




Speech By
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MEMBER FOR MACALISTER

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CRIME AND CORRUPTION AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs McMAHON** (Macalister—ALP) (6.47 pm): I rise to speak in support of the Crime and Corruption and Other Legislation Amendment Bill. I have heard the contributions in the House from the other side, although I am not quite sure after listening to them what outcome they are after in this bill. The member for Toowoomba South worries that the definition is too broad. The member for Toowoomba North wants it broader. I am not sure those on the other side are quite in tune or in lock step with each other about what they are after in this bill. Might I get them to refresh their memory about what a unit of public administration is and what the jurisdiction of the CCC is?

I would like to acknowledge my fellow colleagues on the Legal Affairs and Community Safety Committee: the chair, the member for Toohey, and the members for Mansfield, Southern Downs, Lockyer and Mirani. I would also like to thank the committee secretariat for their ongoing work and support for this bill. The Legal Affairs and Community Safety Committee of the 55th Parliament chaired by the member for Stretton should also be acknowledged.

As a former police officer, I understand how important it is for our public institutions to maintain their integrity, particularly those who police the police. The principle of policing by consent, first championed by Robert Peel in the 1820s, is how policing in our democracy has evolved. That consent can only be established and maintained when the community has faith in its institution and submits to the rule of law. That is what separates us from autocracies and police states.

Central to that is ensuring that we remain eternally vigil—particularly those of us who sit in this House—and insist on transparency where practicable. Reviews and reports such as the ones that predicated this amendment bill are an essential tool in ensuring that our processes and legislation are improved and refined to meet the community's expectations. We are here today to debate further amendments to the Crime and Corruption Act to ensure that we meet these expectations.

Of primary interest to those in law enforcement and the community more broadly are the amendments to the definition of 'corrupt conduct', and speakers before me have addressed the simplification of that definition. I also wish to focus on clause 5, which outlines the expansion of the jurisdiction of the CCC. To understand the proposed expansion requires an understanding of the current limitations the CCC has in relation to public sector employees or those who hold positions within a unit of public administration.

The new subsection enables the commission to oversee and investigate conduct such as collusive tendering, fraud in relation to certain licence applications and dishonestly obtaining public funds that impairs public confidence in public administration, even where it does not involve a lack of propriety by a public official. The proposed changes to the definition align with the commission's overriding responsibility to promote public confidence and integrity of the public sector. It is appropriate given the increased amount of outsourcing and public-private partnerships that we are now seeing in the delivery of government services.

An amendment to the CCC corruption functions in clause 7 will now allow the CCC to better exercise its investigative powers to address corruption risks. While we are aware of CCC investigations into instances of public corruption, the CCC work that is often unseen by the public is in the proactive identification of corruption risks. I think we can all agree that it is better to prevent corruption than it is to react to it, and I wholeheartedly support this aspect of the bill.

One area that I am pleased to see in this amendment bill is clause 32, which establishes improved information-sharing capabilities of organisations which are involved in the auditing and investigating of public entities. The work undertaken by these organisations is highly specialised, and personnel transfers across these organisations are quite common, particularly between the Queensland Police Service and the CCC. The ability of an organisation to be aware of an officer on appointment's suitability for employment is important to maintaining public faith in the organisation. Having only those who themselves have demonstrated the highest of integrity to investigate others is integral to this concept.

As a police officer, no-one ever really looks forward to the prospect of being subject to a then CJC or CMC or now CCC investigation. Often most officers would have little to no control—or even knowledge—over their involvement, particularly in broad-scale investigations. It must be of some consolation to those in the spotlight that the officers conducting the investigations are themselves beyond reproach. The amendments will ensure that the sharing of disciplinary information means that the integrity of investigators is high and that the integrity of the investigations themselves is not hampered by doubts about the quality of investigators. This will also extend to disciplinary matters currently under investigation to ensure that secondments are not cut short and investigations curtailed due to adverse disciplinary findings carrying over from previous secondments.

The other amendment I would like to mention here is one that I have had a number of constituents come to me on—and that is the ability to review QCAT decisions. Currently, individuals who have had adverse decisions made against them have had only 14 days to lodge an appeal against a decision. Notification by snail mail, infrequent mail delivery services and the inability to seek good independent legal advice on whether to appeal a decision means that 14 days is a very tight time frame. Clause 21 will extend the available appeal time frame out to 28 days. That will allow citizens the ability to make informed decisions about whether to appeal a QCAT decision relating to alleged corrupt conduct.

The final clause I would like to speak to is clause 17. This amendment is as a direct result of the PCCC report No. 99 titled *Report on a complaint by Mr Darren Hall*. This amendment is one of procedural fairness—a tenet of natural justice that all those in law enforcement are, or should be, familiar with. This clause stipulates that the CCC must not include adverse information about a person in a report that is to be tabled in this House without giving the person subject of that information an opportunity to make a submission. Natural justice will now provide that such a person will have a right of reply where practicable.

These amendments hold true to an election commitment made by the Palaszczuk Labor government to deliver accountability and transparency. I am pleased to support this bill and I commend this bill to the House.