.

Ms BUSH: I am interested in your views and experiences around the uptake and interest from the public sector in that material and education work that you are doing.

Mr Barbour: I think it is very strong and very positive. In our survey that was done recently that I referred to I think we had responses from over 14,000 people working in units of public administration. That is an extraordinary result. The overwhelming response on almost all of the areas that we asked questions about was extremely positive in terms of the recognition of the importance of understanding procedures, identifying corrupt conduct or possible corrupt conduct early and a range of other areas. I think it is a very positive way and a very sensible way to identify whether or not we are making an impact within the public sector. It is all well and good to look at the work we do and think that is actually having a broader impact, but by actually going in, surveying people and seeing what the results are I think that gives us a much more tangible evidence base to see that things are changing and things are improving.

Mr CRANDON: On the misuse of information question, it took me back to my questions around the Integrity Commissioner. One thing you did not mention—and I have not seen anything in the media to the contrary in relation to it—is the matter around the laptop and other electronic devices. Is that dead in the water? Has that been put to bed, so to speak? What can you tell us?

Mr Barbour: That is Operation Workshop. I responded in answer to your question earlier that that is the one where we have a draft report that has been prepared. Our plan is to release that publicly. I indicated to you what we would be doing over the next few weeks.

Mr CRANDON: My apologies. I do now recall you saying that.

Mr Barbour: No problems.

CHAIR: Mr Barbour, I think you said within the next few weeks. You have said that it is going to come to us. Procedural fairness issues will have been addressed by that point?

Mr Barbour: No. It will be done simultaneously, so we will provide this committee with a copy of the report at the same time, in draft form, as we go out for the procedural fairness processes.

CHAIR: Thank you.

Mr Barbour: If I could add one more thing?

CHAIR: Of course.

Mr Barbour: I have learned very quickly acting in this role that mentioning dates about things can come back to haunt you. I have said a couple of weeks, a few weeks, and certainly that is my intention at this stage. We currently have multiple officers off with COVID related issues. That is certainly my intention at this stage. I will do my best to meet that time line.

CHAIR: Mr Barbour, I think it is something many of us can relate to.

Mr BLEIJIE: Mr Barbour, I have a few more questions on what I was just asking about the royal commission, but I will come back to that if we have time later. I want to move on to another matter. Some time ago the opposition referred to the CCC the appointment of Under Treasurer Frankie Carroll. I have read reports that the investigation had been completed. I have also read reports that there was a subsequent application made by Jackie Trad to prevent the release of that report into the public realm. For my purpose, having only served on the committee today, can you advise the committee when the report was finalised? Does the committee have the latest copy of it? If, in fact, it is in the public interest, which I believe it is, to release the report, why has the CCC not released the report?

Mr Barbour: It may be helpful for you to have a further discussion with your committee members because the committee is, in fact, fully apprised of all of those matters. I am happy to go into some of those things if you would like in a little more detail during the private session. Apart from acknowledging that there is a report that has been prepared—that has been publicly stated—and that there are court matters about which there are limitations in place as a result of court orders, there is nothing that I propose to add to that in public session. I think the important thing to recognise is that at all stages in relation to that matter this committee as the oversight committee for the CCC has been fully briefed.

Mr BLEIJIE: Despite court proceedings, my understanding is that the CCC or, in fact, this committee could release the report—despite any court proceedings; is that the case?

Mr Barbour: I do not propose to provide any comment on that. That is up to the committee and the committee can get its advice in relation to that. I would not presume to tell the committee what it should or should not do.

Mr BLEIJIE: My question was twofold: one was about the committee and one was with respect to the CCC. Can the CCC release the report today, for instance?

Mr Barbour: No, the committee cannot release the report without a direction of the parliamentary oversight committee.

Mr BLEIJIE: Do you mean the commission?

Mr Barbour: The commission, yes.

Mr BLEIJIE: I think you said 'committee'.

Mr Barbour: Sorry, commission.

Mr BLEIJIE: So there is no way, as you understand it, that the CCC could in the public interest just release the report into the appointment of Frankie Carroll?

Mr Barbour: It could if it wanted to act illegally, but I do not think that would be appropriate.

