



Hon Paul Lucas MP



Our ref: AG/11/05753; 541887/1

Your ref: Petitions

Attorney-General
Minister for Local Government and
Special Minister of State

Mr Michael Ries
Acting Clerk
Queensland Parliamentary Service
Parliament House
Cnr Alice and George Streets
BRISBANE QLD 4000

Dear Mr Ries

Re: Petition 1681-11 requesting a Royal Commission into political corruption

Thank you for your letter of 16 November 2011 about petition 1681-11 requesting a Royal Commission into political corruption in Queensland.

The Queensland Government has one of the strongest integrity and accountability frameworks in the nation, which is largely a result of the widespread review undertaken in 2009. The review of integrity and accountability in Queensland focussed on a broad range of issues including political fundraising, the adequacy of internal misconduct investigation procedures and dealing with conflict of interest matters.

On 10 November 2009, the 'Response to Integrity and Accountability in Queensland' was tabled in Parliament outlining the Government's program of legislative and administrative reforms to be implemented during 2009 and 2010.

A significant part of the reforms was the *Integrity Act 2009* (the Integrity Act) which commenced in January 2010. The Integrity Act:

- enhanced the functions and independence of the Integrity Commissioner;
- created a statutory basis for the Register of Lobbyists to be administered by the Integrity Commissioner;
- banned the payment of success fees to lobbyists; and
- expanded the jurisdiction of the Crime and Misconduct Commission (CMC) to include government owned corporations.

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In recognition of the importance of the role of the Integrity Commissioner in Queensland's integrity framework, the Integrity Act also provided for the Integrity Commissioner to be an officer of the Parliament.

A significant role of the Integrity Commissioner is to meet with, and give written or oral advice to, Members of Parliament on ethics and integrity issues regarding their declarations of financial interests.

A review is currently underway to consider how the Integrity Act is applied in practice and resolve any issues that have arisen during implementation of the Act. The *Review of the Integrity Act 2009* issues paper is available for public consultation through the Get Involved website www.getinvolved.qld.gov.au. The due date for submissions is 19 December 2011.

Queensland has a range of bodies, underpinned by legislation, which are responsible for overseeing and auditing the behaviour of the public sector. In particular, the *Crime and Misconduct Act 2001* (the CMA) establishes the CMC to improve the integrity of, and reduce the incidence of misconduct in, the Queensland public sector.

The CMC has powers equivalent to that of a standing Commission of Inquiry, including:

- the CMC can hold hearings in relation to any matter relevant to the performance of its broad functions, which includes misconduct;
- the CMC can serve people with notice to attend hearings, give evidence or produce documents. Failing to comply with such a notice from the CMC is an offence; and
- importantly, witnesses appearing before the CMC must answer questions put to them and can not refuse to answer on the grounds of self-incrimination.

Furthermore, the CMC has additional powers that would not be open to a Commission of Inquiry as it can prosecute official misconduct by way of a disciplinary charge.


The investigation and prosecution of Mr Gordon Nuttall is evidence that the CMC has sufficient powers to deal with misconduct. The prosecution of Mr Nuttall resulted from allegations of misconduct that were referred to the CMC by the Government.

In light of Queensland's strong and effective integrity framework, the establishment of a commission of inquiry into political corruption in Queensland is unnecessary.

However, any specific allegations of misconduct or corruption should be referred to the CMC for investigation. Information about making a complaint to the CMC is available on their website at <http://www.cmc.qld.gov.au>.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read "Paul Lucas". The signature is written in a cursive style with a long horizontal flourish at the end.

PAUL LUCAS MP
Attorney-General,
Minister for Local Government
and Special Minister of State