

Review of the Crime and Corruption Commission's activities

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Attachments:

Submitter Comments:

I write to the Committee as someone with direct experience in public office to raise a matter of significant concern regarding the legal vulnerability of elected officials who provide evidence to the Crime and Corruption Commission (CCC). This submission seeks to highlight a disparity in legal protections afforded to public servants versus elected representatives and to respectfully request the Committee consider legislative reform to address this imbalance. The motivation for this submission stems from personal experience. In the past, I provided evidence to the CCC concerning alleged misconduct within government. Although the CCC proceeded with charges, those charges were ultimately dismissed. Subsequently, the individual implicated was able to identify me as the source of the evidence and initiated legal proceedings against me personally. This experience has revealed a troubling gap in the legal framework:

- Public servants are protected under the Queensland Government Indemnity Guideline, which provides automatic indemnity for actions taken in good faith during the course of their duties.
- Elected officials however are not covered by this indemnity, despite acting in the public interest and fulfilling statutory obligations under the Crime and Corruption Act 2001. This disparity raises several concerns:

1. Deterrent to Reporting Misconduct: Elected officials may be discouraged from reporting misconduct if they risk personal legal exposure.
2. Inconsistency in Protections: The law currently protects employees of the state but not those elected to serve the public, despite both being integral to public administration.
3. Public Interest Undermined: The CCC relies on cooperation from all sectors of government. If elected officials are deterred from participating, the CCC's effectiveness may be compromised.

I respectfully urge the Committee to consider:

- Extending indemnity protections to elected officials who act in good faith when providing evidence to the CCC.
- Clarifying the legal status of elected representatives under the Crime and Corruption Act 2001 to ensure they are not unfairly exposed to civil litigation.
- Reviewing the CCC's procedures for protecting the identity of witnesses where appropriate, to prevent retaliatory legal action.

In conclusion, elected officials should not be penalised for fulfilling their duty to uphold integrity in public office. I believe this issue warrants urgent attention and legislative reform to ensure fairness, transparency and continued public confidence in Queensland's anti-corruption framework. Thank you for considering this submission.