




Speech By
Hon. Anastacia Palaszczuk

MEMBER FOR INALA

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CRIME AND MISCONDUCT AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. A PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (5.00 pm): I rise to make a contribution to the debate of the Crime and Misconduct and Other Legislation Amendment Bill 2014. I want to leave the House in absolutely no doubt that the opposition opposes this bill. Today is the day members of this House decide if they want to protect the legacy of the Fitzgerald inquiry or turn back the clock. What Tony Fitzgerald did was introduce landmark reforms to protect all Queenslanders from corruption and from dishonesty. He gave our state an uncommon morality with his most significant recommendation, the establishment of the Criminal Justice Commission. Tony Fitzgerald addressed head-on a culture that led to misconduct and a general contempt for our justice system.

What the Newman government is doing today with the introduction of this bill is taking away those hard-fought for freedoms and trampling on the most important reform in our state in a generation and what is now accepted as an essential component of public administration. The Queensland of those dark pre-Fitzgerald days was one of brown paper bags loaded with cash. It was a world where police and politicians could be bought and get away with it. It was a state where corruption was par for the course. It was a place where there were limited means to stop this corruption and where protest and whistle blowing were greeted with an iron fist.

On 11 May 1987, the ABC's *Four Corners* program aired its now famous 'The Moonlight State' program by Chris Masters, exposing allegations of police corruption in Queensland. For years there had been reports and rumours of corrupt activities within what was the then Queensland police force and within successive governments; yes, even former Labor governments. As the Fitzgerald inquiry revealed, it was structured and institutionalised, but rarely exposed. Stories of payoffs and corruption had been reported by various media outlets. In January 1987, the *Courier-Mail*, under then editor Greg Chamberlin, published the first in what was to become a string of stories by Phil Dickie that exposed the seedy underworld in which corruption was allowed to flourish. With then Premier Joh Bjelke-Petersen and a mainly compliant backbench of Liberals and Nationals in the coalition government, it appears that at that time heads were buried in the sand. However, by the mid-1980s there were some in the National Party who would not tolerate allegations of corruption any longer. They were people such as then Deputy Premier Bill Gunn and then Attorney-General Paul Clauson.

As luck would have it, then Premier Bjelke-Petersen was distracted by his 'Joh for PM' campaign and Bill Gunn was Acting Premier. As police minister, he had heard all the stories about corrupt activities and payoffs, but they were always denied by a police commissioner who was to end up in jail for those very activities. Bill Gunn wanted an end to the rumours and allegations once and for all. In the wake of the ABC's 'The Moonlight State' program, he and Paul Clauson worked together to draft a proposal to establish an inquiry to tackle the problem once and for all. Fortunately for Queensland, in those days we had an Attorney-General who took his job very seriously, who knew the law and who was prepared to give priority to the state's interests.

I am reminded—and I think all members of this House should be reminded—of an old saying: those who cannot remember the past are condemned to repeat it. Unfortunately, some Queenslanders have forgotten the hard lessons of the pre-Fitzgerald era. Worst of all, it seems everyone in the LNP has either forgotten or is deliberately ignoring those lessons. However, I will continue.

In December 1987, Mike Ahern replaced Sir Joh as Premier. Mike Ahern pledged to implement the Fitzgerald recommendations lock, stock and barrel. As far as the National Party was concerned, Mr Ahern had signed his own political death warrant for daring to make that promise. Let us think about that for a moment: the leader of the National Party government made a commitment to clean up our state and for that he was rewarded by being challenged and then bumped as Premier.

Tony Fitzgerald presented his report on 3 July 1989. It was a landmark report. In the months and years that followed, we saw four Liberal and National ministers jailed, a police commissioner jailed, and numerous corrupt police charged and convicted. In the dying days of the National Party government led by Russell Cooper, the legislation to establish the then Criminal Justice Commission was introduced. As the then shadow Attorney-General Dean Wells said of it—

This is possibly the most important piece of legislation of this parliament.

He said the CJC was important because it is 'the body that will keep the government honest'. Dean Wells is also worth quoting because he added—

We cannot trust the Nationals to appoint the people to the Criminal Justice Commission and we cannot trust the Nationals to appoint the commissioners.

That is the very heart of the issue. We have come full circle. After the institutionalisation of bipartisan appointments in the years that followed the initial creation of the CJC, we are back to where we started. We cannot trust the LNP to appoint the people to the Criminal Justice Commission and we cannot trust the LNP to appoint the commissioners.