Mr BLEIJIE: So your understanding, for my benefit, is that the report sits with the committee and it would be the committee that has to make the determination to release the report publicly; correct?

Mr Barbour: That is as it stands now, but there are also judicial orders in place and it would be up to the committee to determine its own course in relation to the effectiveness of those judicial orders on its operations.

Mr BLEIJIE: The CCC has prepared reports in the past. Has the CCC sought advice on, if the Supreme Court withholds this report being published, the very dangerous precedent that sets so that Queenslanders could effectively never know what the CCC does with respect to its reports because every person subject to those reports who may have adverse findings against him or her can run off to the Supreme Court and not have it disclosed? I would think that goes against the CCC's obligation to be open and transparent with Queenslanders.

Mr Barbour: The CCC obviously has an obligation to act in accordance with the law and lawfully. I think that is the first element. The second element is that, as far as I am aware, there would not be any sufficient evidentiary basis to be seeking advice at this stage because we are not talking about a large number of matters. Should there be an increase in the number of people who start to take matters to the Supreme Court to prevent publication of reports, it may well be a matter that we would seek advice on but we have not to date.

Mr BLEIJIE: Mr Barbour, can you advise the committee what the current legal costs are for the CCC? I suspect you are a part of this application that Jackie Trad put to the Supreme Court. Can you advise the committee what the current legal expenses of the CCC are in that matter, please?

Mr Barbour: I am happy to take that on notice.

Ms BUSH: Chair, can I just—

CHAIR: That was answered before you could jump in, member for Cooper. Member for Kawana, did you have another question, or I can seek guidance about when they are going to come back?

Mr BLEIJIE: I would like that, thank you, Chair.

CHAIR: Mr Barbour, when will you return to the committee with the answer to that question taken on notice?

Ms O'Farrell: This week. Can I clarify that that is external costs to the CCC, not our own instructing solicitors? We are instructing on that matter ourselves.

CHAIR: External costs; is that sufficient?

Mr BLEIJIE: I would like all the costs associated with the legal expenses to the matter.

Ms O'Farrell: We will have to apportion a degree.

CHAIR: To the extent that you can apportion internal costs. Member for Kawana, I know you probably do have some other questions.

Mr BLEIJIE: Yes.

CHAIR: I am going to ask one myself and then I will give members to my left another opportunity to ask some questions. Mr Barbour, is the CCC enjoined from providing any further updated report to this committee by the Supreme Court?

Mr Barbour: No.

CHAIR: Members to my left, do you have further questions?

Ms BUSH: No, thank you, Chair.

CHAIR: Member for Kawana?

Mr BLEIJIE: Mr Barbour, I will move on to another matter, if I may. I have spoken in parliament and written to the CCC over quite a number of years with respect to concerns that I have raised through public interest disclosures on behalf of workplace health and safety officers who work for the Office of Industrial Relations. I refer to a matter, which was public, called the Enco matter, back in 2018-19 when I referred that matter. I know that there is a current matter that I referred to the CCC which is also being investigated by the Office of Industrial Relations which I will get to.

Back in 2019, when I referred these matters to the CCC, I had workplace health and safety officers who come to me with public interest disclosures alleging corrupt conduct, alleging bullying, alleging interference with the Office of Industrial Relations and the CFMMEU. I have put these to the CCC. On that particular matter the CCC referred it back to the Office of Industrial Relations. This puts the workplace health and safety inspectors in a terrible position: that the body they are complaining about and alleging corrupt activities is now investigating them. They did outsource it to an external agency that has no power of compulsion, no power to compel witnesses to answer questions.

I refer to correspondence that the CCC wrote back to me. I basically wrote to the CCC with witnesses and was able to provide names of current workplace health and safety officers who wanted to give testimony—were begging to give testimony to the CCC. The CCC wrote back to me on 26 August 2019 and said—

We note that you have spoken to officers in the Office of Industrial Relations and others in the building industry who claim they did not provide information to the appointed investigators because they were not confident their information or private details would be treated confidentially. In your letter you state that you will provide the details of the people that may have information relevant to the investigation once you are assured their identity will be protected so as to not cause them detriment with their employment.

