



Crime and Corruption Amendment Bill 2020

Report No. 70, 56th Parliament
Legal Affairs and Community Safety Committee
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Legal Affairs and Community Safety Committee

Chair	Mr Peter Russo MP, Member for Toohey
Deputy Chair	Mr James Lister MP, Member for Southern Downs
Members	Mr Stephen Andrew MP, Member for Mirani
	Mrs Laura Gerber MP, Member for Currumbin
	Mrs Melissa McMahon MP, Member for Macalister
	Ms Corrine McMillan MP, Member for Mansfield

Committee Secretariat

Telephone	+61 7 3553 6641
Fax	+61 7 3553 6699
Email	lacsc@parliament.qld.gov.au
Technical Scrutiny Secretariat	+61 7 3553 6601
Committee Web Page	www.parliament.qld.gov.au/lacsc

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Abbreviations

Bill	Crime and Corruption Amendment Bill 2020
CCC	Crime and Corruption Commission
committee	Legal Affairs and Community Safety Committee
HRA	<i>Human Rights Act 2019</i>

Chair's foreword

On 13th August 2020, the government introduced the Crime and Corruption Amendment Bill 2020 and declared it urgent. It is noted that the urgency motion associated with this bill passed on the voices, without dissent from any member of the parliament.

Subsequent to the bill being introduced the government has publicly stated that the bill will not be progressed within its term or any potential future term of its government.

Therefore, in the interests of ensuring effective utilisation of the committee's time, this report marks the conclusion of the committee's consideration of the Bill.

I commend this report to the House.



Peter Russo MP

Chair

Crime and Corruption Amendment Bill 2020

The Crime and Corruption Amendment Bill 2020 (Bill) and explanatory notes were introduced into the Legislative Assembly on 13 August 2020. An accompanying statement of compatibility, in compliance with s 38(3) of the *Human Rights Act 2019* (HRA), was also tabled with the Bill.

The Bill was referred to the Legal Affairs and Community Safety Committee (committee) on 13 August 2020, with a requirement that the committee report on the Bill to the Legislative Assembly by 2 September 2020.¹

The policy objective of the Bill is to amend the *Crime and Corruption Act 2001* to implement Crime and Corruption Commission (CCC) recommendations about the publicising of allegations and complaints. Those recommendations are contained in two CCC reports:

- *Publicising allegations of corrupt conduct: Is it in the Public Interest?*, December 2016
- *An investigation into allegations relating to the appointment of a school principal*, July 2020.²

After the Bill's referral, on 13 August 2020, the committee invited stakeholders and subscribers to make written submissions on the Bill and issued a public call for submissions on the Bill on its webpage.

On 14 August 2020, the Attorney-General and Minister for Justice, Hon Yvette D'Ath MP, released the following statement:

The government respects the recommendations of the CCC.

*However, given the limited time for the parliamentary Legal Affairs Committee to consider the law changes the CCC seeks, the CCC Bill introduced yesterday in State Parliament is withdrawn.*³

Following from that announcement, on 17 August 2020, the committee agreed to close its call for submissions and to cancel a scheduled public briefing and public hearing on the Bill.

In preparing this report the committee considered the Bill, the explanatory notes and the statement of compatibility that accompanied the Bill on its introduction.

The committee noted the issues relating to fundamental legislative principles canvassed in the explanatory notes for the Bill.

The committee also considered that the statement of compatibility contains a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

The committee notes that the amendments in the Bill do limit freedom of expression and the right to take part in public life, but acknowledges that human rights may be subject to limitations to the extent that is reasonable and demonstrably justifiable, in accordance with s 13 of the HRA.

In light of the government's intention to not proceed further with the proposed amendments, the committee has not undertaken any fulsome consideration of the Bill and will not be making any additional comment or recommendations in respect of the Bill.

¹ Queensland Parliament, Record of Proceedings, 13 August 2020, pp 2075-2077.

² Explanatory Notes, p 1.

³ Attorney-General and Minister for Justice, Hon Yvette D'Ath MP, 'Statement from the Attorney-General', *Media release*, 14 August 2020.

Statement of Reservation

Weak leadership is to blame for the corruption and integrity scandals that have plagued the Palaszczuk Labor government - not the media.

The Palaszczuk Labor government has repeatedly made front-page headlines for ongoing corruption scandals this term. The state's corruption watchdog looked into the former Deputy Premier Jackie Trad last year following allegations of corrupt conduct involving the purchase of a Woollongabba property and the Deputy Premier's involvement in decision-making relating to the Inner City South State Secondary College. The consistent reporting by journalists about Queensland Labor MPs being referred to the state's corruption watchdog appears to have struck a nerve with the Labor Government.

It speaks volumes that this Bill was declared urgent on Thursday and then scrapped by Friday following a major public and media backlash. And in scrapping the Bill, Labor's Attorney-General blamed a short time frame for consideration, not the flawed policy objectives in the Bill.

On 13 August 2020 the Palaszczuk Labor Government introduced the Crime and Corruption Amendment Bill 2020 (the Bill) which had the potential effect of imprisoning journalists for reporting on allegations of corrupt conduct involving candidates during the state election campaign. By 9:25am the following day, the Bill was scrapped. Labor's Attorney-General, who is also Leader of the House and presumably well aware of Parliamentary business, went on to claim that the Legal Affairs and Community Safety Committee had limited time to properly scrutinise the Bill. This claim is without credit given Labor has a history of by-passing parliamentary scrutiny, such as the recent 209 amendments to the Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Bill 2019 which avoided any form of scrutiny.

This Bill could have served to protect Labor MPs who find themselves the subject of corrupt conduct allegations. The fact that Anastacia Palaszczuk ticked off on these laws raises questions about her government's priorities.

Unlike Labor, the LNP believes Queenslanders have a right to know about serious corruption matters or other significant injustices involving their government and protecting the freedom of the media is a fundamental part of our democracy.

While the Palaszczuk Labor Government is focused on jailing journalists and silencing whistleblowers before the state election, Queensland has the worst unemployment rate in the nation and a record number of Queenslanders are out of work and looking for a job. That shows the wrong priorities of the Palaszczuk Labor Government.



James Lister MP

Deputy Chair

Member for Southern Downs



Laura Gerber MP

Member for Currumbin

