




Speech By
Robert Skelton

MEMBER FOR NICKLIN

Record of Proceedings, 30 November 2022

INTEGRITY AND OTHER LEGISLATION AMENDMENT BILL

PUBLIC SECTOR BILL

 **Mr SKELTON** (Nicklin—ALP) (11.36 am): I rise to speak in support of the Palaszczuk government's Integrity and Other Legislation Amendment Bill and also support the Public Sector Bill. This bill is the latest in a long succession of integrity bills passed by the Queensland Labor government. This is the first tranche of legislation that will be implementing the recommendations of Professor Peter Coaldrake from his 2021 *Let the sunshine in* report as well as those of Kevin Yearbury's 2021 *Strategic review of the Integrity Commissioner's functions* report. The main purpose of the integrity bill is to strengthen the independence of the Queensland Auditor-General, the Audit Office and the Integrity Commissioner.

Earlier this year Professor Peter Coaldrake delivered his review into culture and accountability in the Queensland public sector. The report made 14 direct recommendations as well as an array of other recommendations from former inquiries, all of which were purposed for strengthening the integrity of our great public sector and, by extension, the public's faith in government. Following the release of this report, the Palaszczuk Labor government did something that may appear somewhat alien to those opposite—we acted on the recommendations. Barely a week after the Coaldrake report was delivered, the Premier and Deputy Premier announced the creation of a task force within the Department of the Premier and Cabinet to implement all 14 of the recommendations in the Coaldrake report.

One of the biggest changes we will be making is the release of cabinet documents after 30 days instead of the current 30 years. Additionally, we will also be banning lobbyists from working as political consultants during campaigns. As the Premier has previously stated, these reforms will be setting a benchmark for the rest of Australia to follow. They will make the Queensland government by far the most transparent in the country. Furthermore, these reforms are very non-intrusive and uncontroversial, and the proposed amendments are largely supported by the respective integrity bodies they impact and either have no or very minor funding or policy implications for the government.

In relation to the Auditor-General, one of the chief recommendations of the Coaldrake report was for the independence of the Queensland Auditor-General to be strengthened and extending its scope. The report also made the following specific recommendations about the Auditor-General: that the Auditor-General become an independent officer of the parliament; that the Auditor-General Act 2009 be amended to allow for the Auditor-General's employment of QAO staff under that act rather than under the Public Service Act 2008; that the Auditor-General be allowed to independently set basic rates for audit fees without the Treasurer's approval; that the Auditor-General be given the discretion to undertake performance audits on government owned corporations; and that other outstanding recommendations from the 2013 Finance and Administration Committee inquiry and the 2017 strategic review be implemented.

In relation to the Integrity Act 2009, the Yearbury review made recommendations to amend the Integrity Act 2009 to enhance the independence of the Queensland Integrity Commissioner, including that the Integrity Commissioner is not subject to direction about the way in which they perform their

functions or give priority to integrity issues. I will note that in 2013, upon assuming government, the previous premier and his chief of staff got into quite a stoush with that Integrity Commissioner. This is designed to stop that sort of thing from happening, which is great. The bill will create the Office of the Queensland Integrity Commissioner which will be under the control of the Integrity Commissioner. The bill also provides for a Deputy Integrity Commissioner. Both the Integrity Commissioner and Deputy Integrity Commissioner will not be subject to any direction about the way in which they perform their duties, including from the Premier's chief of staff.

Unlike the Audit Office, staff of the Office of the Queensland Integrity Commissioner will remain as public sector employees under the new Public Sector Act but cannot be directed by anyone outside the office about the way functions are performed or the priority given to ethics or integrity issues. This is in recognition that the Integrity Commissioner's office is quite small, and to exclude the Integrity Commissioner from the new Public Sector Act would mean they would need to create employment arrangements and an employment framework which would be resource intensive for such a small office. These amendments to the Integrity Act will empower the Office of the Queensland Integrity Commissioner to be more independent and well resourced, meaning they will be better equipped to deal with matters of government integrity.

In response to concerns expressed in the Yearbury review that too many people can directly seek Integrity Commissioner advice, the bill also refines the operations and requirements in relation to the declaration of designated persons. Senior officers, ministerial staff members and assistant ministerial staff members will no longer be able to directly access Integrity Commissioner advice. Alternative pathways already exist for these classes of people to access integrity advice and are intended to be used in the first instance to manage the flow and quantity of persons able to directly access the Integrity Commissioner. These amendments seek to find a balance between controlling the unintended growth of the number of designated persons who can seek advice and the understanding that sometimes integrity advice will be needed for those working in ministerial offices and for a period of time after a person has left working in a ministerial office.

With regard to interest in lobbying, the bill will also remove requirements for stated statutory office holders to provide a copy of their declaration of interests to the Integrity Commissioner and the Integrity Commissioner's requirement to report annually on these. This is consistent with the recommendations of the Yearbury review. The bill also introduces a new offence for unregistered lobbying. Both the Yearbury review and the Coaldrake report support this measure, which is intended to encourage ethical lobbying. This also recognises the significant impact that lobbying has on the business of government. An offence under this provision will attract a fine of 200 penalty units. This will work as an effective deterrent to prevent unethical and secretive lobbying. The bill also shortens the strategic review of the Ombudsman's office from seven to five years. This is in response to commentary in the Coaldrake report that such a reduction would ensure consistency with the strategic review provisions for other statutory bodies as well as provide the Ombudsman with a more frequent opportunity to raise matters that may require reform.

This bill is another representation of Queensland Labor's history of integrity in public office which has its roots in the landmark Fitzgerald inquiry. That inquiry painted a grim picture of the corruption that was endemic in the party of those opposite. One of the proudest achievements that came out of the Fitzgerald inquiry was the Criminal Justice Commission, which evolved over time into the Crime and Corruption Commission. The CCC is integral in ensuring that corruption and crime within government does not go unpunished. I would like to take the opportunity to remind everyone what happened to the CCC the last time those opposite—the LNP—were in power.

Mr Bleijie interjected.

Mr SKELTON: They removed the requirement that appointments to the commission had to be bipartisan. They sacked the entire parliamentary Crime and Misconduct Committee in November 2013. I heard the member for Kawana interjecting just before so I will take that interjection.

Mr Bleijie: What did I say?

Mr SKELTON: I am sure the member for Kawana remembers, because he even overrode a vote at the LNP convention in 2013 to require election candidates to disclose their criminal history—except for the bikies you mentioned. Good.

Mr DEPUTY SPEAKER (Mr Krause): Member for Nicklin, direct your comments through the chair, please.

Mr Bleijie: And explain what you are talking about.

Mr DEPUTY SPEAKER: Order, member for Kawana!

Mr SKELTON: I will take the interjection. I will go on. This is part of the record of those opposite on crime and corruption in parliament. While those opposite are happy to cut funding and shoehorn potential criminals into state government, the Palaszczuk Labor government is proudly continuing its

commendable record on maintaining integrity in the Queensland Public Service. I stand proudly with this government in recommending all these reforms. I am glad that when we have an inquiry or an investigation, irrespective of the outcome we take those recommendations and act on them. As such, I commend this bill to the House.