This is the concerning part—

We recommend you encourage these people to contact the Office of Industrial Relations to assist with the investigation or you provide their names to the OIR so they can be interviewed. We will forward the concerns to OIR for their information.

I responded to the CCC and said, 'Please do not refer my concerns.' It is a long question, Mr Chair, but it is important background for the question I am about to ask. As the acting chair, you needed to know the history of that.

There is a matter that I wrote to the CCC about in July 2021, which is a current matter—and I cannot mention the company details because it is not public, but the CCC did refer it back to the Office of Industrial Relations. You have a monitoring function at the moment. I do have a reference number if it does help, but you may be aware of the matter I am referring to. I have been informed that the Office of Industrial Relations have finished this investigation. Again it was outsourced. They received the completed report in December last year. I wrote to the CCC a week and a half ago asking

for a copy of the report. The CCC replied that they do not have a copy of it yet. Is it normal practice for an agency to have a completed report sitting on their desk for five months and not give it to the CCC for its monitoring function?

Mr Barbour: Under the monitoring function we have time lines that are put in place which should certainly not allow that scenario to happen, and I would think it would be most unusual, so the answer to that question is no. However, I am more than happy to look into the matter in a little bit more detail and provide the committee with a little bit more information. I am not specifically aware of that correspondence or the facts behind that matter. I do not know whether what is being stated is accurate or not accurate so it is very difficult for me to respond.

Mr BLEIJIE: Thank you. In the private session I can give you a copy of the correspondence. It was dated 6 April 2021 from Integrity Services from the CCC. They have confirmed that they do not have a copy of the report. I also RTI-ed the document because I was the complainant on behalf of the workplace health and safety officers. I RTI-ed the document and it was rejected on the basis that it was subject to a CCC investigation. I cannot get it from the CCC because they do not have the document, I cannot get it from the Office of Industrial Relations because they say their deputy director-general is looking at it and I cannot get it through RTI because they say it is a CCC investigation.

Here is my question: in all of these issues I have raised—and I take this from a corruption risk perspective—the CFMMEU have donated over \$200,000 to the Queensland Labor Party over the last two years. Workplace health and safety officers, who are still coming to me with corruption allegations, are so concerned that they dob in their superiors because of the risks associated with the CFMMEU. You do not have to be any rocket scientist to see—and every few days there are stories in the paper—that the CFMMEU is one of the most recidivist organisations in Australia in terms of breaching the law—and the courts have said that. On these matters, when members of parliament come to the CCC with actual public servants who want to go on the record—they want to be ‘Star Chambered’ by the CCC—why does the CCC not take these investigations themselves and launch an investigation? Why do they continually refer it back to the organisation, in this case the Office of Industrial Relations, which does not satisfy the complaints from workplace health and safety officers that their matters are being appropriately addressed?

Mr Barbour: There is a range of issues that you have raised in that question, some of which I can answer and some which I cannot without further review. It would have been helpful, prior to asking a series of questions about these matters, to have been alerted to the fact that you wanted to find out some information and I could have prepared and looked at those particular matters.

As you know, those matters predate my time as acting chair. However, in more general terms, I can certainly say this: the commission has a very robust practice in place to assess whether or not it or an agency is best placed to deal with a matter. Where there is in a case no requirement for the CCC to exercise its significant range of powers to undergo a particular investigation, or its view is that that is not the case, then if a matter does suggest that there may be potential corrupt conduct in play it will be devolved to the agency. That is exactly what is contemplated under the legislation. Parliament, in providing and writing the legislation as it has, contemplated that the CCC would do just that. We do that in cases. However, once we do that in cases, if there is good reason for us to, during the course of our review, take the matter over, and we believe it is appropriate to do so, we will do so. In this particular case I am afraid I cannot answer your question as to why we made particular decisions. All I can say is that we have that robust system in place to make those decisions.

CHAIR: Mr Barbour and your colleagues, with the question taken on notice about legal costs, do you have any issue if the answer to that question is made public?

Mr Barbour: We will respond to that in the letter when we send you back the information. On the face of it I do not think there is a problem, but if there is a problem we will advise you in the correspondence when we send that information back.

