Speech By

Jon Krause

MEMBER FOR BEAUDESERT

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE: REPORT, MOTION TO TAKE NOTICE

Mr KRAUSE (Beaudesert—LNP) (11.12 am): As a member of the Parliamentary Crime and Misconduct Committee, I would like to make a contribution to the Assembly's debate on report No. 90, namely, the inquiry into the Crime and Misconduct Commission's release and destruction of Fitzgerald inquiry documents. This inquiry was historic. It was the first time, at least in living memory, that a committee of the parliament conducted such an inquiry exercising the inherent powers of the Assembly to call witnesses to give evidence under oath with the power of summons to government departments and the CMC to produce documents and correspondence, together with the strong inquisitorial powers of the committee and the engagement of senior counsel as the acting Parliamentary Crime and Misconduct Commissioner to conduct the inquiry together with the members of the committee. I understand that it was the first time that proceedings were conducted in the Legislative Council chamber concurrently with the Assembly since the abolition of the council—a shameful act of a Labor government of yesteryear in 1922.

As other members have noted, the inquiry was intense. For the best part of a month the PCMC directed itself to ascertaining how the CMC could release to the public Fitzgerald inquiry documents, including many thousands of which it is agreed by all parties should never have been released. The destruction of original Fitzgerald inquiry documents was also investigated. In this respect, the report tabled by the PCMC sets out in great detail the failure of the CMC. The report details evidence heard from many employees of the CMC, including senior officers of their information management and their legal services unit, which demonstrates that these sections of the CMC at the least simply did not have in place the governance structures, checks and balances and processes to do their job properly, to keep the Fitzgerald documents secure.

This is concerning. The CMC is charged with investigating misconduct, serious crime and numerous other allegations. Obviously, these investigations generate a significant amount of correspondence and files and these files need to be kept secure. The CMC investigations can make or break people's lives and livelihoods. Evidence heard by the PCMC in this inquiry clearly shows that, in this respect, the CMC has failed.

The PCMC recommended amendments to the structure of the CMC. Recommendation 19 refers specifically to the appointment of a CEO separate from the position of chair of the CMC. The government has made it quite clear that there will remain a strong, independent crime and misconduct body in Queensland, but this body needs to be fit for purpose and it needs to be fit to perform as the people of Queensland expect it to.

Other members have said that the mistakes of the CMC chronicled in this report should not be allowed to outweigh the good work of the CMC. I agree wholeheartedly. However, there is no way that the people of Queensland can have confidence in the CMC and see the benefit of the CMC's good

work unless it is seen to be adequately performing its functions in all spheres of its responsibility. This requires a review of the CMC and an ability for its operations to be shown to the light of day on a regular basis. The public must be able to watch the watchdog.

I thank the committee staff, the Clerk of the Parliament, Hansard and other parliamentary staff for their assistance with the inquiry. Ten days of sittings were held and the report outlines 22 findings and 24 recommendations. It was a herculean effort and the whole PCMC is grateful for it.

The report outlines multiple failures of the CMC. It found a poor culture of governance within executive management. It found that there was an unhealthy silo culture in the CMC where different sections were not working seamlessly with others to achieve efficiently the CMC's objectives. Organisations like the CMC should have their structures, powers, responsibilities and performance reviewed regularly. They should be refreshed and renewed and, if necessary, taken apart, repaired and put back together every few years to ensure that the watchdog does not become entrenched in its ways, to ensure that there is no empire building within such bodies and to guarantee that such bodies do not simply become another cog in the system of government. Fresh eyes, open ears, clear minds and untainted and impartial officers are essential to maintain confidence in crime and misconduct watchdogs.

The only body that can conduct these types of inquiries is this parliament on behalf of the people of Queensland and this inquiry has certainly reviewed aspects of the CMC and shed light on its operations. Such review should occur regularly, in public and be comprehensive. They should be root-and-branch reviews that look at its structure, the functions performed by it, its governance procedures, its culture, efficiency and effectiveness. The CMC has failed as a custodian of the Fitzgerald documents. The report laid down in the House clearly outlines these failures and charts a way to the future.