




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 20 April 2016

CRIME AND CORRUPTION AMENDMENT BILL

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (10.26 pm), in reply: I thank all members for their contributions to this debate this evening. Once again I want to take the House to the fundamental amendments in this bill and outline again what it seeks to achieve. This bill seeks to restore the CCC's independence and integrity by providing that the CEO is not a commissioner, consistent with best practice governance arrangements; retaining a five-member commission so that the commission will consist of the chairperson, the deputy chairperson and three, rather than two, part-time commissioners who are ordinary commissioners, ensuring the commission has a broad range of expertise and skills; requiring bipartisan PCCC support for the appointment nomination of the CEO to support transparency and accountability in that appointment; limiting temporary appointments for the commissioners and CEO to three months, unless there is bipartisan PCCC support for the appointment—this will prevent any future long-term partisan appointments being made; reinstating the CCC's corruption prevention function to enable the CCC to build the capacity of units of public administration to prevent corruption; reinstating the CCC's research function to as it stood prior to the 2014 amendments—this means the CCC will no longer be required to obtain ministerial approval for its research activities; and allowing 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. This will foster a culture that encourages complaints about corruption to be made.

The bill also achieves its objective by restoring gender-neutral language to the title of the CCC chair position by replacing references to CCC 'chairman' with CCC 'chairperson' in the Crime and Corruption Act and other legislation. The bill achieves its objective by supporting the efficient performance of the CCC's day-to-day financial management by removing the current prohibition on the CEO subdelegating the financial accountability functions under the Financial Accountability Act 2009. This amendment will mean the CEO's delegation powers are consistent with the delegation powers that departmental accountable officers have under the Financial Accountability Act.

Not only are these sensible amendments but they are amendments that we took to the people of Queensland at the last election. I have heard the debates from those on the other side that we should simply wait for the review to occur and see what comes out of that review, but this is what we took to the people of Queensland. This is what we said: 'If you vote for Labor and Labor is returned to government, we will do this.' We have an obligation to the people of Queensland to deliver on these election commitments, and that is what we do here tonight.

I turn to the member for Toowoomba North's comments, and I note that he is not in the chamber at the moment. I want to thank him for his comments. I very much supported much of what he said this evening—to rise above the partisanship that has occurred in this chamber, to ensure that we have a system that the people of Queensland should have confidence in, to ensure that we do not weaken this system of transparency, accountability and integrity in the eyes of the public. I agree with those comments and I hope that as the new chair of the PCCC the member for Toowoomba North will lead by example with those comments.

I have held similar positions. I have been the chair of the privileges committee in the federal parliament. I have been deputy chair of the public accounts and audit committee. I know what responsibility comes with those positions and I take transparency, accountability and integrity very seriously in my current role as Attorney-General and as a member of parliament. I know what responsibility goes with being chair of the PCCC and for all members, for that matter. I support the comments that the member made. I note that the member is not supporting the bill tonight and that he said that he has not really looked at this bill because he believes that we should await the review, but I hope if the member had looked at this bill in detail he would have seen that these are sensible changes that do exactly what he says he wanted to see here tonight—ensuring that we have a system that the public can have confidence in, that puts politics out of reach, that ensures that we have that accountability and integrity, that we give independence back to our Crime and Corruption Commission as it should have had.

I cannot stand here tonight in my reply to this debate and not address the hypocrisy that I have heard in this debate. For those on the other side to be saying in this debate that it is Labor that has politicised the CCC is farcical. It is farcical because of what those opposite did in government over three years to the CCC—the powers that they took away, the control they put in place so there was ministerial control and intervention over the Crime and Corruption Commission, the fact that when they did not like what was happening with their own Parliamentary Crime and Misconduct Committee as it then was they dismissed the entire committee and replaced it with a majority of government members at the time. How is that bipartisan? How is that ensuring that the people of Queensland can have integrity in the system? That is not integrity. That is not integrity at all. I have heard that the opposition would be supporting this bill if we changed the bipartisan arrangements in what is by majority under this committee and I hope with the new committee that that will not be an issue and that we can get back to the PCCC operating the way it should—that is, leave the politics at the door and actually do its job and consider the facts on their merits.

Opposition members interjected.

