

Review of the Crime and Corruption Commission's activities

Submission No: 14
Submitted by: Local Government Association of Queensland
Publication:
Attachments:
Submitter Comments:



Every Queensland
community deserves
to be a liveable one

3 October 2025

The Honourable Mark Furner MP
Chair
Parliamentary Crime and Corruption Committee
Parliament House
George Street
BRISBANE Qld 4000

By email: pccc@parliament.qld.gov.au

Dear Chair,

RE: Review of the Crime and Corruption Commission's activities

The Local Government Association of Queensland (LGAQ) is a not-for-profit association representing all 77 councils across Queensland as the state-wide peak body for our sector.

We thank the Parliamentary Crime and Corruption Committee for undertaking the 5-year review of the of the Crime and Corruption Commission's activities.

In the attached submission, the LGAQ has put forward three recommendations for the Committee's consideration.

We are comfortable with our submission being made public. We would encourage the Committee to continue to engage with local council leaders across Queensland.

Once again, the LGAQ thanks the Committee for undertaking this review and we would be more than happy to answer any further questions.

For any further information in relation to this submission, please contact Sarah Vogler, Head of Advocacy via email [REDACTED] or phone [REDACTED].

Yours sincerely,

[REDACTED]

Alison Smith
CHIEF EXECUTIVE OFFICER



Every Queensland
community deserves
to be a liveable one

Review of the Crime and Corruption Commission's activities

Submission to the
Parliamentary Crime and Corruption Committee

October 2025

Web: www.lgaq.asn.au

X: @LGAQ

LinkedIn: Local-Government-Association-of-
Queensland

Facebook: /LocalGovQld

Instagram: @localgovqld

Contents

1. Executive Summary.....	4
1.1 Recommendations	5
2. Introduction.....	6
2.1 LGAQ Policy Statement.....	8
3. Response to the Review	9
3.1 Commission of Inquiry (2022).....	9
3.2 Influence and transparency in Queensland’s public sector report (2023)	11
4. Conclusion.....	13
Attachment 1:.....	14

About the Local Government Association of Queensland (LGAQ)

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

Equal Partners in Government Agreement

The LGAQ on behalf of all 77 Queensland local governments is a signatory to a three-year Equal Partners in Government Agreement¹ with the State of Queensland (signed 11 March 2025).

The Agreement details the key principles underlying the relationship between the state and local governments and establishes the foundation for effective negotiation and engagement between both levels of government.

The Agreement acknowledges that local government is the closest level of government to the community, affecting the lives of everyday Queenslanders and acknowledging local government as a genuine partner in the Australian government system.

The intent of the agreement was to continue the tradition of working in genuine partnership to improve the quality of life for all Queenslanders to enjoy. By identifying the roles and responsibilities of each party, it provides a solid foundation for effective negotiation and engagement between both levels of government.

The LGAQ is committed to working with the State Government and will continue to be a passionate advocate for councils, to serve our joint jurisdiction for the people of Queensland.

Rural and Remote Councils Compact

The Rural and Remote Councils Compact² (signed 14 August 2025) is a sub-agreement to the Equal Partners in Government Agreement between the LGAQ and the State Government.

It provides a platform to ensure issues of priority for these communities are properly considered by the Government when developing policies, programs, and legislation.

The Rural and Remote Councils Compact pledges to amplify the voice of and improve outcomes for the state's 45 rural and remote councils and their local communities by enhancing engagement between both levels of government.

¹ [Equal Partners in Government Agreement](#)

² [Rural and Remote Councils Compact](#)

Review of the Crime and Corruption Commission's activities

1. Executive Summary

The LGAQ welcomes the opportunity to provide a submission to the Parliamentary Crime and Corruption Committee's (PCCC) *Review of the Crime and Corruption Commission's Activities*.

The LGAQ supports a strong and independent anti-corruption agency as a vital check and balance on democracy in Queensland. Queensland needs a fearless Crime and Corruption Commission (CCC) that is thorough, rigorous and robust. But it must have adequate checks and balances to preserve its own reputation and trust with the public, and to ensure it is not abusing its powers.

Regular reviews by the PCCC of the CCC's activities are an important check on its extensive and wide-ranging powers. This review is particularly important to ensure that processes are put in place to resolve the serious cultural, structural and significant procedural shortcomings identified by the PCCC's *Inquiry into the CCC's investigation of former councillors of Logan City Council* (PCCC Logan Inquiry) and the subsequent 2022 Commission of Inquiry relating to the Crime and Corruption Commission (Fitzgerald COI) and prevent them from happening again.

