



**INTEGRITY, ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE**

**Report No. 108**

*Meeting With The Integrity Commissioner  
June 2010*

# INTEGRITY, ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

## 53RD PARLIAMENT

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<b>DEPUTY CHAIR:</b>	Mr Tim Nicholls MP, Member for Clayfield
<b>MEMBERS:</b>	Mr Glen Elmes MP, Member for Noosa Hon Margaret Keech MP, Member for Albert Ms Carolyn Male MP, Member for Pine Rivers Mr Curtis Pitt MP, Member for Mulgrave Dr Mark Robinson MP, Member for Cleveland
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Copies of this report and other Integrity, Ethics and Parliamentary Privilege Committee publications are available on the Committee website: [www.parliament.qld.gov.au/ieppc](http://www.parliament.qld.gov.au/ieppc)

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## **CHAIR'S FOREWORD**

The meeting with the Integrity Commissioner on 11 June 2010 was the first such meeting held by the Integrity, Ethics and Parliamentary Privileges Committee of the 53<sup>rd</sup> Parliament. The meeting was timed to occur towards the end of the 2009-10 financial year.

The Committee's meeting with the Integrity Commissioner is one of the mechanisms the Committee uses to monitor and review the performance of the functions of the Integrity Commissioner. The Committee considered information on the Integrity Commissioner's performance of his functions under the *Integrity Act 2009*. This report sets out, for the consideration of the Legislative Assembly, information on the above matters.

I thank the Queensland Integrity Commissioner, Dr David Solomon, for attending the meeting and for providing information requested by the Committee in a timely manner. I also thank the staff of the Integrity Commissioner's Office who assisted with the provision of information to the Committee.

I also thank my fellow Committee members for their attention to Committee responsibilities regarding the Integrity Commissioner.

Mr Kerry Shine MP  
**Chair**

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## TABLE OF CONTENTS

	Page No
1. INTRODUCTION .....	1
2. COMMITTEE RESPONSIBILITIES .....	1
Committee's Particular Responsibilities Regarding the Integrity Commissioner .....	1
3. MEETING – JUNE 2010.....	3
Outline of the Process.....	3
Questions on Notice.....	3
The Integrity Commissioner's Response.....	3
Meeting with the Integrity Commissioner .....	3
4. COMMITTEE COMMENTS .....	4

**APPENDIX A – QUESTIONS ON NOTICE AND THE INTEGRITY COMMISSIONER'S RESPONSES**

**APPENDIX B – TRANSCRIPT OF MEETING 11 JUNE 2010**

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# 1. INTRODUCTION

## THE COMMITTEE

The Integrity, Ethics and Parliamentary Privileges' Committee (the Committee) is an all party statutory committee of the Queensland Parliament. It is established by the *Parliament of Queensland Act 2001* and has a broad range of responsibilities, including the ethical conduct of members of the Legislative Assembly, parliamentary powers rights and immunities, parliamentary privilege, and monitoring, reviewing and reporting on the performance of the Integrity Commissioner's functions.

## THIS REPORT

This report provides information to the Legislative Assembly regarding the performance of the Integrity Commissioner of his functions under the *Integrity Act 2009*. The report includes the Committee's questions on notice to the Integrity Commissioner, Dr David Solomon, and his responses (**Appendix A**), and the transcript of the Committee meeting with the Integrity Commissioner on 11 June 2010 (**Appendix B**).

The *Integrity Act* confers on the Committee responsibilities regarding the performance of the functions of the Integrity Commissioner. Dr Solomon was appointed as Integrity Commissioner for a five year term from 1 July 2009.

The Committee received jurisdiction to oversight the functions of the Integrity Commissioner in January 2010. Accordingly, the meeting on 11 June 2010, was the first such meeting of the Integrity, Ethics and Parliamentary Privileges' Committee of the 53<sup>rd</sup> Parliament with the Integrity Commissioner. It provided an opportunity for the Committee to receive performance information focusing on the 2009-2010 financial year.

# 2. COMMITTEE RESPONSIBILITIES

## OVERVIEW

The *Parliament of Queensland Act* provides that the Committee has the following areas of responsibility:<sup>1</sup>

- Integrity of public institutions;
- Ethical conduct – registration of interests;
- Ethical conduct – code of conduct; and
- Parliamentary powers, rights and immunities.

