




Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

Record of Proceedings, 1 November 2018

CRIME AND CORRUPTION AND OTHER LEGISLATION AMENDMENT BILL

 **Dr ROWAN** (Moggill—LNP) (4.21 pm): I rise to make a contribution to the Crime and Corruption and Other Legislation Amendment Bill 2018. Corruption is a cancer. It is a cancer that, left untreated, will eat away at the very living organism that is our great democracy. Sadly, in our state's most recent history, time and again we have seen instances where corruption in our governments and public institutions has been left unchecked and allowed to flourish.

We have to look no further than recent examples in local government, as well as those that occurred in the former Beattie government with respect to one of the health ministers. The member for Caloundra and the member for Currumbin have clearly outlined those matters related to the former health minister Gordon Nuttall that occurred in this place in relation to lying to parliament and the matters related to section 57 of the Criminal Code. We all remember the subsequent Crime and Misconduct Commission, as it was then known, investigation in 2006 in relation to other matters with subsequent charges laid and the eventual jailing of Mr Nuttall.

We could also cast our mind back to 2001 when there was the Shepherdson inquiry in relation to electoral fraud and the implications of those findings that led to the eventual resignation of the then Labor deputy premier, Jim Elder.

Mr Janetzki interjected.

Dr ROWAN: I take the interjection from the member for Toowoomba South in relation to the then member for Woodridge, Mike Kaiser, who was also a former state secretary of the Queensland division of the Australian Labor Party, and the fact that his subsequent resignation happened at that stage. In fact, the seat of Woodridge has had a fairly chequered history with Mike Kaiser being a former member and also Bill D'Arcy. I would certainly acknowledge the current member for Woodridge made some fairly definitive comments in relation to Gordon Nuttall's superannuation and I would say that all Queenslanders would have agreed with his comments at that time. There have been significant issues of corruption involving federal Labor MPs Craig Thomson and Andrew Theophanous. Certainly the Labor Party here in Queensland has a very chequered history when it comes to corruption.

Whether as politicians, statutory office holders or public officials, those roles come with an inherent understanding that such authority is derived from the absolute public trust that is granted that all actions taken under these roles are done so within the confines of the law and for the betterment of the society for which one serves. Therefore, when corrupt actions occur it is even more than a breach of the law, it is a fundamental breach of the public's trust.

The bill before us this evening seeks to expand the definition of 'corrupt conduct' by removing the requirement that corrupt conduct be engaged in for the benefit of or detriment to a person. It is also proposed to remove the list of offences that could be corrupt conduct to be replaced with a second section defining corrupt conduct. While every effort should be made to fight and stamp out corruption before it even has a chance to take place, it is important that this not be done at the expense of good law making or enforcement processes.

Given that this bill primarily implements the recommendations from a bipartisan 2016 Parliamentary Crime and Corruption Committee statutory review, we on this side of the House, the Liberal National Party, will not be opposing the legislation. That being said, I wish to place on record concerns and reservations that have been raised in relation to the scope and reach of the legislation before us. I particularly would like to draw attention to the concerns raised by the Queensland Law Society with the parliamentary Legal Affairs and Community Safety Committee during its examination of the bill.

The Queensland Law Society has raised concerns with the change which broadens the definition of 'corrupt conduct', concerns which I note have the broad support of non-government members of the committee. As the Queensland Law Society stated in its submission—

... we do not consider that these powers should be open-ended and limitless. The definition as drafted is exceptionally broad and may be open to being construed too broadly. As such, it is our view that the jurisdiction of the Commission should be restricted to corruption that:

- involves or affects a Queensland public official or public authority
- is deliberate or intentional (as opposed to negligence or mistake)
- is a criminal offence, or a disciplinary offence, or constitute reasonable grounds for dismissing or otherwise terminating the services of a public official, or in the case of a member of the Queensland Parliament or local government councillor, a substantial breach of an applicable code of conduct.

I also note that the Queensland Law Society submitted that it was exceptionally concerned with the proposed amendment contained in clause 18 of the bill regarding the derivative use of compelled evidence. In its statement of reservation non-government members stated—

At the very least, we would appreciate clarification from the Attorney-General in her second reading speech on the intent of this provision and the concerns raised by the QLS.

I wish to add my support to that statement and I also request clarification from the Attorney-General in relation to those matters.

In concluding, as I said, I will not be opposing this bill tonight as efforts to fight and stamp out corruption ought to be above partisan politics. That being said, such efforts must not come at the expense of good law or law enforcement otherwise that cancer that is known as corruption will once again come out of remission and will attack our democracy.

Finally, I take this opportunity to mention that I continue to have residents contact me about their concerns with respect to possible corrupt development application approvals with respect to the Redbank Motorway Estate, which is located directly across the Brisbane River from Priors Pocket Road. Residents have raised issues regarding noise pollution, environmental concerns as well as other matters. I have raised this with the Crime and Corruption Commission, which referred me back to the Ipswich City Council. As a consequence of that, I have written to the administrator about these issues. These allegations need investigating given community concerns.