This submission includes two recommendations related to an important recommendation from the Fitzgerald COI that the CCC develop a process for conducting post-prosecution reviews. The Fitzgerald COI was clear that post-prosecution review exercises are critical to identifying where lessons can be learned and to ensure that opportunities to improve processes and practices within the CCC and the Director of Public Prosecutions (DPP) are identified and implemented.

It is the view of the local government sector in Queensland that there are important lessons to be learned from the failed cases launched against elected members of local government in Queensland since 2018 (see [Attachment 1](#)).

This submission also includes one recommendation highlighted by the CCC's release of a report in 2023 that examined influence and transparency in Queensland's public sector and that proposed seven reforms for consideration by the State Government. The LGAQ remains concerned that the CCC was unwilling to publish the submissions it received to this inquiry which informed both the assertions within the report and the CCC's final recommendations.

It is normal practice for submissions to such inquiries to be published in the interests of transparency, with measures taken to protect those who wish to remain anonymous, such as the removal of any identifying information before publication. The CCC has not provided a compelling reason why this practice should not apply to CCC reports that make recommendations for reform to State Government.

Please note that in compiling this submission, no input was sought from member councils, given the specific focus of the PCCC *Review of the Crime and Corruption Commission's Activities*.

1.1 Recommendations

The LGAQ has considered the Terms of Reference for the inquiry and has made three recommendations, summarised below:

- **Recommendation 1:** The LGAQ recommends the Crime and Corruption Commission's post-prosecution review schedule includes a review of historical failed cases launched against members of local government in Queensland.
- **Recommendation 2:** The LGAQ recommends the Crime and Corruption Commission post-prosecution review process ensures opportunities to improve processes and practices within the CCC and the DPP are identified and implemented as outlined by the Fitzgerald COI.
- **Recommendation 3:** The LGAQ recommends the Crime and Corruption Commission publishes submissions to their inquiries that inform CCC research papers and reports that make recommendations to government and in doing so take all measures to protect the privacy of those who wish to remain anonymous.

Please do not hesitate to contact Sarah Vogler, Head of Advocacy via: [REDACTED], should you wish to discuss any aspect of this submission.

2. Introduction

The PCCC is a statutory committee of the Queensland Parliament and was established to ensure that the CCC acts within the law and uses only the powers provided to it by the *Crime and Corruption Act 2001* (CC Act). The PCCC also monitors and regularly reviews the performance of the CCC.

Section 292(f) of the CC Act provides that the PCCC must review the activities of the CCC and report to the Queensland Parliament every five years.

The previous review of the CCC's activities was finalised and tabled on 30 June 2021³. During this review, the PCCC resolved to incorporate its *Inquiry into the CCC's performance of its functions to assess and report on complaints about corrupt conduct* into its five-year review of the CCC's activities.

Just prior to finalising this previous review, the PCCC also resolved to investigate the issues raised by the LGAQ in its correspondence to the committee, dated 5 May 2021⁴. The PCCC Logan Inquiry ran for four months, and this inquiry's report was finalised and tabled on 2 December 2021⁵.

The LGAQ made three submissions to the PCCC in relation to this inquiry, two of which are publicly available:

- Initial correspondence to the PCCC on 5 May 2021, which led to the establishment of the inquiry (publicly available);
- A supplementary submission to the PCCC on 26 May 2021, which is referred to at pages 51 and 54 of the inquiry report (not publicly available); and
- The LGAQ's submission to the inquiry on 22 July 2021 (publicly available)⁶.

The PCCC Logan Inquiry report included a recommendation that *"the Queensland Government instigate a review of the CCC's structure in regards to its investigatory and charging functions, and the role of seconded police officers at the CCC, as a Commission of Inquiry or similar, to be headed by senior counsel of sufficient standing to consider this structural basis of the CCC that has its roots in the Fitzgerald Inquiry."*

On 31 January 2022, the State Government announced a Commission of Inquiry into aspects of the CCC as recommended by the PCCC to be chaired by the Honourable Tony Fitzgerald AC QC.

The Fitzgerald COI commenced on 7 February 2022 with the Honourable Tony Fitzgerald AC QC as Chairperson and the Honourable Alan Wilson QC as Commissioner.