The Committee must also deal with issues which are referred to it by the Legislative Assembly or under another Act, whether or not the issue is within the Committee's areas of responsibility.<sup>2</sup>

## COMMITTEE'S PARTICULAR RESPONSIBILITIES REGARDING THE INTEGRITY COMMISSIONER

In addition to the jurisdiction conferred by the *Parliament of Queensland Act*, the *Integrity Act* provides that the Committee is required to:

- monitor and review the Integrity Commissioner's performance of the functions conferred by the *Integrity Act 2009*;
- report to the Legislative Assembly on any matter concerning the Integrity Commissioner, the Integrity Commissioner's functions or the performance of the Integrity Commissioner's functions that the Committee considers should be drawn to the Assembly's attention;

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<sup>1</sup> *Parliament of Queensland Act 2001*, s 90.

<sup>2</sup> *Parliament of Queensland Act 2001*, s 84 (2)

- examine each annual report tabled in the Legislative Assembly under the *Integrity Act 2009* and, if appropriate, comment on any aspect of the report and to make recommendations; and
- report to the Legislative Assembly any changes to the functions and procedures of the Integrity Commissioner the Committee considers desirable for the more effective operation of the *Integrity Act*.<sup>3</sup>

Functions of the Integrity Commissioner include to:

- give written advice to a designated person on ethics or integrity issues<sup>4</sup>;
- meet with, and give written or oral advice to, members of the Legislative Assembly;
- keep the lobbyists register and have responsibility for the registration of lobbyists; and
- raise public awareness of ethics or integrity issues by contributing to public discussion of these issues relevant to the Integrity Commissioner's functions.<sup>5</sup>

The Committee is consulted on the selection process for, and the appointment of, the Integrity Commissioner.<sup>6</sup> However, the current Integrity Commissioner was appointed prior to the Committee acquiring jurisdiction in this area.

### **MONITORING THE IMPLEMENTATION OF STRATEGIC REVIEW RECOMMENDATIONS**

In addition to the responsibilities outlined above, the Committee also has a role in the strategic reviews of the Integrity Commissioner. The *Integrity Act* requires a review to be conducted at least every five years of:

- the Integrity Commissioner's functions; and
- the Integrity Commissioner's performance of those functions to assess whether they are being performed economically, effectively and efficiently.<sup>7</sup>

After consultation with the Committee and the Integrity Commissioner, the Governor in Council will appoint a strategic reviewer and decide the terms of reference for the strategic review.<sup>8</sup> Each review must be undertaken by an appropriately qualified person, who is to provide a report on the review.<sup>9</sup>

The responsible Minister must table the strategic review report in the Legislative Assembly and it is then referred to the Committee,<sup>10</sup> which may provide a report on it.<sup>11</sup>

The previous strategic review commenced in 2005 and a report was tabled in May 2006. The next strategic review is due to commence in 2011.

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<sup>3</sup> *Integrity Act 2009*, s 89.

<sup>4</sup> (a) a member of the Legislative Assembly; (b) a statutory office holder; (c) a chief executive of a department of government or a public service office; (d) a senior executive or senior officer; (e) a chief executive of, or a senior officer equivalent employed in, a government entity who is nominated by the Minister responsible for administering the entity; (f) a ministerial staff member who gives, or a person engaged to give, advice to a Minister; (g) a parliamentary secretary staff member who gives, or a person engaged to give, advice to a Parliamentary Secretary; (h) without limiting paragraph (f) or (g), a person, or a person within a class of person, nominated by a Minister or Parliamentary Secretary.

<sup>5</sup> See *Integrity Act 2001*, s 7

<sup>6</sup> *Integrity Act 2009*, s 74.

<sup>7</sup> *Integrity Act 2009*, s 86(8).

<sup>8</sup> *Integrity Act 2009*, s 86(6).

<sup>9</sup> *Integrity Act 2009*, s 86(4).

<sup>10</sup> *Integrity Act 2009*, s 88(6) and *Parliament of Queensland Act 2001*, s 84(2).

<sup>11</sup> *Parliament of Queensland Act 2001*, s 84(2).

### 3. MEETING – JUNE 2010

#### OUTLINE OF THE PROCESS

The Committee decided to follow the procedure adopted by similar Committees with statutory oversight functions, to fulfil its responsibility regarding the Integrity Commissioner. This included:

- provision of questions on notice to the Integrity Commissioner with a request for responses to be provided prior to the meeting;
- holding an *in camera* meeting with the Integrity Commissioner to discuss his responses to the questions on notice and to ask questions without notice; and
- a report to Parliament on the Committee's findings which includes a transcript of the meeting.

