




Speech By
Hon. David Crisafulli

MEMBER FOR MUNDINGBURRA

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CRIME AND MISCONDUCT AND OTHER LEGISLATION AMENDMENT BILL

 **Dr DAVIS** (Stafford—LNP) (9.15 pm): Having served on many governance review committees formed after the misconduct that led to their formation, I have an interest and indeed enthusiasm for the prevention and early resolution of corruption. I note that at least some of the rationale for changes to the CMC is that times have moved on from the pre-Fitzgerald corruption. The human genome has not changed. When it comes to human beings the best predictor of future behaviour is past behaviour. One only needs to look to New South Wales to see how easily corruption can take hold and the tremendous damage it is doing to both major parties and, more importantly, democracy.

We can be grateful that Queensland has in recent times largely avoided such widespread undermining of our democracy thanks to a system that has generally allowed us to identify and deal with corruption early and effectively. As the old maxim goes, the price of success is eternal vigilance, and any opportunity to improve our performance in this area is most welcome. For those who believe that corruption arrives clearly packaged, of course it does not. One only needs to look at the current New South Wales ICAC investigations to see that it is often masterfully disguised and requires painstaking assembly of small and seemingly disconnected threads to piece together the web of corruption. Corruption can terminally damage diligent politicians. An example is the former state member for Newcastle, Jodi McKay. Asked why she had not gone along with coal baron Tinkler's offer to fund her campaign she said—

I was an MP elected by my community. I had a responsibility to my community. I had a responsibility to behave transparently and appropriately and ethically. And I was not going to let anyone interfere in that.

She was betrayed by none other than her fellow Labor politicians who favoured the illegal donations she had rejected, secretly facilitating the dissemination of materials that undermined her re-election so ensuring that her decency could not obstruct the intended corruption. She vowed never to return to politics.

Matters such as this have led to a crisis of confidence in Australian politicians, with a recent OECD study showing that the percentage of Australians who trust the government has dropped from 53 per cent to 46 per cent between 2007 and 2013. We owe it to the people we serve to change that. In this context we see the coalition's Leader of the House, Christopher Pyne, suggesting all corporate and union donations be banned.

I have personal experience of the CMC at a time that I was obliged to blow the whistle on a senior health professional who had misrepresented key facts to gain employment. This was in the Gordon Nuttall era and I suspect political factors led to hospital management hiding the facts and instead taking disciplinary action against me for raising concerns that were subsequently vindicated, but only thanks to fortuitously stumbling across evidence that confirmed my suspicions. Earlier in this reading, the Attorney-General confirmed that whistleblowers making valid public interest disclosures will be protected.

I am in the House not only to share my personal views and experience, but also, and more importantly, to represent the views of the people of my electorate of Stafford. Consistent with this government's commitment to listen and consult, particularly after the Redcliffe by-election, last night ReachTEL polled 667 respondents of the Stafford electorate on key elements of the proposed change. One of those was whether the Crime and Misconduct Commission had been an effective part of the checks and balances on government power. Only 64 per cent strongly agreed or agreed. Clearly, as the Attorney-General and others have identified, there is plenty of room for improvement in a body that is as vital as the CMC, especially given its key role in the absence of an upper house.

The other question was how people thought the head of the CMC should be chosen. As best as one can put it in a poll, 73 per cent responded that it should be by agreement of the entire parliament. Of course, it is intuitive that a collective decision will be seen as apolitical, but this evening the point has been well made that it may not in fact attract the best person for the job. We are also talking of the appointment of a leading legal professional or professionals of judge status who in this role have an ethical obligation to practice in accordance with the public interest and will now be publicly accountable through the PCMC. As we have heard, there is indeed evidence that the process intended to replace bipartisan appointments works well elsewhere and the challenge is to demonstrate its effectiveness in Queensland so that it, in fact, exceeds the 73 per cent approval of the current appointment process. Similarly, the government will need to demonstrate that the changes we are discussing and voting on tonight are in the public interest. We have a current benchmark that 61 per cent perceive that they are not, reflecting the inevitable caution of people in changing such a vital body. Equally, this provides a great opportunity for the government to turn that around.

The issue of integrity and trust is essential in a progressive democracy. The Attorney-General has clearly demonstrated his willingness to listen and translate that into really meaningful amendments and explanations that reflect this, and I thank and commend him for doing so. Like everything we do, the proof will be in the deliverables and, ultimately, in the court of public opinion. This will require taking vital observations, as was done in Stafford last night, and taking appropriate action. Accordingly, I commend this bill to the House, together with its amendments.