



Speech by

Hon. Cameron Dick

MEMBER FOR GREENSLOPES

Hansard Wednesday, 5 August 2009

MOTION: ESTABLISHMENT OF ROYAL COMMISSION, ALLEGATIONS OF CORRUPTION

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (5.51 pm): I am pleased to second the amendment moved by the Deputy Premier. The defining legacy of any government is twofold: firstly, its willingness to confront difficult issues that face the state; and, secondly, the legislative and policy action that is bequeathed to future generations of Queenslanders.

The opposition is unwilling to address the important issues facing our state. The Leader of the Opposition has blamed everyone from his own office to his deputy, leader-in-waiting and mentor, the member for Southern Downs, but has failed to demonstrate one ounce of leadership in respect of public accountability and integrity in our state. Willingness to duck and dive, to obfuscate and ignore are not the traits of leadership.

In the absence of any real policy initiative, in the absence of any leadership, what do we have? We have a call for a royal commission. We have a call to institute a body that would have no greater powers, no greater scope of inquiry, no greater utility in respect of official misconduct than the Crime and Misconduct Commission. But why should we be surprised? When it comes to the other side they have form. It is ingrained in their DNA to oppose the architecture of Fitzgerald. They have opposed it every time they have had the opportunity. When they were last in government what did they do? They passed legislation to nobble the CJC because it suited their political ends to do so. It was not for increased accountability, not for the good of Queensland and not to protect the public interest; it was to protect themselves.

They passed the Criminal Justice Legislation Amendment Act 1996 to upset and seek to overturn the Carruthers inquiry into their grubby little deal with the Queensland Police Union. This was legislation introduced by an Attorney-General who had been the subject of a vote of no confidence and who respected the processes and dignity of this House so greatly that he completely ignored them. They passed that legislation so that their hand-picked, overtly political and ultimately doomed farce—the Connolly-Ryan inquiry—could make every effort to sink the CJC and the work it was undertaking. But this Labor government has been committed to ensuring that the Crime and Misconduct Commission, part of the architecture of Fitzgerald, is appropriately resourced and retains the appropriate powers to carry out its work in Queensland.

There should be no misunderstanding about the extent of the powers available to the CMC in conducting an inquiry. While those opposite seem to believe that there is a certain magic to the phrase 'royal commission', the people of Queensland can be reassured that the Crime and Misconduct Commission possesses a suite of powers that equals, if not exceeds, those of a commission of inquiry. Let us consider for a moment these powers, instead of jumping at the sound of a dog whistle.

In the course of an investigation into official misconduct—and that is what they are alleging—the Crime and Misconduct Act 2001 gives the commission the power to: enter and search premises, both with and without a warrant depending on the circumstances and the nature of premises; seize material found

during the searches; compel public officials to provide assistance to the commission; compel persons to give evidence to commission inquiries and hearings; require a person to attend a hearing, including prisoners; search persons; direct financial institutions to give information on persons; use surveillance devices to collect information; restrain or confiscate proceeds of illegal activity without any conviction; telephone interception warrants or warrants under the Commonwealth Telecommunications (Interception and Access) Act 1979; apply for a telecommunications interception warrant, a stored communications warrant—SMS, emails and so on; authorise access to telecommunications data—phone call records and so on; conduct controlled operations—that is, covert operations—including the power to issue assumed identities to gather intelligence or evidence; and access intelligence databases from other law enforcement agencies. Hearings by the commission can be open or they can be closed. They can require witnesses to produce documents immediately and can take sealed evidence from an individual. Make no mistake: this is a full and comprehensive set of powers that have been granted to the CMC, and a royal commission would not be empowered to do anything more.

The question the opposition may then consider is, once again: why should it be pursuing this line? Because it is a political line. I might have thought the Leader of the Opposition would have a better understanding of the CMC. Look at what the CMC did on the Gold Coast. It had a very broad-ranging inquiry in 2004 into allegations of misconduct that occurred in the very seat of the Leader of the Opposition. The CMC inquiry was into the Gold Coast City Council. What did the CMC do then? The terms of reference included investigating cases of alleged or suspected official misconduct by councillors concerning a range of allegations including false or misleading statements by candidates, bribery, conflicts of interest and any other criminal offence involved. It also included any related cases of alleged or suspected official misconduct by any other persons.

This is a ruse to hide the opposition's failure of policy leadership in this state—the policy vacuum that it represents. Labor will support the CMC to the end.

(Time expired)