#### QUESTIONS ON NOTICE

By letter dated 19 May 2010, the Committee provided questions on notice to the Integrity Commissioner which focused on the 2009-10 financial year.

The questions related to the following matters:

- advice to designated persons;
- register of interests;
- lobbyist code of conduct;
- human resource issues; and
- the budget of the Office.

#### THE INTEGRITY COMMISSIONER'S RESPONSE

The Integrity Commissioner provided a response to the questions on notice on 31 May 2010, as requested. The Integrity Commissioner's response is included in this report at **Appendix A**.

The response was comprehensive and all questions were addressed.

The response highlighted that the Integrity Commissioner has experienced a large increase in requests for advice on integrity and ethics issues compared with previous years. This situation has been managed by a change in the employment arrangements of the Integrity Commissioner from part time to full time. It is also noted that the introduction of the lobbyists Code of Conduct has also created an increase in workload. This appears to have been rectified by the employment of an extra staff member to focus on issues relating to the lobbyist register. Overall the Integrity Commissioner appears to be operating efficiently with the increased volume of advice provided in a timely manner. The Integrity Commissioner has continued to provide training on ethics and integrity issues both inter and intra State in 2009-10.

#### MEETING WITH THE INTEGRITY COMMISSIONER

On 11 June 2010, the Committee held an *in camera* meeting with Dr David Solomon, Integrity Commissioner.

The Committee's meeting was transcribed by the Parliamentary Reporting Service. The transcript is included in this report at **Appendix B**.

Questions from the Committee focussed on the following areas:

- the increase in number of requests for advice received this financial year compared to last financial year and significant contributing factors;

- conference with Office bearer's from like jurisdictions; the proposed reduction in hours of the Integrity Commissioner from full time to 80%;
- boundaries between the role of the Integrity Commissioner and the Registrar (the Clerk of the Parliament) in relation to the Register of Members' Interests;
- Integrity Commissioner's view on the clarity of the Register of Members' Interests;
- average time for finalising advice requested by designated persons;
- employment arrangements for staff; and
- the level of public awareness in relation to integrity and ethics as it relates to the Queensland Parliament.

#### **4. COMMITTEE COMMENTS**

The Committee is pleased to report on the ongoing satisfactory performance of the Integrity Commissioner.

##### **PERFORMANCE FIGURES**

The performance figures for the Office for 2009-10 (NB: to 2 June 2010), with figures for 2008-09 in brackets, are as follows:

- an increase in the number of requests received – 52 (29);
- an increase in the number of requests finalised – 50 (\*)<sup>12</sup>;
- number of preliminary discussions/general advice – 23<sup>13</sup>;
- an average time of 24hrs to respond to requests ; and
- no complaints received by office as to its operation.

The performance statistics suggest that the approach of the Integrity Commissioner and his team foster good working relationships within the office and with designated persons. The large increase in number of requests for advice without a sharp increase in unfinalised requests is a positive indication of performance. In addition, the prompt resolution of most requests is also commendable.

##### **LOBBYISTS CODE OF CONDUCT**

The Committee notes the key role played by the Integrity Commissioner in developing and publishing the Lobbyists Code of Conduct in 2009-10. This process involved consultation with key stakeholders, including lobbyists in Queensland. The Committee was also consulted in this process. The Committee suggests that the Integrity Commissioner may wish to consider a longer time period for receiving submissions in future. However, the Committee commends the timely manner in which the Code was developed and implemented.

##### **REGISTER OF MEMBERS' INTERESTS**

The Committee queried the apparent overlap between the role of the Integrity Commissioner and the Registrar of the Register of Interests (the Clerk of the Parliament). Dr Solomon advised that he has implemented clear boundaries to avoid any potential overlap in these roles and the subsequent problem of potential conflicting. Specifically, the Integrity Commissioner does not provide members with advice on what should be placed on the register, but advises members on issues potentially arising from interests that are already recorded on the Members' Register of Interests.

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<sup>12</sup> Not reported, maximum of 29 possible.

<sup>13</sup> This does not include 12 or more informal consultations with officers of the Public Service Commission on ethics/integrity issues concerning matters affecting the public service generally (e.g. Codes of Conduct and various Directives).