³ [Report No. 106, 57th Parliament - Review of the Crime and Corruption Commission's activities](#)

⁴ [Letter from LGAQ to PCCC - Complaint regarding the conduct of the Crime and Corruption Commission](#)

⁵ [Report No. 108, 57th Parliament - Inquiry into the Crime and Corruption Commission's investigation of former councillors of Logan City Council; and related matters](#)

⁶ [LGAQ submission to PCCC Inquiry into the CCC's investigation of former councillors of Logan City Council; and related matters](#)

The Fitzgerald COI was required to inquire into, report and make recommendations with respect to the following matters:

- the adequacy and appropriateness of the structure of the CCC in relation to use of seconded police officers;
- the adequacy and appropriateness of legislation, procedures, practices and processes relating to the charging and prosecution of criminal offences for serious crime and corruption in the context of CCC investigations; and
- the adequacy and appropriateness of section 49 of the *Crime and Corruption Act 2001*.

The Fitzgerald COI was finalised and provided its report to the State Government on 9 August 2022 making 32 recommendations⁷.

In the CCC's most recent report on the implementation and delivery of the Fitzgerald COI's recommendations, published on 9 July 2025⁸ – 26 recommendations are marked 'Completed', four recommendations are marked "In progress", one recommendation is marked "Noted but not yet commenced" and there is one recommendation where responsibility does not lie with the CCC.

On 17 June 2022, just prior to the finalisation of the Fitzgerald COI, the CCC called for submissions on a range of topics related to influence, decision-making and transparency in Queensland.

On 30 January 2023 the CCC published the *Influence and transparency in Queensland's public sector: Minimising the corruption risks associated with improper influence on government decisions* report⁹ incorporating the views expressed in submissions, as well as the CCC's ongoing examination into these issues.

On 18 August 2025, the Queensland Attorney-General, Minister for Justice and Minister Integrity, the Honourable Deb Frecklington MP provided a written update to the PCCC on the status of implementation of recommendations addressed to Government in previous reviews and inquiry processes, as they pertain to the CCC, including the previous five-year review and the Fitzgerald COI¹⁰.

The PCCC's latest five-year review (Review) is required to report to the Queensland Parliament by 30 June 2026 regarding any action that should be taken in relation to the Crime and Corruption Act or the functions, powers and operations of the CCC.

In undertaking the Review, the PCCC is examining the CCC's overall performance over the last five years and considering its jurisdiction, responsibilities, functions and powers.

The LGAQ's submission will primarily focus on the CCC's corruption function and reporting function as it relates to local governments in Queensland.

⁷ [Report - Commission of Inquiry relating to the Crime and Corruption Commission](#)

⁸ [Report Number 10 - Implementation and delivery of COI recommendations](#)

⁹ [Report - Influence and transparency in Queensland's public sector](#)

¹⁰ [Briefing Paper: Review of the Crime and Corruption Commission's activities \(status of the implementation of recommendations from previous reviews & inquiry processes pertaining to the CCC\)](#)

2.1 LGAQ Policy Statement

The LGAQ Policy Statement¹¹ is a definitive statement of the collective voice of local government in Queensland. The relevant policy positions of local government in the context of the CCC's activities are:

1.5 Fundamental basis of relationship

1.5.2 Local government should be subject to minimum intervention from other spheres of government with respect to its legitimate interests and jurisdictional responsibilities (including revenue raising, local laws and land use planning). Devolution or delegation of new responsibilities, roles and functions to local government should only occur where prior consultation has been undertaken, the financial implications and other impacts on local government are taken into account, and the identification and availability of an ongoing revenue source has been considered.

1.6 Governance Arrangements

1.6.1 To ensure the system of local government is accountable, democratic, efficient, sustainable and transparent, local governments have a responsibility to comply with appropriate standards relating to applicable governance arrangements. This includes boundaries, electoral arrangements, financial accountability and reporting, integrity and ethical standards, and oversight by independent bodies including the Queensland Audit Office, Integrity Commissioner, Ombudsman, Remuneration and Discipline Tribunal, and the Crime and Corruption Commission.

1.6.2 The governance arrangements that apply to local government should, where appropriate, be consistent with those applying to the State Government – the obligations placed on local government will not be higher than those applying to the State Government.

1.6.3 Local governments have a responsibility to comply with any applicable legislative, industry or professional requirements to ensure that appropriate standards are maintained for the benefit of the entire community. Wherever possible, local governments should have the ability to tailor regulatory regimes to suit local conditions and interests while still achieving the desired performance-based outcome.

