

Honourable Alan Wilson KC
Public Interest Disclosure Review
Strategic Policy and Legal Services
Department of Justice and Attorney-General
GPO Box 149
BRISBANE QLD 4001

By email: PIDActReview@justice.qld.gov.au

24 February 2023

Dear Hon. Alan Wilson KC,

Re: Review of the Public Interest Disclosure Act 2010

I refer to the above. Please refer to my submissions below.

As noted, I continue to obtain information about, and investigate the matters subject of these submissions myself, and new evidence of corruption, or supporting/confirming existing complaints of corruption, continues to emerge.

Accordingly, I may provide supplementary information to you to assist you with your Review.

I am prepared to make myself and my evidence available to assist you at a mutually convenient time.

Please contact me if I can be of further assistance.

[Redacted]

haun McCrystal

[Redacted]

[Redacted]

INTRODUCTION

1. I am a Public Interest Discloser. I have made Public Interest Disclosures about a substantial and specific danger to public health and safety, and serious and systemic corruption in the Queensland State Government, to both the Crime and Corruption Commission (CCC) and the Premier and Minister for the Olympic and Paralympic Games Hon. Anastacia Palaszczuk.
2. I am recognised as a Discloser by both; yet I have absolutely no idea what is going on.

BACKGROUND

3. [REDACTED]
4. I continue to obtain information about, and investigate these matters, myself. New evidence of corruption, or supporting/confirming existing complaints of corruption, continues to emerge.
5. However, my efforts to obtain information about this situation, and to have this situation resolved, have been obstructed or otherwise thwarted by numerous individuals and entities [REDACTED]
6. Chapter 3 ("*Obligations of entities to whom disclosures may be made*") of the *Public Interest Disclosure Act 2010 (Qld)* (PID Act) and the *Public Interest Disclosure Standards No. 1,2 and 3* by the Queensland Ombudsman provide the obligations of an Appropriate Authority when they receive a Public Interest Disclosure (PID).
7. As there is systemic corruption and an active and ongoing threat to personal and public safety, any failure to intervene and resolve the situation following receipt of a PID about the situation, is prejudicial, detrimental, and is taken to have constituted a Reprisal under s40 of the PID Act.
8. On **22 January 2021** I submitted the first PID to the Crime and Corruption Commission (CCC).
 - a. On **26 March 2021** the CCC did advise I had properly made and submitted a PID dated **22 January 2021**, and I held Discloser status.
 - b. On **9 February 2021, 26 March 2021, 14 June 2021, 12 July 2021, 18 October 2021, 1 December 2021** and **14 February 2023**, and despite my best efforts to obtain reasonable information about the PID and its status, the CCC patently refused to acknowledge or investigate the information and evidence in the PID.[REDACTED]
9. On **7 February 2022** I submitted a second PID, incorporating the first PID, to the Premier and Minister for the Olympic and Paralympic Games Hon. Anastacia Palaszczuk.
 - a. On **9 February 2022** the Department of Premier and Cabinet Director-General Rachel Hunter reminded Queensland Public Servants of their obligations to report corrupt conduct, echoing similar sentiments expressed by Ms Palaszczuk at the time.
 - b. [REDACTED]
 - c. On **6 April 2022** I resubmitted a third PID, incorporating the first and second PID's, to Ms Palaszczuk.
 - d. On **30 June 2022** I asked Ms Palaszczuk for reasonable information about the PID and its status.

- e. On **6 July 2022** Ms Palaszczuk did advise I had properly made and submitted a PID dated **6 April 2022**, and I held Discloser status. [REDACTED]
 - f. On **13 July 2022** I again asked Ms Palaszczuk for reasonable information about the PID and its status.
 - g. On **2 February 2023** I again asked Ms Palaszczuk for reasonable information about the PID and its status.
 - h. [REDACTED]
10. On **3 February 2023** I submitted a fourth PID to Ms Palaszczuk. No response has yet been received.

DISCUSSION

Time to Resolve a PID

- 11. [REDACTED]
- 12. Whilst I am mindful that investigation of a complaint can take time, the outright refusal to acknowledge or investigate, or failure to comply with obligations such as reasonably informing me about the status of investigation of a PID, is unacceptable.
- 13. It is not sufficient for the PID Act to explicitly describe the obligations of an Appropriate Authority, if those obligations are plainly ignored, and the CCC takes the position that no offence is occasioned in that instance.
- 14. A statutory time limit should be established to acknowledge a PID, reasonably inform a Discloser of the investigation of a PID, and to resolve the PID. Failure(s) to comply with such time limits could be permitted following notification, and if necessary negotiation, with a Discloser.

Investigation of a PID

- 15. External referral of investigation of a PID is only advantageous to the entity engaging the external provider. The power and fiduciary imbalance leads a provider to only give to the entity the product they ordered.
- 16. The CCC's practice of relying on the Devolution Principle to give complaints referred to the CCC, straight back to the individual or entity the subject of a complaint, should not be synonymised with a PID.
- 17. The CCC cannot be relied upon to perform corruption investigations of the public service. The CCC is a failed organisation.
- 18. In the circumstances of my PID's, it is the failures of individuals and entities, and more particularly the CCC itself, to arrest corrupt conduct and the situation I find myself in, which form the substance of later PID's to the Premier.
- 19. Similarly, the CCC should not be investigating matters associated with or peripheral to a PID which it has already ignored [REDACTED].
- 20. For the purposes of accountability, the investigation of a PID should be by the Government, independent, and free from influence by the individual or entity the subject of a PID, including the CCC. It may be necessary to establish a separate body for the investigation of PID's considered to involve evidence of serious, systemic, and/or high-profile corruption.

Outcome(s) of a PID

21. In the 764 days since I made the first PID, to the 22 days since I made the fourth PID to Ms Palaszczuk, I have never received reasonable information regarding the status of any PID, nor any outcome advice.
22. Accordingly, I am unable to comment on the quality, or necessities of any PID outcome advice, as it would relate in my experience to my PID's.