## **PUBLIC AWARENESS**

The Integrity Commissioner continues to fulfil the role of public awareness of ethics and integrity issues by his attendance at various seminars, conferences and workshops both inter and intrastate. In addition the Integrity Commissioner has participated in extended media interviews to assist with the public awareness role.

## **ACCESS TO THE SERVICES OF THE INTEGRITY COMMISSIONER**

The Committee notes that previously, 'designated persons' included the Premier, Ministers, Parliamentary Secretaries and 'government' members'. In September 2009, changes to the definition of 'designated persons' in the *Public Sector Ethics Act 1994* allow all Members of Parliament to seek the advice of the Integrity Commissioner on ethics and integrity issues. Accordingly, the Committee acknowledges the increase in potential workload of the Integrity Commissioner and the steps taken by the Integrity Commissioner to accommodate this. The Committee also acknowledges the enhanced awareness of ethics and integrity issues that this expanded role provides, in relation to Members of Parliament.

The Committee acknowledges the Integrity Commissioner and his team on the satisfactory performance of the role and function of that office in 2009-10.

**Appendix A**

**QUESTIONS ON NOTICE**

**and**

**THE INTEGRITY COMMISSIONER'S RESPONSE**

**ADVICE TO DESIGNATED PERSONS**

**1. Please provide the committee with the 2009-10 (to date) written advice statistics including:**

*The following statistics refer to the period 1 July 2009 to 2 June 2010.*

**(a) requests received and finalised:**

52 requests received and 50 finalised.

**(b) the average time taken to respond to requests received:**

Almost all requests are finalised in 24 hours or less. A few have taken several days or more because additional information has been sought from the person making the request or because a weekend intervened. Some have been delayed because they have not had the appropriate documentation, namely, approval by a CEO for the making of the request. One of the two matters currently outstanding requires me to discuss further matters with the MP who has sought advice. The other - the last on the list in (d) - requires considerable research before I can provide advice and this may take several months.

**(c) breakdown of requests from Premier, Ministers, Parliamentary Secretaries, Directors-General, Government members, Non-government members:**

Premier	3
Ministers	14
Parliamentary Secretaries	0
Directors-General	4
Government Members	9
Non-Government Members	1
Other designated persons	21

**(d) general subject matter of advice provided:**

Most requests for advice have concerned conflict of interest issues while a few fall under the general heading of integrity issues. The general subject matter includes-

Invitations to accept sponsored travel  
Invitations to accept outside appointments  
Appearance by a lawyer-MP pro bono for a constituent  
Possible conflicts of interest because of spouse/friend employment  
Advice about possible conflicts involving rental properties  
Advice about staff in conflict situations  
Advice about conflict in employment responsibilities

Advice about dealing with lobbyists  
Advice about codes of conduct  
Advice about post-separation employment  
Advice about conflict between employment and outside position  
Advice about accepting position as patron  
Advice about attending fund-raisers for charities  
Advice about rules/administration of publicly funded official Opposition advertising.

**(e) the number of preliminary discussions / general advice:**

Preliminary discussions 1  
General advice, and requests where there was no jurisdiction 22

These figures do not include a dozen or more informal consultations by officers of the Public Service Commission on ethical/integrity issues concerning matters affecting the public service generally (eg Codes of Conduct and various Directives).

**2. In relation to finalised requests:**

**(a) have any significant integrity issues arisen in relation to requests?**

Several important issues have arisen, but it is not possible to indicate their nature at the moment, because to do so could lead to the identity of requesters being revealed, contrary to the requirements of the Act.

**(b) if so, how has the Office responded to these issues?**

These matters have been taken up with the relevant requesters.

**3. Does the Office monitor whether its advice has been implemented? If so, how does the Office do this?**

Yes, in any cases where I believe there is any doubt that the advice I have offered may not be followed. In any such case the advice is followed up by letter at a later date, asking what has been done. Sometimes the letter of advice contains a request to inform me of what action is being taken in relation to the advice. Section 29 of the Integrity Act requires me to advise the Premier if a designated person has not resolved an issue involving an actual and significant conflict of interest.

**4. Have any complaints been received by the Office as to its operation? If so, how many?**

No.

**5. What is the process for dealing with these complaints?**

See (4). It would depend on the nature of the complaint.

