




Speech By
Donna Kirkland

MEMBER FOR ROCKHAMPTON

Record of Proceedings, 29 April 2025

CRIME AND CORRUPTION (RESTORING REPORTING POWERS) AMENDMENT BILL

 **Mrs KIRKLAND** (Rockhampton—LNP) (5.22 pm): I rise to speak to the Crime and Corruption (Restoring Reporting Powers) Amendment Bill. This bill is about what was wrong and making it right again. Through this bill the Crisafulli government is taking important steps to restore the openness, transparency and accountability that Queenslanders expect and deserve from their governments.

In the 2023 case of Crime and Corruption Commission v Carne, the High Court ruled that the Crime and Corruption Commission Act 2001 indeed did not empower the CCC to make public a report about a particular corruption investigation or complaint other than to report to a relevant entity et cetera. The immediate impact of the High Court decision was that past reports about the CCC's corruption investigations were made invalid. An excerpt from an ABC News article dated Wednesday, 13 September 2023 states—

CCC chair Bruce Barbour said he was seeking urgent law changes in light of the ruling and had written to the attorney-general.

"The CCC and its predecessor agencies have historically reported on significant matters relating to their investigations," he said.

"Reporting has occurred when there has been a strong public interest in doing so and when there are issues uncovered in investigations that the public, public sector agencies and elected officials should be made aware of to raise integrity standards and to reduce corruption risks in Queensland.

"It has done so on the understanding that it was empowered to report under its governing legislation, the Crime and Corruption Act.

"The High Court found that the CCC has no such power. The inability to report on matters uncovered in such investigations reduces transparency and is clearly not in the public interest."

In the same article then shadow attorney-general, now Minister for Health, Tim Nicholls, with regard to the non-release of the reporting to the public, was reported as saying—

The antiseptic of sunlight will not be shone on the actions of executive government.

The lessons learnt will not be learnt by the wider public sector, they will not be learnt by the government and most importantly Queenslanders will not find out what is going on behind closed doors.

Today we are here to make this wrong right again. On fulfilling our election promise to release the Trad and Carne reports, the validation of the necessity for the bill was clearly illustrated. This bill will bring to a close what has been a dark chapter in Queensland's history with the Palaszczuk-Miles government's legacy of secrecy and cover-ups. Those sitting opposite us today fought for years to keep these reports hidden and, even worse, spent taxpayer dollars doing so.

The revelations from these reports expose to Queenslanders the poor character and reprehensible behaviour of the government representatives they had placed their trust in. Without the power to report to the public the corruption and failings of government representatives in particular, government officials become a law unto themselves with their misdeeds veiled from public scrutiny and the all-knowing pub test.

The objectives of this bill are to restore the power to report publicly about corruption investigations, to safeguard against the release of information where the risks or harms outweigh any benefits, to remove residual risk from the CCC, and the inclusion of additional amendments to help improve the CCC's efficiency.

The United Nations Convention against Corruption, opened for signature on 21 October 2003, states in the preamble that corruption poses a serious threat 'to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardising sustainable development and the rule of law'.

This bill provides new powers to the CCC to report and make public statements at any time about corruption matters—powers that were found to be lacking in the High Court decision in 2023. It is important to note the bill provides that only recommendations included in the CCC report which have been tabled may be included in a public statement. The bill contains safeguards and enhanced clarifications around the scope of procedural fairness, ensuring decisions are made in a way that is compatible with human rights and the proper consideration of human rights.

The safeguards instilled in this bill will provide the CCC with the flexibility to independently determine when and how releasing that information will be in the public's interest. It has been made clear within the bill through the inclusion of a clarification provision, highlighting that the CCC does not have the power to make findings of corrupt conduct. The CCC's role is to conduct investigations only, handing over all relevant material to the decision-making authority. As mentioned earlier, the High Court's previous ruling impacted previous CCC corruption reports, making them invalid. As stated in the explanatory notes—

The Bill retrospectively validates past reports which were prepared or made, tabled or published and public statements which were prepared and made, ensuring these are taken to have always been lawful and valid.

This is in contrast to the approach taken by Labor in their previously presented and now lapsed bill. This inclusion within the bill allows 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. Unlike those opposite, the Crisafulli government will respect the independence of the CCC and protect their discretion to table reports in the parliament. The transparency and accountability that Queenslanders expect was abused by the former Labor government. They took it upon themselves to keep Queenslanders in the dark. Today it is time to right that wrong and via this bill allow the light to shine through. I commend the bill to the House.