When I look across the chamber, it does not appear that there are any Bill Gunns, Paul Clausons or Mike Aherns. Maybe there might be one and I will come to that a bit later. I see an uninformed Attorney-General, an arrogant Premier and LNP backbenchers sitting in silence as the Fitzgerald legacy—as this report—is trashed bit by bit. Because some members in this House are new, I urge all members to pick up a copy of the Fitzgerald report and read it. This is the history of our state. This is our unique Queensland history. This is the history that we have to treasure. This is the history that we should never trash. As I said earlier, those who cannot remember the past are condemned to repeat it.

The proof will be in whether the government, the members here tonight, support this legislation or whether they have the courage to stand up to those who are taking our state backwards. On this side of the House we will be reminding voters as often as possible if this government goes ahead with the plans tonight. We will be reminding Queenslanders that it is the LNP that has been determined over this term not just to weaken our state's corruption watchdog but also to tear down our state's corruption watchdog. This government wants to remake in its own image what should be an independent corruption watchdog. Corruption not only destroys good government but also destroys governments themselves. That is the important lesson that the LNP fails to acknowledge.

Queenslanders have no time for police or political corruption. They do not swallow the line, 'Don't you worry about that' or its modern equivalent, 'Nothing to see here'. Those of us who do remember the pre-Fitzgerald era also remember how corruption diverts the government from delivering to the people it is meant to serve. Cronyism, special deals, hidden agreements and the like mean that Queenslanders who deserve the government's attention never get it, but those with deep pockets who are willing to pay for favours monopolise it. Today, the bill before us puts our state at a crossroads. I am sure that, like me, most Queenslanders find it disturbing that we are at a crossroads they thought we had left behind some 30 years ago.

Today we decide whether we are the sunshine state or we return to the moonlight state. Queenslanders will be watching to see how we vote today. History will ultimately judge those who vote for the unnecessary, politically motivated and destructive elements of this bill. Nobody on that side of the House should forget that voters will eventually get to have their say. This bill is a travesty. It completes the dismantling of the Fitzgerald legacy that was started by the Borbidge government and it heralds a return to the days of Sir Joh—the days where corruption and cronyism flourished in Queensland.

Much is wrong with this bill. It is an attack on the independence of the body that is charged with fighting serious crime and corruption in this state. It is an attempt to politicise the appointments to that very body and undermine the confidence of Queenslanders in its independence. Most right-thinking

Queenslanders are opposed to this bill. The submissions received by the committee are a testament to the opposition to this bill that is before us. The most significant change in this bill is the removal of the requirement for bipartisan support for the appointment of the commissioners, in particular the chairperson. This goes to the very heart of it.

I am advised that the member for Stafford commissioned a ReachTEL poll in his electorate. This is very important. I will read some of this into *Hansard*. All members should take note because if this is what the polling is showing in the member for Stafford's electorate, it will be showing up in other members' electorates as well. So listen very closely. The question was 'Of the following, how do you think the head of the CMC should be chosen?' The results were: by agreement of the entire parliament, 73.2 per cent; solely by the government of the day, 10 per cent; unsure, 16 per cent. Some 73 per cent of people polled in the member for Stafford's electorate believe that there should be bipartisan agreement on the appointment of the CMC head. There are other very interesting statistics in that poll. For the benefit of the parliament, I will table that document so that it will be in the records of parliament and form part of history.

Tabled paper: Reachtel survey questions and results on the Crime and Misconduct Commission from a poll in the Stafford electorate [5015].

I know that the Premier and the Attorney-General have both made a lot out of the fact that in his report back in 1989 Tony Fitzgerald did not specifically recommend that bipartisan support be required for the appointment of the commissioners. What the Fitzgerald report recommended was—

The government should consult the Criminal Justice Committee about the appointment.

It did not specifically say what form that consultation should take, but what I am certain of is that it did not envisage the sort of consultation envisaged by this bill. All that would be required, as the bill stands, is for the PCMC to be told who the proposed appointment is before they are appointed. Common courtesy would dictate that as a very minimum, but even that was not afforded the committee when the acting chairperson was appointed then reappointed last year.

Let us go back in history so we have it all in perspective. The parliament decided in 1989 that the best way to ensure public confidence in the anticorruption watchdog of this state was to have bipartisan support when setting it up. That is why then Premier Russell Cooper sat down with the then leader of the Liberal Party, Angus Innes, and the then leader of the Labor Party, Wayne Goss, and nitted out exactly how the body would look. It was bipartisanship in more than just a name. It was very real. It is the approach that should still be taken.

