




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 15 February 2024

INTEGRITY AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence) (5.30 pm), in reply: I would like to thank honourable members for contributing to the debate on the Integrity and Other Legislation Amendment Bill 2023. I would also like to take a moment to thank the public servants who have worked on this bill. There has been, as I said in my second reading speech, a tremendous amount of work that has gone into developing not just the bill, but actually implementing the Coaldrake recommendations. I particularly want to thank Rachel Welch from the Department of the Premier and Cabinet and Jenny Lang from the Public Sector Commission and their teams for the work they have done on all of this.

As I indicated at the commencement of debate, this bill represents another significant milestone in delivering on the government's commitment to implement recommendations arising from Professor Peter Coaldrake's report, *Let the sunshine in: review of culture and accountability in the Queensland public sector*.

Earlier this week, members heard the member for Glass House stress that this bill represents 'one of the most important pieces of legislation this House will consider'. On this point, the Miles government agrees. The importance of this bill lies in the assurance it gives the public—the constituents of all members of this House—that current and successive governments will be accountable and transparent, and that they will act with integrity. This is the premise of Professor Coaldrake's report, and this bill demonstrates the continued commitment to that premise by the Miles government.

The bill greatly improves the integrity and oversight framework in Queensland so that it remains contemporary and maintains and improves a culture of accountability. Notably, the bill strengthens the independence of the core integrity bodies, and their statutory office holders—the Integrity Commissioner, the Queensland Ombudsman, the Information Commissioner, the Auditor-General, and the Crime and Corruption Commissioner. Parliamentary committees will be more involved in appointments to those statutory positions and with funding proposals from those integrity bodies.

The Office of the Queensland Integrity Commissioner will be established as a statutory body. The jurisdiction of the Queensland Ombudsman will be enlarged to capture non-government entities providing government services. The Auditor-General's mandate to order particular trusts is clarified. The bill also significantly bolsters the regulatory framework for lobbying and lobbyists in Queensland. It raises the bar to address any actual or perceived special influence a lobbyist might have if a political party they have assisted during an election campaign is in government, and to address the expectations around the conditions for registration as a lobbyist in Queensland. The framework introduced by the bill clarifies what is and is not a lobbying activity. It enhances the Integrity Commissioner's regulatory role. It prohibits dual hatting where a registered lobbyist performs a substantial role for a political party in an election campaign.

These important reforms have been acknowledged by members of the House today. I will say that, despite some of the comments, including from the member for Maiwar, they are not just tinkering around the edges. We have the strongest law around lobbyists and integrity, and transparency around cabinet and diaries, that any jurisdiction in this country has.

I will now address some of the matters raised by members during debate. I have to be honest, when I started writing down notes—I normally have pages of notes—I basically had two lines from the contribution from the member for Maroochydore because she did not talk about the bill. However, she did talk about the Coaldrake report and went to a lot of broader issues which I intend, seeing as they appear to be relevant, to touch on as well.

The member for Maroochydore criticised the lack of appropriate scrutiny of the amendments to the bill, which I find extraordinary. The member for Maroochydore said the amendments did not go back to committee for consideration. Amendments do not. The member for Maroochydore should know this because that is all the opposition does. They felt so strongly about the lobbying and a loophole that they say existed, which we are rectifying, yet they did not bring amendments in. There are no amendments here today from the opposition, despite them being so strong on integrity and this was such an important issue. However, that would have taken a bit of effort. They do not get around to that. In fact, the only thing the opposition does when it comes to opposing government legislation is bring in assets.

They have only brought in one private member's bill so far in this entire term of government. That is either because they are lazy, they are incompetent, or they do not want to be transparent. They do not want their amendments ever to be scrutinised. They do not want to put them in a bill, because if they put them in a bill, it has to go to a committee and then the public and stakeholders get to make comment on those amendments. They criticise us bringing in amendments that directly go to submissions put to a parliamentary committee. That is the whole idea of the parliamentary process. Good government listens to the views raised through the parliamentary committee process and bring amendments to address those issues. However, those opposite just bring amendments. They do not bring amendments that they have tested out there with stakeholders; they are certainly not willing to put them in a private member's bill. The only one they want to do is a bill. That is pretty short-sighted and pretty lazy, but I think it is more the lazy. I think it is very deliberate because they do not want to be transparent around the amendments they bring into this chamber, which is quite ironic when we are talking about an integrity bill.

There was further criticism from the member for Maroochydore: twice she said these amendments were circulated late. They were circulated during question time. I am not going to apologise if the member for Maroochydore, or whoever was sitting on their side of the chamber, or whoever was acting as Manager of Opposition Business, did not bother to look at the amendments that were dropped around or let her know. That is not my responsibility. They were circulated. I want to acknowledge that because it is not fair to the attendants who did their job to say that they were not circulated, because they were. They were available to have a look at; they were circulated at the back end of question time. To say they were not circulated before lunch is just not accurate. It is just another example of the member for Maroochydore's lack of fitness to sit on this side of the chamber.