**REGISTER OF INTERESTS**

**6. How many enquiries from Members of Parliament has your Office received in relation to completing or amending their register of interests or related persons' register of interests?**

I was questioned by three or four Members about the form and /or content of their declarations when I was conducting interviews with Government MPs. However in each case I advised them that they should contact the Clerk, as the Registrar, to discuss any such matters with him.

**7. Have you experienced any overlap with the role of the Registrar (Clerk of the Parliament)?**

No, because I declined to express any views on what should or should not be in the register.

**8. If the Integrity Commissioner provides advice on completing these forms, and given the need for confidentiality, how does the Office account for potential differences in advice provided by the Registrar (the Clerk of the Parliament) and the Integrity Commissioner?**

I don't provide any such advice. I refer the committee to the definition of "interests issues" in s. 11 of the Act. In effect I advise on ethics or integrity issues that may arise from, or are relevant to, what the Member has put in the registers.

**LOBBYISTS CODE OF CONDUCT**

**9. How many enquiries has your Office received in relation to the new Lobbyists Code of Conduct (the Code)?**

None.

**10. Has your Office received any feedback (Positive or negative) in relation to the Code?**

Yes. I had positive feedback in a meeting with the Government Relations Professionals Association.

**11. Has your Office identified any potential breaches to date in relation to the Code? If so, how have these breaches been dealt with? What was the outcome?**

No.

**12. How effective has the Code been in relation to its purpose of providing standards of conduct of lobbyists to ensure that contact between lobbyists and government representatives is carried out in accordance with public expectations of transparency and integrity?**

Not known. However based partly on the requirement in the Code that lobbyists should inform government representatives of various details about their lobbying, and partly on advice from the Crime and Misconduct Commission, each Department has instituted a register of contacts with lobbyists. I will be reviewing these registers for the month of June, and will determine then how often I should check them in the future.

I should explain that while the Code of Conduct has produced no problems (essentially it was welcomed by the registered lobbyists and by those Government agencies that responded to the draft Code), there have been difficulties over the content of some of the substantive and interpretative provisions of Chapter 4 of the *Integrity Act 2009*, "Regulation of lobbying activities". The main problem is a fundamental one – who is a lobbyist? The answer to the question is to be found in sections 41 and 42 of the Act, but there have been some disputes about what that answer is.

Last month, for example, I had an exchange of correspondence with the Queensland Law Society (QLS) over whether lawyers representing clients to obtain for them a gaming or liquor licence, were acting as lobbyists. The QLS thought this was an incidental lobbying activity - and therefore excluded by s. 41(2) and (5) - while I thought an application for a licence was not incidental to any legal advice that might be provided in order to obtain that licence, but the very reason for the lawyer being asked by the client for assistance. The QLS responded to my letter by writing to the Premier to seek a change in the Act to overcome the "uncertainty" resulting from my interpretation. The QLS advocated an amendment that would completely exclude lawyers from coverage by the Act. I responded and suggested to the Premier that the Act should be amended to ensure that a far wider group of lobbyists should be required to register, including in-house lobbyists.

I should add that a similar uncertainty of the application of the Act arises over whether various professionals such as town planners who act for people seeking Development Approvals from local government should be required to register as lobbyists.

I intend to explore these issues in detail when I respond to an invitation by the NSW Independent Commission Against Corruption to comment on an issues paper it has issued on the nature and management of lobbying in NSW. I will provide the committee with a copy of that paper. It is due to be submitted by 23 June 2010.

I understand that the Commonwealth Government is considering extending the reach of its administrative oversight of lobbying. (News report attached.)

I should make two further points about lobbying. I have been talking to groups of senior executives in government agencies and to Mayors, Councillors and senior officers in

local government about issues arising under the lobbying provisions of the Act. I am also cooperating with the Local Government Association of Queensland in developing a guide for Councillors.

The final point is that under the Act, it is not for me to decide whether or not an entity is a lobbyist. That task falls on the "government representative" who has to deal with what might be lobbying. Section 71(2) says,

A government representative must not knowingly permit an entity that is not a registered lobbyist to carry out a lobbying activity for a third party client with the government representative.

## **HUMAN RESOURCE ISSUES**

### **13. Please outline the recent changes to staffing of the Office, including the appointment of additional staff and the change in work hours for the Integrity Commissioner.**

The staff working for the Integrity Commissioner (the Act does not create an Office of the Integrity Commissioner) comprise:

Mattea Slinger, Executive Coordinator  
Deborah Clark-Dickson, Principal Policy Officer (Lobbying)  
Thina Daffurn, Research Support Officer (Lobbying).