If there is any doubt what Tony Fitzgerald had in mind for the CJC and now for the CMC then it would be a simple matter to ask. The Premier and Attorney-General have been more than happy to go back to the Fitzgerald report to justify their actions. They have been a little more reluctant to go back to Tony Fitzgerald himself. Why? Because they know what the response would be. In fact, Tony Fitzgerald has been more than willing to let us know his views on this bill, and in particular his views on the issue of bipartisan support.

In explaining why he made a submission to the committee, despite the overwhelming evidence that it would have little influence on a committee heavily stacked in favour of the government, he said—

... I can't leave open the possibility that it might be incorrectly suggested that I don't object to the Bill.

Tony Fitzgerald goes on to describe the intent of the bill—

The Bill before this Committee takes the final step needed to remove the Commission's independence entirely and bring it completely under government control.

They are the words of Tony Fitzgerald. He continued—

Using its parliamentary majority, the Liberal National Party has appointed five of its members to this seven person committee and, as all members of the committee are doubtless aware, it recently sacked and re-stacked another committee which attempted to 'enhance the democratic process' and then fabricated a reason for doing so.

The circumstances aren't encouraging but, given the public turmoil in Queensland, particularly in relation to criminal justice, I can't leave open the possibility that it might be incorrectly suggested that I don't object to the Bill.

The Liberal National Party's present huge parliamentary majority makes effective, independent oversight of public administration more, not less, essential. Democracies need to control the human frailties of those in power in order to protect the rights and well-being of others.

Tony Fitzgerald's history and the inquiry report and the initial attempts by the Borbidge government to overturn the Fitzgerald reforms make interesting reading for any student of politics or history. I think it is beneficial to repeat it here as part of this debate so that people have a very true understanding of what was really going on.

I will continue to quote Tony Fitzgerald. He stated—

Following a Commission of Inquiry which exposed some of the criminals in the National Party and the Police Force, reforms were introduced during the late 1980s and 1990s. One important reform recommended by the Inquiry was the establishment of the Criminal Justice Commission (now the Crime and Misconduct Commission).

The Commission was established to continue the work of the Inquiry and, in doing so, prevent crooked politicians and police again running the State.

Although it has not always functioned smoothly, the Commission is a constant reminder to all public officials that misconduct risks exposure and punishment and it has, until now, acted as a reasonably effective brake on the misuse of power and curtailed criminal activities.

However, the nature of its work is such that it is never far from controversy.

It is resented by all political parties, each of whom has taken steps to dilute its effectiveness when in power, and hated by politicians whose improper activities it obstructs or exposes. To some, it symbolises the loss of an era in which the power and influence of their party and its adherents were effectively beyond challenge.

Both major political parties blame the Commission's imaginary bias when it exposes misconduct involving one of that party's members or exonerates an opposition member. Its workload and exposure to controversy are significantly increased by politicians making allegations against each other for political advantage, sometimes without any substantial basis.

Like all organisations which has a significant workload of difficult work, it makes mistakes. However, its mistakes do not explain the irrational vendetta which has continued for a quarter of a century.

Soon after Mike Ahern, the Premier when the Inquiry reported in 1989, undertook to implement the reforms which it had recommended, the National Party replaced him with a committed opponent of reform, Russell Cooper, who a couple of months later led the party to its first electoral defeat in a generation.

The National and Liberal Parties (in coalition) next gained power when a government in which Robert Borbidge was Premier and Cooper was Police Minister was elected in 1996. The Borbidge Government quickly demonstrated that the coalition parties had learned nothing from their previous experience.

He goes on to state—

The Borbidge Government continued to pursue the Commission.

In late 1997, it introduced amendments to the Criminal Justice Act and a new Crime Commission Act. The Commission was subjected to supervision by a Criminal Justice Commissioner appointed by the Government and both the Commission and the Crime Commission were made responsible to a Government Minister instead of Parliament.

The Bill before this Committee takes the final step needed to remove the Commission's independence entirely and bring it completely under government control.

The Borbidge Government was voted out of office in the 1998 election, in which its primary vote went down by almost 18 per cent and it lost 11 seats, and the Liberal National Party next gained government on 26 March 2012.

It soon turned its attention to the Commission.

