




Speech By  
**Stephen Andrew**

**MEMBER FOR MIRANI**

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

 **Mr ANDREW** (Mirani—PHON) (11.27 am): I rise to speak in support of the Crime and Corruption and Other Legislation Amendment Bill 2018. I wish to thank my committee colleagues of the Legal Affairs and Community Safety Committee and the secretariat for all of the work in compiling a report on this amendment bill.

There are many recommendations that I commend to the House within this bill including clause 5, which relates to an expansion of the definition of 'corrupt conduct'. I believe that it is imperative as elected representatives we take measures to restore public confidence by way of eliminating collusive tendering; fraud relating to an application for a licence, permit or other authority under an act; dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposal of state assets; evading a state tax, levy or duty or otherwise fraudulently causing a loss of state revenue; and fraudulently obtaining or retaining an appointment.

I also highlight the measures included in clause 30 covering disciplinary action against a relevant commission officer who was a relevant employee. It is obviously important that just because someone has moved on to another position, most especially still within the Public Service, their past misconduct or corrupt actions are not absolved. To identify past misconduct, the ability to share employment and disciplinary records between government departments and agencies is a necessary measure.

Another measure I commend to the House is clause 80, which provides a range of improved civil liability measures for Public Service employees, most notably the Police Service. It very much replicates a similar intent across the other arms of the Public Service and its agencies.

One matter that may require future consideration is the limited scope of clause 84, which amends section 186A of the Public Service Act 2008 and, most notably, the definition there of 'employee' of the Public Service or other agency. The definition of 'employee' in that clause very likely does not capture entirely the volunteer aspect of many roles within the wider Public Service and, hence, may not provide the same protections to those roles within the Police Service and Fire and Emergency Services. For instance, the Police Service has Neighbourhood Watch volunteers. Likewise, the Fire and Emergency Services have rural fire brigade officers and many rural communities are serviced by volunteer first responders for the Ambulance Service. That volunteer role could even be extended to justices of the peace who represent the Crown via being community judicial officers but who must perform their role without any consideration of any reward. As such, their roles do not fit within the existing definition of 'employee' as they are not paid.

Overall, this amendment bill is worthy of being accepted. However, I strongly recommend further assessment of what defines an employee of the Public Service so as to establish a common expectation of conduct and, most importantly, a corruption-free Public Service. I commend the bill to the House.