The latter two were recruited by the Department of the Premier and Cabinet in late 2009 to be trained and to work on the then administratively-based lobbyists registration scheme. When the Integrity Act came into force on 1 January 2010 they were transferred from that Department to work with the Integrity Commissioner on the implementation of the Lobbyists Register and other aspects of Chapter 4 of the Act.

I took up office as Integrity Commissioner on 1 July 2009. The position had been advertised nationally as a 40 per cent of a full-time SES Level 3.5 officer. On 1 January 2010, in recognition of an increased workload resulting from the Integrity Act, the position was made full-time. Following negotiations initiated by me, the position is likely to be reduced to 80 per cent of full-time from 1 July 2010.

### **14. Please comment on the impact of the new organisational structure (relating to increased staffing and full-time status of Integrity Commissioner) on the operations and effectiveness of the Office.**

The two officers appointed to look after the lobbying responsibilities have handled the transition to a legislatively-based system very well, though there was considerable pressure on them in the first two months. It was not necessary to seek the appointment of a third officer, though budgetary provision had been made for such an appointment.

My own work on the lobbying side initially was concerned with developing the new Lobbyists Code, as well as providing advice in relation to the implementation of the system. More recently I have been spending more time advising government and local government about the operations of the system. I have also consulted with a number of lobbyists and had two meetings with the Government Relations Professionals Association, an association that represents some of the lobbyists. I would estimate that about 25 per cent of my total workload involves the lobbying side of the Act, the remainder the integrity side.

**15. Please provide details of staff turnover so far for the 2009-10 financial year.**

There have been no changes other than the addition of the two staff referred to above.

**16. What staff training and development activities were undertaken in 2009-10 (to date) and what proportion of the overall budget was spent on these activities?**

Officer	Activity	Cost (includes GST)
Dr David Solomon	Australian Public Sector Anti-Corruption Conference	\$895.00
Dr David Solomon	Information Management for the non-Information Management Executive briefing (run by Qld State Archives)	\$190.00
Dr David Solomon	Constitutional Law Conference – Sydney	Dr Solomon paid
Dr David Solomon	National Administrative Law Conference – Canberra (Dr Solomon Speaker)	Sponsored by AIAL
Mrs Mattea Slinger	Parliamentary Processes Course (Parliament House)	No charge
Ms Thina Daffurn	Work-Life Balance Forum (run by Office of Fair and Safe Work Queensland)	No charge
Ms Deborah Clark-Dickson	Digital Archiving Consultation Forum (run by Qld State Archives)	No charge
Ms Thina Daffurn and Ms Deborah Clark-Dickson	Introduction to Windows 7 (run by Department of the Premier and Cabinet)	No charge
	TOTAL COST	\$1,085.00

The budget for this financial year included an amount of \$1,600 for professional development.



## **BUDGETARY ISSUES**

### **17. How has the extra funding provided to the Office last financial year been utilised?**

Most of the additional funding has been used for salaries and salary related matters. There was also additional spending on office space, fitting out and a new multi-function printer.

### **18. Are there any significant budgetary issues you wish to raise with the committee?**

No.

# **Appendix B**

## **TRANSCRIPT OF MEETING**

**11 JUNE 2010**

This is a transcript of private and confidential evidence taken before the committee and should not be copied or republished in any way without the express authority of the committee. Any unauthorised publication of this Hansard may constitute a contempt of Parliament. If the transcript becomes the subject of any request under the Freedom of Information Act, the committee should be notified.



# ***INTEGRITY, ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE***

## **Members:**

Mr K.G. Shine MP (Chair)  
Mr G.W. Elmes MP  
Hon. M.M. Keech MP  
Ms C.T. Male MP  
Mr T.J. Nicholls MP  
Mr C.W. Pitt MP  
Dr M.A. Robinson MP

## **HEARING WITH INTEGRITY COMMISSIONER**

### **TRANSCRIPT OF PROCEEDINGS**

(In camera)

**FRIDAY, 11 JUNE 2010**

**Brisbane**

# FRIDAY, 11 JUNE 2010

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**Committee met at 1.05 pm**

## **SOLOMON AM, Dr David, Queensland Integrity Commissioner**

**CHAIR:** First of all I welcome David Solomon, the Integrity Commissioner. I declare this first formal meeting with the Office of the Integrity Commissioner open and thank you again for your attendance. My name is Kerry Shine. I am the member for Toowoomba North and chair of the committee. Other members present today are Ms Carolyn Male, the member for Pine Rivers; Mr Curtis Pitt, the member for Mulgrave; Dr Mark Robinson, the member for Cleveland; Mr Glen Elmes, the member for Noosa; and Mr Tim Nicholls, the deputy chair and member for Clayfield. We expect the Hon. Margaret Keech, the member for Albert, to arrive shortly.

