




Speech By  
**Tarnya Smith**

**MEMBER FOR MOUNT OMMANEY**

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Record of Proceedings, 20 April 2016

**CRIME AND CORRUPTION AMENDMENT BILL**

 **Mrs SMITH** (Mount Ommaney—LNP) (5.16 pm): Firstly, I would like to thank and commend the secretariat for their hard work and dedication in putting this report together. The committee staff always work tirelessly behind the scenes to support and assist committee members, and I certainly thank them for that. The previous speakers have adequately outlined the objectives of the bill. As a member of the Legal Affairs and Community Safety Committee, I was fortunate to be directly involved with the formation of this report. I also read the submissions and listened to the witnesses over the course of this inquiry. I do have a few concerns with this bill and I would like to raise them today.

Regarding the statutory declaration and confidentiality, I have grave concerns with respect to provisions contained in the bill that remove the requirement to provide complaints to the CCC by way of a statutory declaration, except in exceptional circumstances, and that will now provide for anonymous complaints. I believe the issue of maintaining confidentiality of complaints also requires further investigation. The LNP's position on both of these matters is supported strongly by the Local Government Association of Queensland and Professor Charles Sampford. I listened to the LGAQ and Professor Sampford and both raised valid points to the committee—primarily that removing these provisions will give rise to the number of complaints and the opportunity for some to make vexatious complaints. The LGAQ advised the committee that the LGAQ is 'opposed to the proposed amendment to allow anonymous complaints about corruption to be made to the CCC, by removing the requirement for complaints to be made by way of a statutory declaration.'

It goes on—

The LGAQ believes that this will encourage frivolous and vexatious complaints in relation to local government, particularly at politically sensitive times such as the lead up to a council election.

Along with the LGAQ, I understand and take matters of corruption very seriously, and I feel this provision strengthens the integrity of the CCC in dealing with complaints of corruption and should not be removed. Further, the submission of Professor Sampford that complaints, in relation to crime and corruption, should remain confidential to safeguard the progress of crime and corruption allegations is sensible. Anyone who wishes to make a complaint and believes their allegations are of substance should complete a statutory declaration and their complaint should remain confidential to protect the integrity of the system.

I think it is disappointing but not surprising that government members of the committee were unable to agree with this recommendation to prevent the politicisation of the CCC. Complaints to the CCC should never be treated as anyone's political plaything. However, we all know that some in this place have form with this sort of grubby, underhanded tactic, treating the CCC as a political football. We only have to look back to the 2012 election to see the disgusting smear campaign headed by the member for South Brisbane against the former premier. To prevent this absolute abuse of the system happening in the future and in the interests of fairness and impartiality, complaints should be made to the CCC with confidentiality.

I also asked the library for some information to gain an understanding of how regularly the CCC has been used with regard to local government officials and elections. It is quite surprising. I will give a little bit of a list. On 7 March Whitsunday Regional Council former deputy mayor Andrew Wilcox was referred. The Brisbane City Council Lord Mayor—and we all saw that scandal and smear for two days in the paper—was also referred to the CCC on 26 February. Whitsunday Regional Council former mayor Jenny Whitney was also referred on 23 February. I want members to have a look at a couple of these dates: 7 March 2016, 26 February 2016, 23 February 2016—all council issues. When were the council elections held? 19 March. Honourable members can add two and two together on that one.

We also saw on 20 April the late mayor Steve Jones was referred. In Cook shire we saw it in September 2014—and who could forget the scandal and 10-month-long investigation that made the papers every day regarding Ipswich Mayor Paul Pisasale? We also had the Whitsunday Regional Council former mayor Mike Brunner referred. All of these were around the times that elections were being called and in all of these cases no outcome of wrongdoing was found. I think the average person on the street can come to their own conclusions on that. Again, that is a very good example of why the CCC should provide that confidentiality if a complaint is made.

My two colleagues on the committee, the deputy chair, the member for Beaudesert, and the member for Broadwater, have talked about bipartisanship. I, too, will raise concerns briefly with regard to the bipartisan appointments that are made to the CCC. As referred to in the committee report, this provision allows the government to substitute a crossbench MP with a government member of the PCCC with a view to forming a majority to satisfy the definition of 'bipartisan support'. I contend that the conventional understanding or the implied definition of 'bipartisan support' is that that support is provided by both members of the government and the opposition. As such, concerns were raised by opposition members of the committee that the changes made to ensure the bipartisan support of the PCCC in the appointment of the CEO could be skirted around by deliberately substituting a crossbench MP for a government member. Who would have thought? We saw that happen. I am concerned about this and cannot support this aspect, either.

As I said, at the end of the day my colleagues have probably summed up very well the other points about which we raised concerns. On the balance of the evidence from the committee inquiry, I will be opposing the bill.