In October that year, the Government announced the appointment of the Honourable Ian Callinan, ... AC, QC., assisted by an academic from the University of Queensland, to review the *Crime and Misconduct Act* ...

Callinan had ably represented the National Party Government during the Inquiry which led to the establishment of the Commission.

When the Inquiry was established in 1987, the National Party Attorney-General was advised and influenced by a small ambitious group of Justice Department bureaucrats. The Attorney-General appointed one, John Sosso ... as Secretary to the Inquiry.

Sosso didn't last long in that role but returned to the Justice Department which, as the Inquiry's report notes, did little willingly to assist the Inquiry. Later, when Borbidge was Premier, Sosso was Deputy Director General of the Premier's Department. He is now the Director General of the Department of Justice.

In contrast to Sosso, neither of the Bill's principal public proponents, the Premier, Campbell Newman ... and the Attorney-General, Jarrod Bleijie ... experienced life in Queensland when criminal politicians and crooked police ran the State.

Newman did not arrive in Queensland until 1993. Bleijie, who was born in 1982, was a child in his early primary school years when the Inquiry reported in 1989. It seems unlikely that he followed its revelations between the ages of 5 and 8.

What is very interesting, though, is Fitzgerald's analysis of the Newman government's motives in bringing forward this bill. He fully understands the determination of the government to bring down the corruption function of the CMC and reduce it to a body that combats organised and serious crime in Queensland. He set out very clearly in his submission the attack on the judiciary, on the legal system of this state, on the lawyers who have the audacity to represent their clients. He stated—

The Bill before this Committee meshes neatly with the Government's "law and order" propaganda and the Liberal National Party antipathy towards the Inquiry reforms. It is unnecessary to discuss the Callinan report, which has been overtaken by the Bill, or even the Bill in detail. I have scanned the Callinan report's Executive Summary to satisfy myself that, as I expected, Callinan did not recommend the government's outrageous proposal in the Bill that it and it alone decide on senior appointments to the Commission irrespective of the views of the Opposition or advice of the Parliamentary Crime and Misconduct Committee.

Mr Berry: Neither did Fitzgerald.

Ms PALASZCZUK: They do not want to hear Fitzgerald. Let it be noted. He goes on to state—

The Government has already appointed an unsuitable Acting Commission Chairman and, in order to protect him from investigation, dismissed members—

Mr BLEIJIE: Mr Deputy Speaker, I rise to a point of order.

Mr DEPUTY SPEAKER (Dr Robinson): Order! Could the Leader of the Opposition please take her seat. The AG has a point of order.

Mr BLEIJIE: Mr Deputy Speaker, the Leader of the Opposition is fully aware there is a select ethics committee inquiry occurring as we speak with respect to the person she just mentioned. She should honour the respect and give the dignity to the House that it deserves.

Ms PALASZCZUK: I did not mention anyone.

Mr Bleijie: You mentioned him.

Ms PALASZCZUK: I did not.

A government member: It's true. You did mention him.

Ms PALASZCZUK: I did not.

Mr Bleijie: You just said we have appointed the most unacceptable person—

Ms PALASZCZUK: I am quoting Fitzgerald.

A government member: No, you did.

Ms PALASZCZUK: I am quoting Fitzgerald.

Mr Bleijie: Well, you should not be talking about it at all.

Ms PALASZCZUK: I am allowed to quote Fitzgerald.

Mr Bleijie: You should not be talking about a report to the committee.

Ms PALASZCZUK: It is the report to the committee. I am allowed to quote.

Mr Bleijie: You know the standing orders.

Ms PALASZCZUK: I am not saying it; I am quoting Fitzgerald.

Mr DEPUTY SPEAKER: Order! Members, just as a general warning on this debate, it is important to be aware of what is proceeding before the Ethics Committee. At this point there has not been any breach of that. The Leader of the Opposition has the call.

Ms PALASZCZUK: Thank you very much. I am quoting exactly from Tony Fitzgerald. I will continue. He goes on to state—

The Government has already appointed an unsuitable Acting Commission Chairman and, in order to protect him from investigation, dismissed members of the parliamentary committee which was inquiring into his inappropriate conduct and appointed other committee members whom it presumably considers to be more compliant.

Mr DEPUTY SPEAKER: Order! The Leader of the Opposition will resume her seat.

Ms PALASZCZUK: I will go on.