Mrs D'ATH: I will stand here and acknowledge that we had a crossbencher represent a government member and we got the chair of the CCC through, but let us stop here and be honest: if the changes that the opposition would like to see come in were already in place, would we have a permanent chair of the Crime and Corruption Commission right now? I think not because the opposition was more than happy to hold the position of chair of the Crime and Corruption Commission to ransom unless it got what it wanted.

Opposition members interjected.

Mrs D'ATH: I hear the comment, 'Rubbish.' I remind those on the other side what was happening last year. On 17 June 2015 what did the *Courier-Mail* say about the chair of the CCC? It said—

Mr Seeney said he did not believe the committee could be asked to consider who should be the next chairperson of the CCC until it was functioning properly.

On 1 July 2015 the *Courier-Mail* stated—

Liberal National Party MPs Jeff Seeney, Trevor Watts and Ann Leahy are refusing to consider the Government's nominee for CCC boss until Premier Annastacia Palaszczuk approves the Opposition's nominee for committee chairman, Mr Seeney.

This is not a debate around the chair of the PCCC; this is a committee that was refusing to consider an appointment to the chair of our corruption watchdog in this state. I pick up the comments from the member for Toowoomba North: the PCCC had a job to do. Its responsibility was to consider the nominee on the merits that were before it and it acknowledged that the person who was being put forward had the skills, had the experience and was highly respected and regarded by the legal profession and yet it was not willing to appoint him. Those members thought this was just a game being played in this parliament. This was an individual who was being held out there in the public being told, 'We're just going to leave you in limbo.' That person had a practice and had a job to do.

Mr Rickuss: Yes, we've seen you do that to Seeney.

Mr Byrne: He's got a job.

Mrs D'ATH: Yes; the member for Callide has a job. This was someone highly respected who has been put up as a nominee and whose entire work is in limbo because he does not know when he is going to get appointed, if he is going to be appointed and if he can take on cases before a court. It was appalling so, no, we do not support what the opposition is proposing and we should not need to make that amendment, because if the PCCC is doing its job properly and it is leaving the politics at the door we would not have a problem with getting bipartisan support on genuine nominees. I still have one vacant ordinary commissioner. With the passing of these amendments if they go through tonight, I will have two vacancies and I ask the PCCC to consider the nominees who are put forward on their merits, on their skills and on their ability.

An opposition member: Keep the politics out of it.

Mrs D'ATH: I fail to see how I am bringing politics into it when I am asking the PCCC to appoint people on merit.

Mr Walker interjected.

Mrs D'ATH: I have to take that interjection: 'Of course they will.' I remind those opposite that we have a permanent chair of the Crime and Corruption Commission not because those members endorsed that person. They did not. Let us be clear: they did not support the chair of the Crime and Corruption Commission who is in place right now. We did not get their support, so do not say, 'Of course we will.' You have to put it into action. You actually have to show that you can do that, and you will have plenty of opportunities to do it because I am an optimist and in fact this bill creates more mechanisms to require bipartisan support—not less, more. There will be more positions coming before the PCCC for it to consider and need that majority support, which includes a non-government member. There will be plenty of opportunity to show how genuine those members are in getting on with the job and putting the politics aside, and we certainly encourage them to do that.

I will just very briefly pick up on the comments of the member for Broadwater—and I know that the member for Woodridge just touched on them—about the decision that the Newman government made to change the terminology and move away from gender-neutral terminology in relation to 'chair' and 'chairperson' in this bill and other bills. There was no reason to do that. It was not bringing it into line with what was now the norm. In fact, it was moving us back decades. The former government had the debate. It got it through. We seek to correct that tonight. The member for Broadwater asked, 'Why are we wasting time and resources on something that is irrelevant? It should not matter what the names are.' Why did she vote for the change in 2014? Why was she happy for there to be such a debate in this parliament then on this very issue? We would not need to be having this debate right now if it were not for the fact that, in 2014, the Newman government sought to turn back time and move away from gender-neutral language that has become the norm in not just legislation but business practices and language across our nation. We simply seek to correct a wrong here tonight. That is why we are doing it. It should have never been done in the first place.

What we do tonight is again to deliver on our election commitments. We bring integrity, transparency and accountability to the CCC. We give it the powers and the independence that it needs and deserves to do its job. In the words of the member from Toowoomba North, we ensure that the people will have confidence in the system. I commend the bill to the House.