



Speech by

**Hon. Neil Roberts**

**MEMBER FOR NUDGE**

Hansard Tuesday, 4 August 2009

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**CRIMINAL CODE AND OTHER LEGISLATION (MISCONDUCT,  
BREACHES OF DISCIPLINE AND PUBLIC SECTOR ETHICS)  
AMENDMENT BILL**

**Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (4.52 pm): It is a bit galling standing in this parliament listening to a member of the National Party call for a royal commission when that is the very party which tried to nobble the CJC, the forerunner to the Crime and Misconduct Commission, which has all the powers of a standing royal commission. It is interesting to see the rewrite of history from a member who was part of a government that tried to do that.

I am pleased to say a few words on the Criminal Code and Other Legislation (Misconduct, Breaches of Discipline and Public Sector Ethics) Amendment Bill 2009. This bill is just another plank in the platform of accountability that Labor governments have been implementing since Wayne Goss initiated major reforms of accountable government arising out of the Fitzgerald report recommendations. Proposed new offences under the Criminal Code fill a gap identified by the CMC in its report *Public duty, private interests: issues in pre-separation conduct and post-separation employment for the Queensland public sector*. These amendments make provisions for the CMC to lay disciplinary charges against public officers and members of the Police Service whose employment has been terminated or has ended. Under current legislation, disciplinary action can only be taken against a currently serving Public Service officer or police officer.

Both the Police Commissioner and I have made it very clear that there is no place in the Queensland Police Service for people who engage in wrongdoing. We have welcomed these changes so that even if a police officer leaves the service misconduct proceedings against them can continue to be pursued. Similarly, if an officer changes department it is currently unclear as to whether disciplinary proceedings against them can be pursued. However, these amendments allow the CEO of the department where the misconduct is alleged to have occurred to continue to investigate or to delegate the power to the new CEO.

The amendments also make it clear that any person seeking employment in the government must disclose any previous disciplinary findings made against them and failure to do so may result in disciplinary proceedings being brought and could result in dismissal. Further amendments are being made to the Police Service Administration Act 1999 to enable disciplinary declarations to be made against police officers who cease employment with the QPS. Applicants who wish to join the Police Service must disclose previous disciplinary findings made against them in any other public sector position. The Commissioner of Police is able to access previous disciplinary material in assessing an applicant's suitability for appointment to the QPS.

An important feature of our parliament introduced by the Labor government of Peter Beattie is the position of Integrity Commissioner. This bill extends the entitlement to access the services of the Integrity Commissioner to all members of the Legislative Assembly, and that is a positive move.

The Premier spoke this morning about important steps taken by both the Beattie and Bligh governments to continue the groundbreaking reforms initiated after the Fitzgerald inquiry. These measures outlined in this bill demonstrate the government's commitment to ensuring the highest standards of accountability and openness in government. I look forward to working with the Premier and other ministers and members to continue the work started by the Goss government and continued under the Beattie and Bligh governments.