2.1 Intergovernmental Relations

2.1.3 Dismissal of Local Government

2.1.3.1 Only where an appropriately constituted public inquiry finds that a local government as a whole is acting illegally or is condoning the illegal actions of its officers, should the State Government have the power to dismiss a local government. The dismissal should occur only after the passing of an Act of Parliament which provides for new elections for the local government as soon as reasonably practicable, and which provides for the appointment of a Commission to conduct the affairs of the local government until new elections have been held.

¹¹ [LGAQ Policy Statement 2023](#)

3. Response to the Review

The LGAQ and its member councils support high standards of integrity, transparency and accountability.

The local government sector in Queensland both understands and supports the need for a body such as the CCC to provide oversight and to identify, investigate and stamp out instances of corruption. Indeed, it is pivotal to maintaining confidence in all levels of government in Queensland.

There needs to be a high-level of confidence in Queensland's integrity agencies for those who wish to make a complaint, for those who stand accused of a complaint, and for the public whose taxes fund these agencies as a vital check and balance on our democracy.

It is therefore essential that the CCC's conduct in undertaking its crucial duties is beyond reproach and in line with its requirement under section 57 of the CC Act to act independently, impartially and fairly at all times.

This submission is made in response to the Terms of Reference of the Review and will specifically address the following matters:

- The Commission of Inquiry relating to the CCC (2022)
- CCC's Influence and Transparency in Queensland's Public Sector report (2023)

3.1 Commission of Inquiry (2022)

The Fitzgerald COI final report provided important recommendations for reform of the CCC in Queensland.

Of particular importance for local government in Queensland, recommendation 24 of the Fitzgerald COI is *"the Crime and Corruption Commission work with the Director of Public Prosecutions to develop a process for conducting post-prosecution reviews."*

This recommendation was the result of the Fitzgerald COI finding (page 105) that:

"...the existing processes do not yet sufficiently capitalise on opportunities for improvement and reflection once prosecution outcomes are known."

While the CCC has introduced processes to enable the Executive Leadership Team (ELT) to oversee the progress of prosecution in the post-delivery stage of investigation, the CCC must formalise its post-prosecution review exercises to ensure opportunities to improve processes and practices within the CCC and the Director of Public Prosecutions (DPP) are identified and implemented."

Prior to the Fitzgerald COI, the LGAQ publicly called for the CCC and the DPP to prioritise the review of the failed cases launched against elected members of local government in Queensland, so that any other instances of potential miscarriage of justice can be identified, rectified and processes put in place to ensure mistakes are never repeated.

It is the view of the local government sector in Queensland that there are important lessons to be learned from the failed cases launched against elected members of local government in Queensland since 2018. A summary of these 11 failed cases is provided at [Attachment 1](#).

The Fitzgerald COI is clear that post-prosecution reviews are critical to identifying where lessons can be learned and to ensure that opportunities to improve processes and practices within the CCC and the DPP are identified and implemented.

The most recent update from the CCC in relation to the implementation and delivery of Recommendation 24 of the Fitzgerald COI states the recommendation is one of four that are still in progress:

“The CCC has developed the draft post-prosecution review process.

The project includes:

- *developing a post-prosecution review guideline,*
- *conducting an internal mock post-prosecution review drawing on a historical CCC investigation,*
- *preparing CCC policy and procedures, and*
- *consulting with external stakeholders.*

The CCC has developed policies and procedures to guide the post-prosecution review process. The CCC has consulted with the Office of the Director of Public Prosecutions regarding the proposed process.

The CCC is currently preparing to undertake a pilot post-prosecution review of the first criminal prosecution finalised in accordance with the MOU process. The timeframe in which this will be undertaken is dependent on when the relevant matter is finalised in court.”

This update was provided almost three years after the Fitzgerald COI report was published and makes it clear that the CCC is not looking to review failed cases launched against elected members of local government that were the subject of multiple inquiries and resulted in a clear recommendation to the CCC by a Commission of Inquiry to develop a process for conducting post-prosecution reviews.

While not wanting to re-litigate the issues that were subject to these important inquiries, the LGAQ has a duty to our members to continue to pursue the need for post-prosecution reviews of the failed cases that ended the careers of numerous councillors and mayors and damaged not only the standing of the sector but of the CCC as well to ensure lessons are learned and new processes enacted to prevent the wrongful charging of elected members into the future.

- **Recommendation 1:** The LGAQ recommends the Crime and Corruption Commission’s post-prosecution review schedule includes a review of historical failed cases launched against members of local government in Queensland.
- **Recommendation 2:** The LGAQ recommends the Crime and Corruption Commission post-prosecution review process ensures opportunities to improve processes and practices within the CCC and the DPP are identified and implemented as outlined by the Fitzgerald COI.

