




Speech By
Patrick Weir

MEMBER FOR CONDAMINE

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INTEGRITY AND OTHER LEGISLATION AMENDMENT BILL

PUBLIC SECTOR BILL

 **Mr WEIR** (Condamine—LNP) (7.02 pm): I rise to make my contribution to the cognate debate of the Integrity and Other Legislation Amendment Bill and the Public Sector Bill 2022. The Public Sector Bill 2022 proposes to implement stage 2 public sector reforms by replacing the Public Service Act 2008 and giving effect to the Bridgman review's primary recommendation to provide all public sector employees with a modern, simplified and employee focused framework. It should be noted that the Bridgman review was handed down in May 2019. Reform moves slowly with this Palaszczuk government.

The bill also seeks to strengthen the government's relationship with Aboriginal people and Torres Strait Islander people in the Public Service by requiring public sector entities to recognise the importance of the right to self-determination to Aboriginal and Torres Strait Islander peoples. The bill will give effect to the remaining legislative Bridgman review recommendations and also responds to some of the recommendations from the Coaldrake report.

In response to the Coaldrake report, the bill proposes: strengthening the independence of integrity bodies which do not employ public servants by not including the Queensland Ombudsman and the Crime and Corruption Commission in the scope of the bill; establishing the Public Sector Commission's role as the key oversight and central human resources agency; and implementing Professor Coaldrake's recommendation to appoint two external community members to the new Public Sector Governance Council to ensure the PSGC has access to commercial and community insights.

The bill provides for the exclusion of certain entities or other persons from being public sector entities or employees. The bill proposes to strengthen the independence of core integrity bodies that do not employ Public Service employees by not including the Queensland Ombudsman and the CCC in the scope of the bill and establishing alternative mechanisms to enable public sector employment arrangements to be applied to their staff. Other exclusions apply to entities due to their special nature or functions or the statutory context in which they are established or operate, for example Legal Aid Queensland.

The Together Queensland, Industrial Union of Employees submitted that it supports the provisions seeking to provide greater independence to the core integrity agencies; however, it did not fully support the arrangement proposed for integrity agencies and their staff. The Together union recommended that the public sector conditions in the bill be applied to staff of the excluded entities. In response, the Department of the Premier and Cabinet stated that the Ombudsman and the CCC are unique in that they do not employ public servants; instead, their staff are employed under their own legislation.

The bill also seeks to establish the role of the public sector in supporting the government's statement of commitment. Chief executives are responsible for ensuring their public sector entities fulfil this role by: recognising and honouring Aboriginal peoples and Torres Strait Islander peoples as the

first peoples of Queensland; engaging in truth-telling; recognising the importance to first peoples of the right to self-determination; and promoting cultural safety and cultural capability at all levels of the public sector.

The Queensland Indigenous Family Violence Service supported the bill's stated objectives for reframing the government's relationship with Aboriginal people and Torres Strait Islander people. Chief executives must undertake an annual audit and make a plan for improving equity and diversity in relation to employment matters in their entity, including for the diversity target group members defined as some of the following: Aboriginal and Torres Strait Islanders; people from culturally and linguistically diverse backgrounds; people with disability; women; and a group prescribed by regulation for this definition.

In response to the discrimination or harassment experienced by the LGBTIQ+ community in their employment, visibility of the LGBTIQ+ cohort is enhanced under the bill by: requiring entities to promote a workplace culture of respect and inclusion including for people of diverse sexual orientations, gender identities and intersex variations; and enabling equity and diversity plans to address matters for LGBTIQ+ people, including to promote their respect and inclusion. Whilst some submitters also proposed the inclusion of the LGBTIQ+ community as an equity and diversity target group, it was submitted during consultation that there is presently insufficient evidence of under-representation in public sector employment to warrant a new employment target.

There are many other recommendations from the Coaldrake review that are yet to be implemented. The objectives of the Integrity and Other Legislation Amendment Bill 2022 are to amend current legislation to promote the independence and authority of the Queensland Auditor-General, the Queensland Ombudsman and the Queensland Integrity Commissioner. The bill provides that the Queensland Audit Office is not a public sector entity for the proposed Public Sector Act 2022, making the Auditor-General an officer of the parliament and employing staff under the Auditor-General Act 2009. The bill implements some of the recommendations from two reports: *Let the sunshine in: review of culture and accountability in the Queensland public sector*, delivered by Peter Coaldrake; and *Strategic review of the Integrity Commissioner's functions*, delivered by Mr Kevin Yearbury.

To enhance the independence of the Auditor-General, the bill proposes making the Auditor-General an officer of the parliament and introducing a requirement that the Auditor-General take an oath. Queensland Audit Office staffing arrangements will also change. The Deputy Auditor-General will be employed as a member of staff of the Queensland Audit Office and not under the Public Service Act. Before acting as the Auditor-General, the Deputy Auditor-General must make an oath or affirmation and the Auditor-General may appoint a person to act as the Deputy Auditor-General when there is a vacancy or absence.

The bill removes the requirement for the Treasurer's approval of basic rates of fees of the Auditor-General and provides that the Auditor-General may increase the basic rates of fees once each financial year with the approval of the parliamentary committee. The bill amends the Auditor-General's obligation to conduct audits at the request of the Legislative Assembly so that the Auditor-General may conduct an audit but is not required to do so. It also removes the obligation on the Auditor-General to have received a request by the Legislative Assembly or a parliamentary committee and enables the Auditor-General to conduct specified audits without first requiring approval or direction. The Auditor-General supported the provisions for Queensland Audit Office staff to be employed under the Auditor-General Act rather than the Public Service Act 2008 because it will provide greater autonomy for managing staff arrangements for the office.

The Australian Professional Government Relations Association raised concerns that the current drafting of the bill does not appear to distinguish between inadvertent unregistered lobbying due to the potential for administrative or technical errors and the deliberate, systemic attempts of some unregistered lobbyists who seek to operate outside the lobbying regulatory framework. To address this concern, APGRA proposed a warning system whereby a person who is alleged to have engaged in unregistered lobbying is notified of a potential breach by the Integrity Commissioner and given an opportunity to explain their circumstances. This is in response to this government's close relationship with Anacta, which has a number of past Labor Party contacts—so close that we heard at estimates that GOCs engage Anacta to lobby the government.

The list of integrity failures of this government is way too long for me to list in the time I have left. The Linc Energy cover-up recently exposed shows that this practice is deeply ingrained. There is a lack of details regarding the Wellcamp debacle which cost this state in excess of \$200 million. Openness, transparency and integrity are attributes that this Palaszczuk government simply does not understand. This bill should not be part of a cognate debate and is another example of the lack of accountability from this government.