




Speech By
David Lee

MEMBER FOR HERVEY BAY

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CRIME AND CORRUPTION (RESTORING REPORTING POWERS) AMENDMENT BILL

 **Mr LEE** (Hervey Bay—LNP) (4.53 pm): I rise to speak to the Crime and Corruption (Restoring Reporting Powers) Amendment Bill 2025. This bill will provide new powers to the Crime and Corruption Commission to report and make public statements at any time about matters of corruption. This bill is about putting a bite in the watchdog's bark, because we need a CCC with both a bark and a bite.

Labor fought hard to conceal the release of reports into investigations concerning allegations of corruption against former public trustee Peter Carne and the former deputy premier Jackie Trad. It is time to let the sun shine in on Labor's cover-up. Labor did not think Queenslanders deserved to read the Trad or Carne reports and make their own judgements. The Crisafulli government believes Queenslanders have that right. I would like to acknowledge the efforts of Attorney-General Deb Frecklington and the Justice, Integrity and Community Safety Committee for its work in preparing this bill. This bill is about taking great strides to restore the openness, transparency and accountability that Queenslanders expect and deserve from their governments.

The objectives of the bill are to, firstly, restore the power of the CCC to report publicly about corruption investigations and to ensure the CCC can also make public statements about these matters; secondly, safeguard against the release of information to the public about corruption matters in circumstances where the risks or harms outweigh any benefits derived from releasing the information; and finally, to remove any residual legal risk that might be attributable to the CCC in respect of the preparation and publication of past reports and statements. The bill also responds to principle 8 of the Fundamental Principles of Australian Anti-Corruption Commissions, which provides that an anti-corruption commission must have the ability to report on investigations and make public statements.

This bill is primarily informed by a decision in the High Court case of *Crime and Corruption Commission v Carne* that was inconsistent with the prevailing understanding about the CCC's reporting powers. At that time, the CCC operated on the mistaken assumption that section 69 of the Crime and Corruption Act empowered the commission to table and publish reports regarding corruption investigations. Reaffirming a decision of the Queensland Court of Appeal, the High Court held that section 64 of the Crime and Corruption Act was limited to reporting about corruption issues generally and did not allow the CCC to report about a specific investigation. That was because section 49 of the act provides the sole source of power to report in respect of those reports. Throughout the drafting of this bill, special care has been taken not to diminish the CCC's residual reporting powers that have not been impacted by the High Court decision.

I now turn to some of the important provisions in the bill that correct the sections 64 and 69 reporting power issues raised in the High Court case. Clause 12 of the bill will introduce a broader definition of what constitutes a corruption matter and includes the types of matters that the CCC is able

to report on and make public statements on. In clauses 14 and 15, the bill also includes a set of non-exhaustive criteria that must be considered by the CCC prior to making a report or statement regarding a matter of corruption.

Further to the general criteria, specific matters must be considered by the CCC prior to publication when a person's identity is readily apparent or can be reasonably ascertained in a report or statement. In cases where the CCC finds that it is reasonable and appropriate to name the subject of an investigation and make adverse comments about them, the CCC is bound by the requirements of the current act to give that person procedural fairness.

Clause 18 of the bill will amend the process for the tabling of CCC reports, further enhancing the independence of the CCC. How does it do that? Firstly, the bill provides that the CCC must give a report directly to the chairperson of the Parliamentary Crime and Corruption Committee, the Attorney-General and the Speaker for tabling. Secondly, after receiving the report, the Speaker must table the report on the next sitting day or, if the Legislative Assembly is not sitting, the Speaker must deliver the report to the Clerk of the Parliament who must authorise the publication.

This bill will also operate retrospectively and validate past reports and statements. Unlike the approach taken by Labor in their lapsed bill, this bill makes it clear that all past reports and public statements of the CCC are valid. This will allow the CCC to restore past reports and statements to its website and provide legal certainty to the CCC and its officers in respect of those reports and statements. The Attorney-General, Minister for Justice and Minister for Integrity in her introductory speech stated—

The bill makes it clear that all past reports and public statements of the CCC are valid. This extends to any action taken by the CCC in relation to the report or public statement, including any preparation work undertaken by CCC officers. There is no requirement for these reports or statements to have complied with the new criteria set out in the bill or the enhanced procedural fairness requirements. They are validated as they are in accordance with the existing framework of the Crime and Corruption Act.

This bill also expands those procedural fairness requirements and the Crisafulli government has worked closely with the CCC on this. It includes amendments to clarify the obligation to provide procedural fairness in line with the common law and to include clear timeframes for these processes and a right to review requests for an extension of time to the Supreme Court. An express provision is included in the bill limiting the CCC's ability to make findings or recommendations relating to a person engaging in corrupt conduct, whether a person should be prosecuted for a criminal offence or the subject of disciplinary action or whether there is evidence or insufficient evidence to support the start of proceedings. That is an express provision provided in the legislation limiting the CCC. I commend the Crime and Corruption (Restoring Reporting Powers) Amendment Bill to the House.