Mr DEPUTY SPEAKER: I just advise the Leader of the Opposition and all members that that is a breach of the standing orders and the Leader of the Opposition—

Ms PALASZCZUK: I will withdraw that last paragraph then.

Mr DEPUTY SPEAKER:—may withdraw and proceed with more care, please, in this speech.

Ms PALASZCZUK: Thank you very much. I am going to continue to quote from other sections of Tony Fitzgerald's submission to the committee.

A government member interjected.

Ms PALASZCZUK: I have every right to read out what Tony Fitzgerald has had to say in relation to—

Government members interjected.

Mr DEPUTY SPEAKER: Order, members! I will judge. When the member says—

Ms PALASZCZUK: They do not want to hear the truth.

Mr DEPUTY SPEAKER:—I will make the judgement at the time. The Leader of the Opposition has the call. But, again, I have given some very clear guidance to the Leader of the Opposition in terms of what she can and cannot say under standing order 271. Perhaps I will take a moment to read that for the sake of the House. It reads—

Restriction on debating matter in the House

A matter referred to the ethics committee must not be debated in the House until such time as the ethics committee has reported on the matter if, in the opinion of the Speaker, such debate could prejudice the matter.

Again, I give guidance to the Leader of the Opposition from standing order 271.

Ms PALASZCZUK: Sure. I will go on. The Attorney-General appointed Callinan and Aroney to undertake a review of the CMC. Then the PCMC conducted a review into the release and destruction of Fitzgerald inquiry documents. Then the Public Service Commissioner appointed Mick Keelty to conduct a review of the CMC. None of these reviews recommended removal of the requirement for bipartisan support. Let me say that again: none of these reviews recommended removal of the requirement for bipartisan support. Every three years the PCMC conducts a review of the CMC. Never has this review recommended removal of the requirement for bipartisan support.

When asked about this issue at the Legal Affairs and Community Safety Committee hearing into the bill, the Director-General of the Department of Justice and Attorney-General, John Sosso, was unable to identify any evidence that the current position of requiring bipartisan support is not working. So, applying the logic that the Premier and the Attorney-General have applied to this question, they contend that, because the Fitzgerald report did not recommend bipartisan support, there is no need for it. If the reviews of the act and the CMC have not recommended removal of the bipartisan support, if Callinan-Aroney and Keelty did not recommend it, why is it then in the bill?

Similarly, amongst the 38 submissions made to the committee on the bill, none supported the removal of bipartisan support. In fact, it was the most vehemently opposed of all the amendments in the bill. I would like to go through the submissions and provide a few quotes. Former chairperson Robert Needham said—

In my opinion, this is a most retrograde proposal which should not be implemented.

...

The only attempt at a rationale that I have heard was in a statement by Mr Bleijie in a television interview where he stated words to the effect that the removal would “take politics out” of the appointment process. This statement is either naive or disingenuous.

Rather than taking politics out of the appointment process, the removal of the requirement for bipartisan political approval will ensure that the appointment is seen as political.

This goes to the core of the issue: the government of the day will control the appointment process. The government of the day is politicising—politicising—the role that will then become the chair of the new commission. The Bar Association of Queensland said—

Of most concern to the Association is the removal of the requirement that the appointment of all commissioners must be with the bipartisan support of the parliamentary committee. This requirement was both the symbol that the Queensland Parliament was committed to a Commission that was independent of partisan opinion and the single most effective means of achieving that independence.

Former commissioner Hon. Doug Drummond QC said—

The abandonment of the requirement of bipartisan support for the appointment of commissioners including the chairman will, by itself, guarantee that the Commission is unable to do “what it was always meant to do”, namely to tackle serious corruption independently of government control.

The Australian Lawyers for Human Rights stated—

The omission of the requirement for bipartisan support of nominees is of crucial importance as such a measure is destructive of the commission’s independence from the Executive.

Former chairperson Professor Ross Martin QC stated—

Others have detailed the reduction in independence arising from this step. I join in advising against the removal of the need for bipartisan support as it presently arises.

The Law and Justice Institute stated—

The proposal to remove the need for bipartisan support for the appointment of the Chair of the Commission will dismantle a cornerstone of the Commission’s independence that has stood since its inception ... it cannot be supported.