As I outlined in my earlier speech, those amendments respond to concerns raised by stakeholders and enhance the operation of the provisions in the bill, and ensure the provisions meet the intent of the Coaldrake report recommendations, many of which were raised during the parliamentary committee process, including by the member's opposition colleagues.

I thank the member for Logan, who was the chair of the formerly named Economics and Governance Committee, for highlighting to the House that the member for Maroochydore was part of the scrutiny of the bill. The member for Maroochydore will be aware from the public briefing of the parliamentary committee on 10 July 2023, which she attended as a substitute for the deputy chair, of the open and thorough process for developing this bill. The member for Maroochydore raised concerns about the perceived lack of action taken to address the culture of the public sector and bullying, raised in the Coaldrake report.

As the Premier himself stated this morning during question time, this government recognises the important role an independent public sector plays in our Westminster system. Our government also understands the importance of our public sector having the capability to deliver the services and policies the community expects now and in the future. That is why the Premier indicated that he would soon release a new strategy for our public service, to work with them to build up their capabilities, ensuring we use consultants less and doing more work in-house.

As I outlined in my earlier speech, each minister and director-general has been asked to meet with their senior leadership to promote an enduring, effective and respectful working relationship between the department and ministerial office. Further, codes of conduct for ministers and ministerial

staff, and the protocols for communication with department employees, have been reviewed to ensure they align with the Coaldrake review recommendations, and changes are expected to be implemented shortly.

The government has funded the Public Sector Commission to allow it to focus on the rejuvenation of the capability and capacity of the Queensland public sector. The government has appointed a new Public Sector Commissioner to ensure there is renewed and energised focus within that commission on what Queenslanders want: is a high-performing and dedicated public sector regardless of where they are in Queensland.

The Crime and Corruption Commission engaged an external consultant to review the organisation's culture and performance to ensure their focus is on corrupt conduct complaints. An independent director-general and the Public Sector Commission now oversee the investigation of complaints made against senior public sectors of SES3 rank and higher. These matters around culture and bullying have been and are being addressed by this government.

The member for Maroochydore also spoke about incidental lobbying. This type of lobbying activity was addressed in the first piece of integrity legislation, passed in 2022. This bill goes further by defining what is and is not lobbying activity. It defines what a substantial role is when working on an election campaign. As outlined in the explanatory notes to the bill, the Coaldrake report found that a person was able to escape regulation by virtue of their position or employment. To address this, the bill clarifies that the activity of communicating with a government or opposition representative is not lobbying where it is in the ordinary course of duty of a professional or technical service provider.

The member for Maroochydore is critical of the pace at which some of the final recommendations from the Coaldrake report are being implemented; namely, the complaints clearing house and the proactive release of cabinet documents. The member for Coomera made similar comments. These are complex and sensitive recommendations to implement, and the government is taking the appropriate time to progress those recommendations. In this regard, I note progress has been made. From January 2023 a new web form and webpage have made it easier for people to make a complaint, with Smart Service Queensland quickly referring complaints to the appropriate agency. In July 2023 a new customer complaint management framework and guideline was introduced, providing for a consistent and customer focused complaint management approach across departments.

In November 2023 the government announced that retired District Court judge Michael Forde was appointed to oversee the final stage of reform in this area. When appointed, Mr Forde recognised the current complexity and was 'energised about finding ways to remove confusion and create an easier, transparent and customer-centric approach to complaints for all Queenslanders'. A clearing house will ensure that Queenslanders with complaints about government have greater transparency about how complaints are managed. The Miles government looks forward to receiving Mr Forde's report to government on ways the clearing house could be achieved.

As I advised at the commencement of this debate, the government is progressing work to realise the proactive release of cabinet documents in Queensland. Amendments to support a proactive release scheme were progressed as part of the Information Privacy and Other Legislation Amendment Act 2022. I am pleased to advise members of the House that the government will commence the proactive release of cabinet documents from the cabinet meeting held on 25 March.

The member for Mermaid Beach revisited historical cases of whistleblowing. I advised the House earlier that a review of the Public Interest Disclosure Act 2010 has occurred. Over 100 recommendations have been made and the government is reviewing those recommendations, which will see a completely new act created. The member also acknowledged the issue raised with the dual-hatting provisions. I can assure the member for Mermaid Beach that we have listened to concerns from stakeholders, including the Integrity Commissioner, that a registered lobbyist could deregister before the start of the election campaign and work for a political party during this period while maintaining the ability to register again as a lobbyist after the end of the election. As foreshadowed at the start of this debate, amendments circulated in my name will tighten and strengthened those dual-hatting provisions to address those concerns.