3.2 Influence and transparency in Queensland's public sector report (2023)

The CCC's *Influence and transparency in Queensland's public sector* report was published on 30 January 2023 and contained seven proposed reforms of Queensland's integrity and accountability framework for consideration by the State Government.

As the peak body representing Queensland's 77 councils, the LGAQ was concerned that the report included assertions regarding improper influence at a local government level.

It stated in relation to local government that "*submissions referred to perceptions of a lack of transparency of interactions and decisions, including:*

- *Councillors having direct personal interests in property and infrastructure development*
- *the impact of personal associations on local government decisions, particularly in smaller communities*
- *the extent to which influence and associations were being used to determine the outcomes of planning decisions.*"

Further, when the CCC called for submissions on 17 June 2022, it did not canvas that its report would have a focus on local government. Had the CCC been fulsome in its intended scope, the LGAQ would have sought to make a submission and, would have encouraged member councils to do the same.

Of most concern to the LGAQ is the CCC's unwillingness to publish the submissions it received to the inquiry that informed its assertions and final recommendations. The LGAQ first wrote to the CCC on 6 February 2023 seeking information as to when and where the submissions to its inquiry would be published.

The response received by the LGAQ was:

At this stage, the CCC is not proposing to publish the submissions received due to the nature of their content and to respect the wishes of some submitters who requested their submissions be treated confidentially.

The LGAQ wrote again on 14 February 2023 seeking further clarification of the CCC's decision not to publish the submissions. The CCC responded restating their decision not to publish the submissions received.

Given the serious nature of the *Influence and transparency in Queensland's public sector* report's assertions and recommendations, the potential implications of its suggested reforms, and absence of consultation with the local government sector ahead of its release, the LGAQ believes it was a reasonable request that there be transparency and accountability regarding the submissions on which the CCC's assertions and recommendations were based.

Typically, submissions to such inquiries are published in the interests of transparency, with measures taken to protect those who wish to remain anonymous, such as the removal of names and identifying information before publication. This CCC report makes recommendations for public policy reform, and therefore it is crucial to understand the genesis and the rationale behind these recommended changes.

- **Recommendation 3:** The LGAQ recommends the Crime and Corruption Commission publishes submissions to their inquiries that inform CCC research papers and reports that make recommendations to government and in doing so take all measures to protect the privacy of those who wish to remain anonymous.

4. Conclusion

The LGAQ supports a strong and independent anti-corruption agency as a vital check and balance on democracy in Queensland. But it must have adequate checks and balances to preserve its own reputation and trust with the public, and to ensure it is not abusing its powers. This review by the PCCC of the CCC's activities is an important check on its extensive and wide-ranging powers.

In relation to the CCC's activities over the past five years, it is the view of the local government sector in Queensland that there remains important lessons to be learned from the failed cases launched against elected members of local government in Queensland since 2018.

The LGAQ highlights these matters not to re-litigate the issues that were subject to these important inquiries, but to highlight the important recommendations that followed and which still need to be implemented in full.

The LGAQ's submission makes the recommendations to the PCCC regarding the CCC post-prosecution review process and schedule and the publication of submissions that inform CCC reports that make recommendations for reform to State Government.

The LGAQ appreciates the opportunity to provide a submission to the Review and thanks the PCCC for its consideration. The LGAQ would welcome any opportunity to provide further information should it be necessary.

Attachment 1:

Since early 2018 the CCC has, via seconded police officers, instigated the following failed prosecutions against Queensland councillors:

Name of Charged Councillor	Council	Charge and date charged	Reason for failure
Cherie Dalley	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Trevina Schwarz	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Laurence Smith	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Phillip Pidgeon	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Stephen Swenson	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Russell Lutton	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Luke Smith	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Jennifer Breene	Logan	Fraud – section 408C of the Criminal Code 26 April 2019	Discontinued, during committal, at the request of the DPP
Alan Sutherland	Moreton Bay	Misconduct in relation to public office – 92A of the Criminal Code 18 December 2019	Discontinued, during committal, at the request of the DPP
Adrian Raedel	Moreton Bay	Official corruption – section 87 of the Criminal Code 27 June 2019	Discontinued, during committal, at the request of the DPP
Andrew Antonioli	Ipswich	Fraud – section 408C of the Criminal Code 2 May 2018	Convicted in Magistrates Court at first instance, but convictions set aside by District Court on appeal (and further appeal to Court of Appeal by Commissioner of Police dismissed)