We are seeing here a trend: no-one is saying that they do not support having a bipartisan appointment to the chair of the commission. It has stood since its inception. If it has stood since its inception, where is the evidence that it needs to change? I note that the Attorney has said that he wants to bring this in line with the appointment process in New South Wales, in particular, ICAC. There are some problems with this because it is not a bipartisan appointment. Frankly, if New South Wales uses a different system, let it use it. Here in Queensland the bipartisan appointment process has stood the test of time. There is no reason to remove it. I cannot see any evidence to remove it. I would like to know whose idea it was to remove it. Why is there a problem with having a solely independent chair who has bipartisan support? What is the problem with having an independent

chair? For Queenslanders to retain public confidence in the commission, in the independent nature of the work that it does, the appointment of the chair must be bipartisan.

Mr Bleijie: Who did you recommend for Chief Justice?

Ms PALASZCZUK: This government wants to trash this history. I am not taking interjections.

Mr Bleijie: Tell us who you recommended for Chief Justice.

Ms PALASZCZUK: This has nothing to do with that.

Mr Bleijie: In the spirit of cooperation, who did you recommend?

Ms PALASZCZUK: For goodness sake! Madam Speaker, I am not taking any interjections.

Mr Bleijie: Grown-up opposition, who did you recommend?

Ms PALASZCZUK: I did not interject once when the Attorney was on his feet—not once.

Mr Bleijie: And I did not attack you.

Ms PALASZCZUK: I am not attacking you.

Madam SPEAKER: Order! Members! I call the Leader of the Opposition.

Mr Bleijie: You just said something about my age.

Ms PALASZCZUK: I quoted Tony Fitzgerald, in fact. I never said anything about your age. I quoted Tony Fitzgerald. Here is a copy of his report. Have you read his report?

Mr Bleijie: Here is a copy of Ian Callinan's report. Have you read it?

Ms PALASZCZUK: Yes, I have read it.

Madam SPEAKER: Order! I note that comments are not being directed through the chair, and these interjections are getting away from the debate that is the subject of the bill. I call the Leader of the Opposition.

Ms PALASZCZUK: Let me continue with the Queensland Law Society, which stated—

The Society's strong view is that the Commission must be an independent and apolitical anticorruption institution and that to be otherwise is to detract from Queensland's democratic institutions.

The Society is significantly concerned about the effect of this proposed change, as it has the potential for the senior positions in the Commission to become:

- at worst—overtly politicised, or
- at the least—open to the suggestion of political interference.

Professor Charles Sampford stated—

Removing the requirement for bi-partisan support of appointment to the Commission abandons a very important innovation in Queensland's integrity system of which we should be proud.

David Gow, on behalf of five former commissioners, stated—

The removal of a fundamental provision designed to guarantee, as far as possible, the independence of the CMC will compromise its independence. In the long term, the community's confidence in the integrity of government at all levels—including political levels—will be weakened.

Professor Brown stated—

These processes, especially in respect of the requirement for bipartisan support for the appointment of the chairman under s.228 of the Act, have been central to the independence and reputation of the Commission, and promise to continue to be so. While innovative at the time, such requirements continue to point the way forward as provisions from which other institutions and jurisdictions can learn.

By contrast, removing them—especially in the absence of any published policy rationale for doing so—simply suggests that the Government of the day is taking a short-term view of how it might most easily assert greater control over an integrity institution that, in fact, the general public relies on to function with independence from the Executive that it is principally tasked to help oversight.

The Attorney-General appears to have had a change of heart in relation to bipartisan support. His attitude today, as on many issues, is in stark contrast with his attitude when in opposition. In November 2011 when he was shadow Attorney-General, he publicly called for a more bipartisan approach to the appointment of the new chairperson of the CMC following the resignation of the Hon. Martin Moynihan. He released a media release at the time which stated—

I acknowledge that the Parliamentary Crime and Misconduct Committee, on which the LNP is represented, is currently working with the Attorney-General and considering applications for a new CMC chairperson.

However, because we are on the cusp of an election, it is important the process is more open, transparent and public. The Opposition must be fully involved so Queenslanders have every confidence the right person will lead this vital institution into the future.

Mr Bleijie interjected.

Ms PALASZCZUK: Let me repeat it so he can hear very clearly what he said in his own words.

Mr Bleijie: I know what I said because I said it, and it was just before the election.

Ms PALASZCZUK: 'The Opposition must be fully involved so Queenslanders have every confidence the right person will lead this vital institution into the future.' They were the words of the shadow Attorney-General at the time.

Mr Bleijie: What date?

