




Speech By
Joan Pease

MEMBER FOR LYTTON

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CRIME AND CORRUPTION AND OTHER LEGISLATION AMENDMENT BILL

 **Ms PEASE** (Lytton—ALP) (4.22 pm): I rise today to support the Crime and Corruption and Other Legislation Amendment Bill which was introduced by the—

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Hart): Pause the clock. Member for Gregory and member for Maryborough, no more quarrelling across the chamber please.

Ms PEASE: I rise today to support the Crime and Corruption and Other Legislation Amendment Bill, which was introduced by the Attorney-General and Minister for Justice earlier this year. This bill was subsequently referred to the Community Safety and Legal Affairs Committee, which recommended that the bill be passed without amendment.

This bill introduces a series of reforms aimed at enhancing the operation of the Crime and Corruption Commission. We have already heard today how vital the CCC is to Queensland's integrity framework. It is paramount that it can operate with impartiality, fairness and transparency. This bill primarily addresses various recommendations from three Parliamentary Crime and Corruption Committee reports related to the CCC's activities. It also responds to a recommendation from the Commission of Inquiry relating to the Crime and Corruption Commission.

A key reform of the bill is the enhancement of oversight in corruption investigations. It requires that the DPP's advice be sought before deciding to bring charges arising from a corruption investigation. This bill will require that, where a prosecution is commenced without first seeking advice because of exceptional circumstances, the CCC must seek the DPP's written advice as soon as reasonably practicable. The CCC must give a copy of the DPP's written advice to the prosecuting entity as soon as reasonably practicable after it is received. The prosecuting entity may need to take further steps consistent with advice—for example, amending or withdrawing the charges before the court.

Recent inquiries have highlighted challenges the CCC face in relation to corruption investigations. They also underscored the harm that can result if criminal charges are withdrawn after prosecution has commenced. This reform will restore a greater level of oversight and confidence to witnesses and employees and statutory officers engaged in these corruption investigations.

The government has also considered the application of the journalist shield laws to the CCC. Currently, the Evidence Act protects the identity of a journalist's confidential sources, but this protection does not currently extend to the CCC. This bill proposes to introduce amendments to provide for better protections of a journalist's confidential sources in relation to CCC investigations. The bill would amend the CC Act to apply a qualified journalist privilege consistent with the Evidence Act. The amendments provide that where a person claiming journalist privilege disagrees with the decision of the CCC they then have the right to apply to the Supreme Court to decide their claim. Whilst confiscation related investigations are not included in the new process for dealing with claims of reasonable excuse,

including privilege, journalist privilege is applied to confiscation matters. Existing provisions under the Evidence Act will continue to apply to the execution of search warrants by a CCC officer, including a police officer seconded to the CCC under the CC Act.

The amendments also provide that claims of journalist privilege will be initially considered by the CCC. Feedback on this aspect was mixed. Australia's Right to Know Coalition expressed concerns, arguing that the bill was inconsistent with recent case law emphasising the paramount importance of source confidentiality. In response, the Department of Justice and Attorney-General noted that the bill does not require journalists or relevant individuals to comply with CCC directions if doing so would reveal an informant's identity. Journalist privilege can only be overridden if it is in the public interest and if this outweighs any likely adverse effect from the disclosure.

Eleven submitters provided qualified support for the bill. For example, the LGAQ stated that they welcome changes implementing recommendations from the PCCC inquiry and the Commission of Inquiry relating to the CCC. We have heard here today and through various inquiries that the need for the public to be confident with the operations of the CCC and corruption bodies really matters to our communities.

I am proud to be part of a government that is committed to doing the work to progress this. I would also like to take a moment to acknowledge all those who have spoken before me and to thank the committee which did significant work in bringing this bill before the House today. I commend the bill to the House.