Ms PUGH: My question in part follows on from the earlier question from the member for Cooper about local government. We know that local government is often a place where people can have very long careers, but it is also a place where you can begin your career and then move on to state and federal levels of parliament. It is very important, obviously, that we are getting the proactive communication out to local councillors and local candidates. I am very interested to hear about the CCC's ongoing proactive work and what work you are doing to work with councillors and candidates before they become elected to ensure they understand their obligations to be apprised of any issues they might come across in the course of doing their jobs.

Mr Barbour: Certainly the issues you raise are significant. You would recall our Belcarra investigation, where we made a range of recommendations in relation to local government and election processes, candidates and so forth. Some of those recommendations have been complied with and are being followed. They relate to the sorts of work that you are talking about. We obviously maintain additional work in relation to local government, and some of that space, of course, is taken over by the Office of the Independent Assessor. I am not sure whether we can specifically add more in terms of current candidates, but if the committee is interested I am happy to look at that a little bit more if you would like.

Ms PUGH: I think the question I am asking is actually quite granular. I am literally talking about the kinds of training courses and things like that. Even things that seem so small can be incredibly important in making sure that people understand their duties.

Ms O'Farrell: We have attended in the past and no doubt will in the future, I am sure, meetings of the LGAQ where they have LGAQ conferences—their Local Government Managers Association as well—where we will deliver sessions about the CCC and particular subjects around conflicts of interest, for example, and the difference between the administration of the council and the actual councillors' responsibilities. I am pretty sure the department of local government as well will play a very active role in preparing candidates but also new councillors for their roles, as would the LGAQ as the peak body.

Mr BLEIJIE: Mr Barbour, since your last appearance at this committee a series of documents have been tabled with respect to the mangocube—going back a few years ago now—email scandal. Having now read that document that was tabled in parliament, I have two questions. The first is: when the previous chair was at this committee, on numerous occasions, and in budget estimates and was asked about the emails, he constantly referred to about four or six emails. It is clear in those documents that are now tabled that we are talking about hundreds and hundreds of emails. Why did the CCC not table those full documents at the time when this matter was subject to scrutiny in the public domain, including estimates and PCCC hearings?

Mr Barbour: At our last meeting we went into some detail about the work that the commission did in conjunction with the State Archivist around that time. The review was specifically undertaken by the State Archivist and he worked with the CCC in relation to the review of those particular matters. He provided a report on his investigation to the CCC, which we have subsequently provided to the committee following the last meeting, which sets out in detail those matters. In addition to that, the archivist provided a report to the head of his agency and also to his relevant minister around the same time—I think shortly after.

At the time of those matters being considered, the emails which were the subject of the matters before the commission were reviewed, as were the circumstances surrounding their initial deletion and then recovery and the content of them. The commission at the time—and we are talking about 2017—were satisfied that there was no evidence to support corrupt conduct in relation to those matters and so there was no further action taken. However, there were significant endorsements made around recommendations the State Archivist made in terms of the Public Records Act, which I mentioned at our last meeting we are still waiting to see some reform of in a substantive way, which would go some way to address the concerns that arose as a result of that matter.

Mr BLEIJIE: There was an email that sparked my interest particularly and it was, I believe, from a union official to a minister with an attached LNP Public Service hit list. Would that have not sparked the interest of the CCC to look at why external forces were providing documents to government about LNP possible Public Service hit lists? Has the CCC followed that up to see if any of these hardworking public servants who were on this hit list had any adverse reactions with the new government?

Mr Barbour: I do not know whether that particular email is part of the emails that we were talking about in terms of the review by the CCC; nor am I sure that that is necessarily an accurate characterisation of the email. All I can say is that the emails that were the subject of the matters before the commission were fully reviewed and there was no evidence to support that there was corrupt conduct in play.

CHAIR: Mr Barbour, those emails that the member for Kawana was just referring to and which this committee published some time ago now show documents that indicate there were or there may have been leaks from cabinet—documents released from cabinet to third parties. Are you investigating this?

