




Speech By
Hon. Mark Ryan

MEMBER FOR MORAYFIELD

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CRIME AND CORRUPTION AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Minister for Corrective Services) (11.21 am): When Tony Fitzgerald handed down his landmark report, he asked us to remain eternally vigilant when it came to safeguarding Public Service agencies from corruption and corruption risk and today I am very pleased to rise to speak to the Crime and Corruption and Other Legislation Amendment Bill which takes the next step in ensuring that we deter corruption and we reduce corruption risk within Public Service agencies in Queensland. This bill before the House provides an important contribution to this government's commitment to continuously improve the integrity of those who work in our Public Service agencies and to deter the incidence of corruption in our public sector.

The Crime and Corruption Commission investigates reports of corrupt conduct and systemic corruption affecting Queensland public sector agencies, including the Queensland Police Service. The Queensland Police Service works closely with the Crime and Corruption Commission in the performance of many of the Crime and Corruption Commission's functions, noting that the commission is also responsible for monitoring how the Police Commissioner deals with police misconduct. Specifically, the complaint management and internal discipline of the Queensland Police Service is governed by many pieces of legislation including the Police Service Administration Act and the Police Service (Discipline) Regulations and the policies and procedures of the Queensland Police Service, with an investigative and oversight and monitoring function performed by the commission.

Extensive work has been undertaken in recent years by the Queensland Police Service and the Crime and Corruption Commission, including work with key stakeholders like the Queensland Police Commissioned Officers' Union of Employees and the Queensland Police Union of Employees, to create a modern and efficient disciplinary process to ensure fairness for both the Police Service and members of the public. This bill contributes to making such improvements. The bill gives effect to the government's election commitment to widen the definition of 'corrupt conduct' and implements the recommendations from the Parliamentary Crime and Corruption Committee report No. 97 and report No. 99. The monitoring and oversight provided by the Parliamentary Crime and Corruption Committee ensures that, through the committee, the commission is accountable to the parliament and, of course, the people of Queensland.

In respect of some of the amendments in this bill, I note that this bill refines the definition of 'corrupt conduct' by removing the requirement that conduct is engaged in for the benefit of, or detriment to, a person under section 15(1)(c) and modifies the list of additional matters, criminal offences or behaviours that could be corrupt conduct under section 15(2) of the act. The bill also implements recommendation 25 from the Parliamentary Crime and Corruption Committee report No. 97 to provide the commission's chief executive with legislative power to require another public sector official, including the Commissioner of Police, to provide details of a former employee's disciplinary history.

The bill also allows public sector officials the power to ask the commission's chief executive for disciplinary information. This could apply where a former employee is seeking employment or secondment with, or is currently employed at, the commission or the commission's chief executive is

considering making a disciplinary finding or disciplinary declaration or taking disciplinary action against the person. The bill also implements recommendation 28 of that Parliamentary Crime and Corruption Committee report to amend the Crime and Corruption Act and the Police Service Administration Act to align the existing civil liability protections for the commission, its officers and commissioners for Police Service reviews with the protections afforded state employees under section 26C of the Public Service Act.

To effect recommendation 28, clause 81 of the bill removes section 9.7 of the Police Service Administration Act and replaces it with a new section which mirrors the current provisions in the Public Service Act. Where a public official decides an allegation of corruption does not meet the threshold of a reasonable suspicion of corrupt conduct and would not be required to notify the commission, the official will be required to make a record of the decision in line with the new section 40A of the Crime and Corruption Act. The bill increases the time frame for lodging an application with the Queensland Civil and Administrative Tribunal from 14 days in the Crime and Corruption Act to 28 days, which is in line with the QCAT Act 2009.

Following on from the 2009 report *Dangerous liaisons*, a report arising from the then CMC's investigation into allegations of police misconduct called Operation Capri, a complaint was received by the Parliamentary Crime and Corruption Committee from a Mr Hall, a former Queensland Police Service officer, indicating he had not been provided an opportunity to address allegations in that report. This bill gives effect to the recommendation from the Parliamentary Crime and Corruption Committee report No. 99 requiring the commission to provide procedural fairness to a person if they could be adversely affected by the public release of a commission report. The new section 71A of the Crime and Corruption Act will prohibit the commission from including adverse information about a person in a report to be tabled in the Legislative Assembly or released publicly unless the commission provides the person with an opportunity to make a submission on the adverse information. These amendments will improve the operations of the commission, extend the commission's original and review jurisdiction, and prescribe record-keeping requirements on units of public administration when dealing with allegations of corrupt conduct.

In commending this bill to the House, I take this opportunity to acknowledge the efforts of the parliamentary committee in reviewing the bill and providing a report to the House and, of course, acknowledge all of the departmental officials who assisted with progressing the bill to this point. I commend the bill to the House.