




Speech By
Hon. Tim Nicholls

MEMBER FOR CLAYFIELD

**CRIME AND MISCONDUCT COMMISSION (ADMINISTRATIVE NEGLIGENCE
RECTIFICATION) AMENDMENT BILL**

 **Hon. TJ NICHOLLS** (Clayfield—LNP) (Treasurer and Minister for Trade) (2.07 am): The government has acted speedily to protect the interests of those people who may be placed in danger, those whose reputations may be in peril and others whom the unauthorised and negligent release of this information has put in harm's way. I must say that it is concerning—and it should be concerning to all of us—that this parliament has been forced to act in this very short period of time to rectify what is in my view a quite unacceptable administrative failure by the CMC.

I have had a look at the correspondence that has flowed between the Attorney-General and the CMC over the last 12 hours or so. There is still no adequate explanation provided to this House for the steps the CMC and its chairman have taken to rectify the error—an error that was brought to the attention of the PCMC only in the last 24 hours, as explained by the member for Gladstone.

In circumstances where we are forced to act so unusually, I think it behoves us to look at the position of the chair of the CMC and ask indeed what responsibility he takes for this failure of action. We learn that the CMC themselves knew of this error in May last year and instruction was apparently issued to 'fix' the situation, yet nothing had been done for three or four months.

In fact, it was only when a journalist from the *Australian* newspaper asked questions that the matter actually came to light and action was necessary to be taken. In those circumstances, whilst the release of the material between 2007 and 2009 was not the responsibility of the chairman, it was the responsibility of the chairman to fix the error, to fix it promptly and to brook no delay. That does not seem to have occurred.

So here we are at 10 past two in the morning forced on very short notice, through quite extraordinary circumstances—as the Leader of the Opposition has said—to draft, prepare, introduce and pass legislation in order to rectify what seems to be a quite extraordinary lapse in administrative procedure, in administrative oversight, by those in charge of the CMC. I do reflect very much on the notion of responsibility in the same way that we have ministerial responsibility and ministers take responsibility for their actions or their failure to take actions sometimes in quite severe circumstances on the position of the chairman and his senior officers in respect of their capacity and ability to adequately oversight the operations of the CMC and to fix these administrative errors.

This bill is important. It is necessary to protect, for a short period, the information that has been made available; it is limited to 60 days. I do not want to pre-empt further debate, but honourable members will see that other steps are necessary in order to ensure us and the people of Queensland that the operations of the CMC are being effectively and adequately maintained and the appropriate responsibility is being taken by the chairman.