Mr Barbour: We will look at and review any information that is provided to us to see whether or not it constitutes potential corrupt conduct. Discussions around particular issues to do with those documents I am happy to explore in more detail in our private session. However, I would say broadly
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that information that goes to cabinet, as members of the committee would be aware, is often discussed in a broad sense prior to matters being finally decided upon in cabinet. It is difficult to know with any degree of precision who is advised about information, who is providing submissions to assist in deliberations prior to cabinet and who may or may not provide information that ultimately goes to cabinet. It is extremely difficult in those circumstances to look at a particular issue and see whether or not there is any corrupt conduct. Disclosure of cabinet information may not be consistent with policy however, we have been unable to find any basis for it to be criminal conduct. I can talk to you a little bit more about that in detail, if you would like, in our private session.

CHAIR: You have had a look at that, it seems, so we will pursue that further in the private session. I am mindful of the time, of course, but, like in football, the chair is the sole judge of time in this committee and I want to ask another question. Can you provide the committee with any information regarding the CCC's work investigating influencing or lobbying practices in Queensland?

Mr Barbour: Yes. As you know, we have had a project running for a short period of time in relation to influencing practices and we are in the process of developing a public discussion paper in relation to that matter. I can provide a little bit more detail in closed session. However, it will, if you like, put forward for commentary and for feedback a range of issues that have been identified in various ways from our work and it will deal with some of the issues that are coming up in relation to lobbying practices.

CHAIR: Mr Barbour, if you cannot answer this question now I understand; I am happy to have it taken on notice. Could you please tell the committee whether you have seen in the last 12 to 24 months an increase in nepotism allegations, particularly in relation to appointments of family members to roles within the Queensland Public Service or within bodies that are under your oversight role? If we could get some data about that, that would be useful, please, for the information of the committee. You can answer it now if you would like to.

Ms O'Farrell: Yes, we can get that data. I think a few meetings ago we did actually provide some data specifically on nepotism and favouritism. We have just updated our data to the end of December last year, so we will provide that to the committee. In terms of perceptions, it was one of the top 5 perceptions within the public sector arising from the survey that we completed last May/June.

CHAIR: Interesting. Thank you, Ms O'Farrell, for that. Last chance, members, before we call time on our public session today.

Ms BUSH: I have additional questions. I am just aware of the time, though, and am wondering if they are best held over into the next session.

CHAIR: Yes, if you are happy to hold them over. Mr Barbour, the issue was raised if you had had further notice about the issues raised by the member for Kawana about the Office of Industrial Relations and for those things you might be able to provide more information to the committee. Could you give us an estimate of how long it might take you to be apprised of those matters, because we are happy for you to come back to us in a public meeting to talk further about it?

Mr Barbour: I am in your hands. If you would like us to report out of session and give you a response back, we can certainly do that over the next few weeks and provide you with a response. If you want us to actually address that at the next public meeting, we are happy to do that as well. I will be guided by you.

CHAIR: Do you need a week or two weeks?

Mr Barbour: Ms O'Farrell is just saying that providing us with some details about what you would like a week or so in advance of the meeting means that we can also address that at the meeting, so I am in your hands about what process you would like to adopt. Obviously we are here to answer questions. We want to be as productive and as useful in our time as possible. If there are particular questions, particularly around matters that go back some time, it is obviously, if possible, far more productive for us to be able to have at least some early insight into those issues and it means that we can look at that information and we can thoroughly provide the committee then with an appropriate response.

CHAIR: Thank you.

Mr BLEIJIE: I think my point with it, though, is that I have written dozens of letters to the CCC about this. That is why I am bringing it up today in the public domain because, given that all of my letters just keep getting referred back to OIR, that is not responsive to the workplace health and safety officials who have raised these issues, hence the importance of why I brought it to the public hearing today.

Mr Barbour: Thank you.

CHAIR: Such is the purpose of public hearings and our oversight role. Thank you, member for Kawana. With regard to questions on notice taken today—I think there were only one or two—could you get responses to us by the end of the week in respect of both of them?

Ms O'Farrell: That should be fine.

CHAIR: Thank you, so by this Friday would be excellent.

Mr CRANDON: Chair, would we be writing to Mr Barbour in relation to a public meeting in relation to the matters that you have just been outlining?

CHAIR: Mr Crandon, I think that is a matter for the committee at this point, unless there is another way of doing that. Members, we will end our public session now. Thank you to everyone who is watching online at home, in the office or in the media room. We will move into private session.

The committee adjourned at 11.06 am.