I would like to remind you all that this meeting is a formal proceeding of parliament and, as such, any person misleading the committee may be committing a contempt of parliament. This meeting is being held in camera. However, as the committee advised in correspondence, it is the committee's intention to publish the transcript unless there are good reasons not to. The findings of the committee will be the subject of a report to parliament. A copy of the report will be forwarded to you. Would you, Dr Solomon, like to make an opening statement?

**Dr Solomon:** No. I have answered the questions that the committee supplied to me and I think that provides a fair summary of what it has been about for the last 11 months.

**CHAIR:** Fine; thank you. I might start the proceedings off by asking a couple of questions. There has been an increase of about 80 per cent in requests received this financial year compared to the total in 2008-09. Of all of the contributing factors, including the Premier's recommendation of interviews with government members and the change to include non-government members as designated persons, what do you think are the most significant factors leading to the increase in the number of requests?

**Dr Solomon:** I think a certain trial last year concentrated people's minds and people became more aware of the need to make absolutely sure that there were no conflicts of interest in particular, and they realised that advice was available which could help them avoid any difficulties. So I have no doubt that the events of the middle of last year contributed greatly. I should say that the Premier's request for Labor members to see me has not really generated very many additional requests. There have been only two or three requests that have flowed directly from those interviews.

**CHAIR:** You have had the opportunity, I think, to confer with similar office bearers in other states. Has that been useful in terms of your attempt to perform your duties here in Queensland?

**Dr Solomon:** The only one that is directly similar is in the ACT, where there is an ethics adviser to the ACT House of Assembly. We have had discussions and that has been very useful. I think Tasmania is in the course of developing a similar office, although in conjunction with a more investigative role as well. It looks as though Victoria might be doing something along the same lines.

**CHAIR:** And you have found those discussions that you have had have been useful?

**Dr Solomon:** Yes, certainly.

**CHAIR:** I note for the record that the Hon. Margaret Keech has joined the hearing.

**Hon. KEECH:** And my apologies for lateness.

**CHAIR:** I will hand over now to other members of the committee who might like to pose a question to Dr Solomon.

**Mr NICHOLLS:** Dr Solomon, the report indicates that you are seeking to wind back your time to 80 per cent. Can you tell us what sort of time that involves and perhaps your thought processes behind that? It would seem that you are not being challenged as much with the integrity issues in terms of time as might have originally been thought.

**Dr Solomon:** No. It is actually the lobbying side that I am able to cut back on. With regard to my estimate of my total time—my 100 per cent time—the integrity side is probably 70 per cent of the time, and I do not imagine that that is going to be reduced at all significantly. But the lobbying side has settled down quite a bit, although I have to do a fair bit of travelling and discussions in particular with local government in trying to sort out the meaning of some of the provisions on the lobbying side. I am able to delegate some of the lobbying side whereas the integrity side cannot be delegated.

**Mr NICHOLLS:** That is fine. That was really about the only issue I had from those answers. Thank you.

**Ms MALE:** I am interested in the register of interests. The committee notes your advice on the clear boundaries set in relation to the role of the Integrity Commissioner and the Registrar in relation to the register of interests. This is following on further from the report that we released yesterday which involved someone and their register of interests and what needs to go on it and what does not. If you are deferring all of your decisions about the register of interests to the Registrar, who is the Clerk of the Parliament, do you see that that in any way devalues the role that you have and do you think that provides less of a service to members of parliament?

**Dr Solomon:** I do not think so, and several members have raised questions about the register with me. I have had discussions with the Clerk on a couple of occasions so far and I do not think there is any conflict at all. I think his role is quite distinct from mine, and my role is not to advise on what should be in the register or not. I am concerned with advising on those matters that are in the register which may give rise to a conflict of interest, but that is not a question of what should go on the register or not. So mine is a sort of follow-up role in relation to what goes on the register whereas the Clerk's role is very much on what needs to be on the register.