Ms PALASZCZUK: Right at the time beforehand. At that time bipartisan support of the PCMC was not enough for the Attorney-General. What an incredible about-face. There is absolutely no support for the removal of this requirement. Many of the people who have made submissions pointed out there was no perceived deficiency that it is proposed to address. It is, in reality, a purely political measure which seeks to give the government some degree of control over the integrity framework of this state. It is in stark contrast to the Attorney-General's own views and his own words that he used when in opposition. In opposition he wanted more transparency and more openness.

The opposition is totally opposed to the removal of the requirement for bipartisan support for the appointment of commissioners, in the same way that it has been opposed to the appointment and then reappointment of the acting chair on this basis. The opposition has repeatedly called for an appointment to be made in the long term on an appropriate basis including bipartisan support.

Mr Bleijie interjected.

Ms PALASZCZUK: Well, I am not going to be in conflict so if you could just bear with me. Let me be very frank. The Attorney-General has made a few very interesting comments in the House. In relation to the current CMC he used words to the effect that it has some 'warped priorities'; it has 'lost focus'; it 'blamed others'; and he wants to 'end the politics'. Nothing can be further from the truth. What the government wants to do here tonight is to trash the legacy of Tony Fitzgerald.

Mr Choat: Oh, rubbish!

Ms PALASZCZUK: No, it is not. I have given you the full history. The majority of you were not elected in this House when these issues—

Government members: You weren't either.

Ms PALASZCZUK: No, I wasn't but I was around and I remember it very well.

Mrs Frecklington: Give us a break!

Madam SPEAKER: Order! Members! I call the Leader of the Opposition.

Ms PALASZCZUK: Tonight is an attempt to wind back generations and decades. Tony Fitzgerald took Queensland from a place we do not want to return to. We are now in a place where we have confidence in our independent corruption watchdog here in Queensland.

Government members interjected.

Madam SPEAKER: Order! Members!

Ms PALASZCZUK: Madam Speaker, they have an opportunity to put their names on the speaking list. There is a speaking list being circulated and they have every opportunity to put their names on it. I did not interject on the Attorney-General once when he was on his feet. Not once did I interject. This is perhaps one of the most serious votes that we will take in this House. At some stage tonight—and I do not know whether it will be midnight or the early hours of tomorrow morning when there is not much media scrutiny and not much ability for people to tune in and listen to what is happening in this place—

Government members interjected.

Ms PALASZCZUK: Oh, Madam Speaker!

Madam SPEAKER: Order! Members!

Ms PALASZCZUK: Thank you, Madam Speaker. This is such a serious issue. They can interject and laugh and dismiss it and not understand the true history behind it, and they may not even understand public sentiment, but I know that the member for Stafford understands because he did a poll and he understands that the issue is alive in the community. I understand that this issue is alive in the community. I travel across the state, and when I was recently in Bundaberg a couple sitting next to me said, 'We cannot believe what this government is doing to the CMC.' People in this House think the general public do not understand what this government is intending to do here, but the government is taking the people of Queensland for granted because they do understand. They

understand that what this government wants to do is very real and they understand the importance of having an independent chair of the CMC.

What this government is seeking to do tonight is to politicise the CMC. It is something that is unacceptable. It is something that is completely and utterly disgraceful. It is something that the opposition does not accept, and I am quite sure there will be other speakers who will also speak against this. What I have clearly demonstrated is that the people who have submitted to the committee in relation to this issue have been very clear in their support for the bipartisan appointment of the chair and the commissioners of the CMC. There has been no contrary evidence provided by the Attorney-General or anyone from the parliament in relation to why this needs to go. Why does the Attorney-General want to do it now? Why does the government want to take this action now? It is because they have had a long-term vendetta against the CMC.

Queenslanders deserve to have a very strong anticorruption watchdog in this state. It is something we have fought for for generations. Why is it important to have an independent anticorruption watchdog? Look across the border to what is happening in New South Wales, where ICAC is investigating and there are revelations daily. There has been the loss of a Premier and the loss of recent ministers and I think there are a number of members who are also under scrutiny. We do not want to return to a place where corruption and misconduct can flourish. We can help stop any of this flourishing in Queensland by making sure the public has confidence in its anticorruption watchdog in this state. What better way to give the public that confidence than to say we support having an independent chair that has the support of the whole of the parliament, that has bipartisan support—

Mr Davies: ICAC doesn't have that.

Ms PALASZCZUK: No, it does not have that, and I do not support the ICAC appointment. I support—

Mr Davies: You just said what a great job it's doing.