The member for Macalister rightly raised the human rights implications of the dual-hatting prohibition being brought in by this act. As the member also noted, this prohibition is fully justified as it ensures there is transparency and equality between professional lobbyists and others such as small community groups. I stress that this legislation will be enduring. It will continue to apply to successive governments, no matter the political party—I hope so. I thank the member for Mermaid Beach for acknowledging that and for supporting the passage of the bill.

This bill delivers on this government's undertaking to deliver a strong, contemporary and enduring integrity framework for Queensland. In reforming lobbying regulation, the government has been led by the recommendations set out in the Coaldrake and Yearbury reports. The bill is the result of an extensive implementation process led by a steering committee—chaired by the Public Sector Commissioner—and engagement with an integrity reform stakeholder reference group and directly with each integrity body. In addition to the parliamentary committee process, the five integrity bodies, the Speaker and the Clerk were consulted on a full draft of the bill. Other stakeholders were consulted on parts of the bill relevant to them or their sector.

Earlier this week, the Leader of the House told members that this House will see the Miles government introducing legislation that will support Queenslanders. They will see policy debates and ideas that are developed through thought and research and which will benefit all Queenslanders. The debate of this bill is evidence of that commitment.

Professor Coaldrake's report recognised that Queensland's integrity system was under stress, trying to keep check on a culture that from the top down was not meeting the public's expectations. His review aspired to influence a cultural shift that encourages openness from the top. On page 27 of his report he stated—

... culture, and a tone set from the top, is critical to giving effect to the spirit of the legislation.

In this bill, the Premier and his government—which I am very proud to be a member of—are leading from the top.

That is how you make a speech that is relevant to a bill. In saying that, it was disappointing—I am specifically responding to the contributions made by members in this House in this debate, so I am being completely relevant—that the member for Maroochydore used her 30 minutes, as did others, to smear, spew attacks and make assertions in this chamber. She used inflammatory language. Public servants were attacked.

Ms Simpson: Who?

Mrs D'ATH: She sounds like an owl! I will not give the member the satisfaction of saying their title because it is inappropriate, and I would have thought a former Speaker of this House would know better. There were members on that side who named public servants and who made inflammatory comments about those public servants. We have a responsibility as members of parliament to not name public servants or make defamatory comments about public servants as they are not given the opportunity to respond to those claims. The whole purpose of this bill, the Coaldrake report and the Yearbury report is to change the culture of the interaction between elected members of parliament and the Public Service. Members opposite come into this House, during a debate on integrity and on those reports, and name and attack public servants.

If the Public Service were in any doubt whatsoever about what to expect if there were a change of government, they heard it in this debate: they would be attacked again. They would find the ones they did not like. I have seen where they targeted public servants they did not like. I saw it in the Redcliffe by-election: they said our fires were fake. I saw the then premier of this state walk up to one of our firefighters and ask what station he worked at and what his number was so that there could be consequences for the fact that he was exercising his right to stand on a polling booth and voice an opinion in an election—and voice it loudly people did.

The member's speech presented an opportunity to set the scene for opposition members to say to Queenslanders what they would do differently if they were elected—and they did. They showed them exactly what they would do. They attacked hardworking public servants. If I remember correctly, the member even claimed that the amendments had not been circulated. I have already said that they were—hours and hours ago. It is not my fault if they cannot do their job properly.

The member for Maroochydore has never apologised for the opposition's claims that the Integrity Commissioner's office was raided by the Premier's 'goons'. We heard members refer to the 'black ops squad'. Honestly, how is anyone supposed to take them seriously? A number of them use that term and said that the 'black ops squad' went in. So many of the statements they made in this House are not accurate—in fact, they have been the subject of investigation and have been proven to be false—yet they still came in here and said it again. And they want to come in here and argue about integrity! I do not recall the LNP government introducing any integrity bills. I remember it stripping the political donation cap. It would have been \$15,200—walk in with a paper bag, put \$15,000 on the desk and no-one would know. That is what it would be today if we had not changed those laws.

I am very proud of the integrity reforms that this government has brought in since 2015 and we will continue to do that. We will continue to listen and we will continue to work with the public sector. We will continue to recognise their extraordinary work and make them proud to call themselves public

servants. They should be proud because they do incredible work each and every day. I am proud of the amazing public servants I get to work with. I am in awe of the work they do each and every day. I strive to make sure I support them as a minister in what I do every day because they deserve it. They do not deserve to be attacked and they do not deserve to be named in this place ever and those opposite do it regularly. I support this bill. It is a great bill and I ask the whole House to—

(Time expired)