**Ms MALE:** Just as a follow-up question to that, do you feel that the register actually is easily understood and are there any changes that you would like to see to it which would make your role easier in your follow-up role?

**Dr Solomon:** I have not had any difficulties with it and, as I understand it, I am going to be given access to the—

**Mr NICHOLLS:** Related persons.

**Dr Solomon:** Yes, related persons. I am sorry, but I could not think of it. I will be given access to that register as well, but that has not happened as yet.

**Mr PITT:** With regard to the register of interests, I guess the fact is that, whilst it could be considered that there are very clearly defined boundaries between your role and the Clerk's role as Registrar, I am interested to hear your thoughts about whether there could be conflicting advice and what that could mean for the recipient of the advice if they, I guess, in some ways shopped around.

**Dr Solomon:** I am very conscious of that, and that is why I am not giving advice on what should be there. That was one of the issues that I discussed with the Clerk and we both agreed that it would be quite wrong if a member was able to shop around like that. So we have come to a pretty solid agreement about who does what.

**Mr PITT:** Thank you.

**Mr ELMES:** In terms of the register of interests, it is something that is always taking all of our interest. Do you as a matter of course look at the register and what members are listing? And if you were to see something that stood out in your mind as being somewhat doubtful, would that then give you an opportunity to contact that member and draw it to their attention?

**Dr Solomon:** I do not go out searching for it. But when I am interviewing members I always look at it first so that I can see if there are any possible problem areas. I do not make a point of going through the whole register in order to give people a ring, but I have no doubt that the Clerk does that.

**Mr ELMES:** Thank you.

**CHAIR:** Are there any further questions?

**Dr Solomon:** I just noticed that when I answer about the average time taken I say that almost all requests are finalised in 24 hours or less. I should say that my normal practice is actually to sleep on advice. I will receive a request during the day and I will draft a reply, but I normally do not send it out until I have had a chance to look at it again the following day and think about it.

**CHAIR:** I suppose there are occasions of urgency where you would change that practice.

**Dr Solomon:** Occasionally, yes. But, as I understand it, it is a pretty quick turnaround compared to what it was because my predecessors were out of town and that made it a lot harder.

**CHAIR:** In terms of the number of staff, there is the executive coordinator, the principal policy officer and the research support officer. Are they full-time positions?

**Dr Solomon:** They are.

**CHAIR:** And they are fully engaged, in your view?

**Dr Solomon:** Yes, they are. In fact, the support officer has just been promoted to another position so there will be a change in the person who is holding that position at the moment, and it will be advertised next week. But, yes, certainly they have been fully engaged.

**CHAIR:** If there are no other questions—

**Ms MALE:** I just want to ask about the public awareness of integrity and ethics as it relates to the Queensland parliament, and obviously you have done a lot of work in that area leading up to this point. I am just wondering if you would have any plans for future public awareness activities. How are we going to keep the public notified of what is happening and keep their interest level fairly high in what goes on here and your role in particular?

**Dr Solomon:** I have basically accepted every invitation that I have received to make speeches and so on. In relation to the lobbying side, I have also made a point of going out and in particular seeing local government people, not just in Brisbane but elsewhere in the state, and I intend to keep doing that as well. I have also accepted any invitations I have had to be interviewed by the media on that. I have done a couple of extended radio interviews and I understand that I am going to be asked again to do that sort of thing. So when things quieten down a bit, I intend to do more public appearances as well.

**Ms MALE:** Do you have any members of the public actually contacting you directly to talk about ethics and integrity and how the parliamentary system works?

**Dr Solomon:** Yes, and they are mainly ones which are listed here. They are matters where we do not have the ability to answer their questions anyway. I would say that at least every month or two members of the public ring up and complain about the integrity of someone and want me to investigate, and we try to explain what my function is and that that is not included, that is not what we can do. So there is a small educative role in that, but often those people do not want to know.

**CHAIR:** Extraordinary inquiry, isn't it?

**Dr Solomon:** I will try to send them off to the CMC or the Ombudsman or the police or wherever.

**Ms MALE:** Thank you.

**CHAIR:** As there are no further questions, thank you, Dr Solomon, for answering our questions today. Could I also thank you for answering the questions on notice in a very timely fashion. We are grateful for that. That formally concludes the meeting. Thank you.

**Dr Solomon:** Thank you very much.

**Committee adjourned at 1.21 pm**