Ms PALASZCZUK: No, I talked about what is happening down there. If you had listened—

Mr Bleijie: You said you supported what ICAC is doing but you don't support ICAC.

Ms PALASZCZUK: I did not say that at all and do not put words in my mouth, Attorney.

Madam SPEAKER: Order! Please direct your comments through the chair.

Ms PALASZCZUK: Queenslanders need to have confidence. There has not been any change until now and Queenslanders need to pose some questions. Why is this happening now? Why all of a sudden does the LNP—this Attorney-General, this Premier and this Deputy Premier—want to control the CMC? They control the committee, and if the amendments are brought in the government of the day will control the appointments. How is that going to be perceived in the public as being independent? It will not be perceived as independent, and the public will no longer have confidence. That is the situation.

Today is the thrashing of the Fitzgerald legacy by this government. Today is the unwinding of those reforms. I am concerned that, if this proposal goes forward and the LNP is able to appoint their own people without bipartisan support, we may see in the future a culture of misconduct and corruption. I have grave concerns. I do not want Queensland to go back to those dark days of the moonlight state and to reliving that history which I retold in great detail here. I want a Queensland that is strong and resilient. I want a Queensland that says no to corruption, where police are free to go about their jobs and stamp out corruption in this state.

One of the most important organisations in this state is the Crime and Misconduct Commission and it must be free to investigate whoever and whenever it wants to. I repeat: it must be able to investigate whoever and whenever. However, if you politicise the appointment of the commissioners and the chair, Queenslanders will not have confidence because there will be a perception of bias. There will be a perception that if something negative is coming to the government then they may not act. I want to know that Queenslanders and this parliament have confidence in whoever is the chair and whoever are the commissioners.

Tonight is going to be a very, very easy decision for some people to make, especially those on this side of the House. It may be somewhat more of a difficult decision for some members on the other side of the House, but time will tell. Please let me reiterate that Queenslanders out there and members of the community do understand these issues. You are all putting your heads in the sand and you are all fools if you think for one moment that people out in your electorates and people out in the wider communities do not understand what you are planning to do. The people of Queensland are smart people. They understand exactly what is happening, just like they understand exactly what

Tony Abbott is planning to do in the federal budget and just like they understand what the Newman government has been doing with the sacking of workers and the breaking down of services—

Mr BLEIJIE: Madam Speaker, I rise to a point of order on relevance pursuant to the standing orders.

Ms PALASZCZUK: They clearly understand what is happening.

Mr BLEIJIE: Point of order, Madam Speaker!

Madam SPEAKER: Pause the clock. I have heard your point of order. There is a bill before the House. We are debating the second reading of that bill and I ask that the member keep her speech pertaining to the bill. I call the Leader of the Opposition.

Ms PALASZCZUK: Queenslanders want to have confidence in their anticorruption watchdog in this state. Queenslanders deserve nothing less, and they do not want anything more than the feeling of confidence that whoever is the chair in the commission has the free-ranging ability to investigate anyone, including any member of this House regardless of their political party. I hope that would never happen—I honestly hope that members are doing the right thing—but it means that if you want to have the confidence then it must have the bipartisan support.

We reject the amendment that the Attorney is putting forward in relation to the way appointments are made in New South Wales. Am I concerned about what is happening in New South Wales with the ICAC hearings? Yes, I am concerned. However, we want to ensure that that does not happen here in Queensland. We can only ensure that if we have full—

A government member interjected.

Ms PALASZCZUK: I don't think the member opposite should be talking about that.

We can only ensure that if we have full confidence in our anticorruption watchdog. I am going to leave my comments there. Other members of the opposition also have things to say in relation to this bill.

In conclusion, as I have said, this is perhaps one of the most important votes that this parliament will have. I urge all members to consider the issues very, very seriously. I do not think that the government has put enough thought into this issue at all. They do not understand the consequences. However, I will tell Queensland what a future Labor government will do. Regardless of what this government does tonight, a future Labor government will restore the bipartisan nature of the CMC, the anticorruption watchdog in this state. We will ensure that any appointments to the CMC and the commissioners are made with the bipartisan support of the parties represented in this chamber. We believe that that is important for democracy and we believe that it is important for the future investigation of corruption and misconduct. Queenslanders deserve nothing less, and that is our commitment.

Tonight the government will trash the CMC. It will wind us back decades to a place that we need not be, and they stand condemned.