




Speech By  
**Hon. Jarrod Bleijie**

**MEMBER FOR KAWANA**

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**MOTION: REFERRAL TO THE PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE**

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (2.47 am), by leave, without notice: I move—

- (1) That this House notes the statement by the Chair of the Parliamentary Crime and Misconduct Committee (PCMC) to the House today in relation to the failure by the Crime and Misconduct Commission (CMC) to properly safeguard the records of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct.
- (2) That in addition to any action already undertaken by the committee, this House requests the PCMC in accordance with s.292(d) of the Crime and Misconduct Act 2001 to inquire into and report:
  - (a) upon the CMC's incorrect classification of documents lodged with State Archives that were sourced from the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct which were transferred to the State Archives from the CMC between 2007 and 2009 that has necessitated the bill titled Crime and Misconduct Commission (Administrative Negligence Rectification) Amendment Bill 2013 passed by the House this evening;
  - (b) upon the CMC's failure to remedy the incorrect classification of the above documents in a timely and effective manner;
  - (c) upon the destruction of records of the Commission of Inquiry into Possible Illegal Activities and Associated Police Misconduct by the CMC;
  - (d) upon the CMC's failure to account to the PCMC in a timely and effective manner with respect to (a) to (c) above;
  - (e) as to how the issues arising from the incorrect classification of documents can be remedied in the longer term, including whether some or all of those documents have to remain confidential; and
  - (f) on any other matters and make any other recommendations the PCMC believes necessary to address issues raised in its inquiry.
- (3) That in addition to any action already undertaken by the PCMC, in accordance with s.314(2) of the Crime and Misconduct Act 2001, requests the PCMC to require the Parliamentary Commissioner to assist the PCMC in its inquiry, including enabling the commissioner to examine witnesses at all hearings of the committee on the matter.
- (4) That the Parliamentary Crime and Misconduct Committee authorise the publication of any evidence already taken by the committee in relation to this matter, redacted only to the extent necessary to protect third parties.
- (5) That the PCMC conduct its proceedings, including the examination by the PCMC and Parliamentary Commissioner of all witnesses under (3) above in public (but excepting its deliberations), unless there is any matter arising which involves current operational files.
- (6) That the PCMC authorise the publication of all transcripts of examinations and tabled evidence as soon as practicable after the hearing.
- (7) That all witnesses in the committee's proceedings be required to give evidence under oath or affirmation.
- (8) That the committee report back to the House by 5 April 2013.

I will elaborate on the motion being moved. I thank the opposition and the chair of the PCMC for having discussions earlier this evening. We are attempting to have an open and transparent inquiry into what went wrong. This is the next step. We have passed the bill in terms of protecting potentially sensitive documentation. This is about the processes that were in play that allowed the administration error or oversight to occur. It follows on from my earlier contribution in the debate on Thursday in this House, where I called on the PCMC and the CMC to act in an open and transparent environment. The public ought to be able to see what happens in these inquiries, which is why tonight

we are moving this motion without notice. Essentially, we are saying we will have an open inquiry and we are giving the full powers of this inquiry to the members of the PCMC and the Parliamentary Crime and Misconduct Commissioner will be counsel assisting. We will make sure that there are sufficient resources from the Clerk of this parliament to the PCMC to conduct this inquiry.

The ultimate outcome of this inquiry is to find out what went wrong. Members will note that the time frame for reporting is earlier than the 60-day sunset period set on the previous bill debated in the House, therefore allowing time for the committee to do its investigations, its open inquiries, debate and deliberations and then still have sufficient time if we need to act on certain matters or on potential recommendations from the committee. There is sufficient time to be able to do that while still protecting the potentially sensitive information.

I thank the Independent members for Nicklin and Gladstone for attending the briefing that we gave earlier to the Deputy Premier and the Treasurer. The member for Nicklin raised the issue with respect to documentation and asked if there is going to be an inquiry with respect to the documentation. The answer is, no, there is not. This is about the processes that were put in place and the processes that made what happened happen. It is not about people strolling into this inquiry, lodging and tabling documents and having documents debated on. It is all about the processes. As we go forward from tonight, when the PCMC meets next it will be able to have some freedom within the terms of the reference from the parliament tonight; it will have some freedom and flexibility to be able to do that. Of course, if certain documentation is sensitive, there are provisions under statutes at the moment, particularly provisions under the Crime and Misconduct Act. The motion that I am moving tonight clearly talks about the deliberations of the committee, and also any current operational files that will not be subject to public debate.

I think this is important because, as I raised this morning, the secretive way in which the CMC and the PCMC operate has to be changed. We have to have reform in regard to this issue so that the public knows and is aware of the issues and the public then will have confidence in the process. The public cannot have confidence in these processes if they do not know what is going on. We accept that there are times when there is information that ought not be put out in the public domain. We have to have reform in this regard and this is the start of the reform tonight by having these meetings as much as possible in an open and public environment. I would suggest that, subject to the PCMC, they be held in this place, in parliamentary committee chambers or chambers. I encourage the PCMC to go full steam ahead with this inquiry, if this motion passes the House tonight, to get to the bottom of what went wrong and, ultimately, to find out who should take ultimate responsibility for these actions.

This motion is about openness, it is about transparency, it is about the integrity of the system and it is about trying to restore the confidence that people ought to have in the CMC and its processes. I think there are a lot of questions that need to be answered. The PCMC is the body to do that, through this motion. Parliament will empower it. We are doing something that has not been done in many other jurisdictions. In fact, the Clerk advises that it has happened in the House of Commons, but not in too many jurisdictions. We are entering into a new phase of openness and transparency in our committee process. I commend the motion to the House.