




Speech By
Tim Nicholls

MEMBER FOR CLAYFIELD

Record of Proceedings, 31 March 2022

PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

Report, Motion to Take Note

 **Mr NICHOLLS** (Clayfield—LNP) (3.08 pm): I also want to make some comments in relation to this report. I want to acknowledge the hard work that has been put into compiling this report by the chair and also by all other members of the committee. In fact, three of the members of that committee were members of the committee when I was its chair. A substantial portion of that report covers periods when I was chair of that committee. I am very interested to see the reflections and the information from that thorough investigation.

The regular committee meetings of the CCC are, by their nature, constrained. There is a limited amount of time within which the committee can ask questions and carry out its proper functions in both the public and private sections. One Friday every second month is the time frame that is currently available for the PCCC to conduct its very important role of oversight of the actions of the CCC, particularly to ensure that it is performing its duties according to law and according to the provisions of the legislation.

Of course, 16 findings have been made by the current committee and there are another six recommendations on top of that. A number of those findings are, in fact, quite disturbing. They should be disturbing to members of this House and they should be disturbing to members of the public, given their very extensive powers—powers that are granted to no-one else in this land—to carry out coercive hearings, to tap people's phones and to break into people's houses to plant wire taps. These are very extensive powers. They are not powers to be laughed off and they are not powers that should be dismissed lightly. It is important that the body charged with exercising those powers is honest, accurate and fulsome in its reports to the body that is charged with overseeing the exercise of those powers. What disturbs me in this report, on page 127, is this comment that was uncovered—

A file note of a discussion between CCC officers dated 11 September 2018, provided to the committee pursuant to the summons issued to the CCC, suggested there had been discussion about how much detail to provide the committee in the update.

They were saying: 'We're not sure how much we should tell the body that is charged with ensuring that we are complying with our obligations under the provisions of the act.' The report continues—

Evidence also showed that the CCC held concerns about the 'agenda' of the former PCCC chair Mr Nicholls MP, Member for Clayfield, and Mr Crandon MP, Member for Coomera.

We had the officers who were proposing to report to a public committee of this parliament, who were charged with overseeing their operations, second-guessing the motives of the MPs who were there to do it. Let me say: there was no agenda, other than an agenda to make sure that the CCC was complying with its powers. It was an agenda that had been publicly and openly discussed in public meetings with myself as chair.

We had asked the chair of the CCC on a number of occasions about the reasons for the charges that were being laid and the adequacy of those charges. We had asked about the interrelationship between the matters in the Queensland Industrial Relations Commission and the matters that were

under investigation by the CCC at that time. I had asked on a number of occasions about the exercise of the prosecutorial discretion—so much so that I took a copy of the DPP guidelines for prosecutorial discretions into one of the meetings and put those to the chair of the CCC at the time to discuss how he came about those positions.

Perhaps if the CCC had been less concerned about our agenda, which was to make sure they were doing the right thing, and more concerned to do the right thing and to consider in an open and frank way that maybe they are not the repository of all knowledge and wisdom, we would not have then had the withdrawal of the proceedings, as reported on page 125 of this report, whereby Mr Carl Heaton, the Director of Public Prosecutions, advised that there was insufficient evidence and that, even if there was more material that had been put to the QIRC, that admissibility was doubtful. When provided with that material he said, 'There are no reasonable prospects of success.' It goes to show that the balance between this place and the CCC is delicate, and both sides need to come at it with the appropriate integrity and attitude.