




Speech By  
**Dale Last**

**MEMBER FOR BURDEKIN**

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### **CRIME AND CORRUPTION AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr LAST** (Burdekin—LNP) (11.39 am): I rise to make a brief contribution to the debate on the Crime and Corruption and Other Legislation Amendment Bill 2018. Every Queenslander wants a fair and just community. Every Queenslander wants a Queensland free of corruption, especially official corruption in the public sector. While I will be supporting the bill, I have issues with the timing of the bill and the almost hypocritical approach to expanding powers without focusing on some key issues.

Every Queenslander has the right to ask why such an important piece of legislation was not enacted sooner. After all, the reports by the PCCC were tabled in this place almost two years ago. One could be forgiven for asking if the delays may have something to do with CCC investigations into current members of the government and the government's lack of transparency when it comes to board appointments. Every Queenslander has the right to question whether this government is serious about fighting corruption and that is a question that should be answered.

Moving on to the legislation, I note that 'corrupt conduct' may now include things such as collusive tendering; fraud in relation to applications for a licence, permit or authority; dishonestly obtaining a benefit from the payment or application of public funds or disposition of state assets; evading a state tax, levy or duty; or fraudulently obtaining or retaining a government appointment. I note the Queensland Law Society's concerns that this definition is exceptionally broad and I, too, share its concern and the potential impact on the Crime and Corruption Commission in the performance of its duties. This is supported through the 2017-18 CCC annual report, which shows a staggering rise in corruption complaints. References to the investigation of applications for licences, permits and clearances raise concerns about ulterior intentions. Surely environmental laws should deal with fraudulent applications for permits that have negative environmental effects. Surely resources legislation should have sufficient provisions for managing state owned resources.

Secondly, the QLS raised concerns with the proposed amendment contained in clause 18 of the bill regarding the derivative use of compelled evidence. There is no question this can be exceptionally complicated and we should be cognisant of the concerns expressed by the QLS with regard to this provision. This government cannot and should not be diverting the resources of the state's chief corruption fighting body to address holes in legislation.

The *Review of the Crime and Corruption Commission*, referred to as Report 97, was tabled in June 2016. That report contained 29 important recommendations. Recommendation 13 of the review is centred on ensuring the Crime and Corruption Commission is able to monitor investigations conducted by government owned corporations and units of public administration. The basis of this recommendation was to ensure responsible use of the commission's finite resources and to ensure effective oversight. Regardless of name changes or corporate slogans, Queenslanders see government owned corporations as just that: government owned. They know that the buck stops with the government, both figuratively and literally. Why, therefore, should the same standards that apply to other sections of the government not apply to GOCs, especially when the PCCC made specific recommendations to the Federal Corporations Act, the act that is designed to protect consumers?

Put simply, Queensland's corruption watchdog should not have to rely on leveraging cooperative relationships when it comes to protecting Queenslanders from corrupt practices, regardless of whether the entity is a government department or a government owned corporation. Recommendation 22 of that report highlights the need for legislative reform, specifically around disclosure of complaints to the commission. This issue has been debated since 1992 and it is disappointing to see that the opportunity to address this issue once and for all was not taken.

There are missed opportunities in these amendments. The prevention of corruption must be at the forefront of any government's actions. Good government must balance this with the rights of the citizens and good legal practice. As a former police officer I have also looked at the concerns raised by the Queensland Police Union of Employees. The process for the issuing of a search warrant is subject to protections to ensure Queenslanders can have faith in the justice system. Concerns surrounding the use of a search warrant issued for the investigation of criminal offences being effectively re-used to further complaints of misconduct are concerning.

The power to enter someone's property, whether it be their home or business, is enormous. There are strict protocols and legislative provisions in place regarding the use of search warrants and the last thing we need is an abuse of this power as a consequence of these amendments. I ask the Attorney-General to clarify this amendment during her summing-up so that the concerns raised by the QPUE are fully addressed.

The bill further implements the 2016 PCCC review by, among other things, lengthening the time frame for parties to seek a QCAT review of a reviewable decision, streamlining the process that must be undertaken when the commission commences disciplinary proceedings against public sector employees and requiring the unit of public administration to keep appropriate records in relation to any decision not to notify the commission of an allegation of corrupt conduct.

I thank the PCCC for its efforts to ensure a corruption-free Queensland and I note that the vast majority of these amendments stem from the PCCC's recommendations. For that reason, I will be supporting the amendments, but I look forward to the Attorney-General clarifying the issues that I, and others on this side of the House, have raised during the course of this debate.