



PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER

REPORT TO THE PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

PUBLIC REPORT

30 AUGUST 2024

OPERATIONAL REPORT

1. This report details the activities of the Office of the Parliamentary Crime and Corruption Commissioner for the period since the report for the last meeting with the Parliamentary Crime and Corruption Committee (the Committee) on 17 May 2024.

Progressive Work Program

2. The Progressive Work Program of the Office of the Parliamentary Crime and Corruption Commissioner for the period 25 April to 19 August 2024 is attached as Appendix 1 for the consideration of the Committee.

SIGNIFICANT EVENTS

Prospective Amendments to *Telecommunications (Interception and Access) Act 1979 (Cth)*

3. Over the last 12 months the Committee and my office have been involved in discussions with the Commonwealth Attorney-General's Department and others agencies concerning proposed amendments to the *Telecommunications (Interception and Access) Act 1979 (Cth)* (TIA Act).

Independent review into the CCC's reporting on the performance of its corruption function

4. On 15 February 2024 the Attorney-General appointed Hon Catherine Holmes AC SC to conduct an independent review into the CCC's reporting on the performance of its corruption function. The Reviewer provided her report to the Honourable Yvette D'Ath, Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence on 20 May 2024.

Annual meeting of Parliamentary Inspectors and Commissioners

5. On 1 August 2024, after the conclusion of the Australian Public Sector Anti-Corruption Conference, Mr Kunde and I attended the annual meeting of Parliamentary Inspectors and Commissioners in Darwin.

6. The meeting was hosted by Mr Bruce McClintock SC - Inspector of the Independent Commissioner Against Corruption (NT) and Inspector of the Law Enforcement Conduct Commission (NSW). Other attendees included Ms Gail Furness SC - Inspector of the Independent Commission Against Corruption (NSW) and Inspector of the National Anti-Corruption Commission, Mr Eamonn Moran PSM KC - Inspector of the Independent Broad-based Anti-corruption Commission (Victoria), Mr Stephen Plummer - Deputy Inspector of the Independent Commission Against Corruption, the Office for Public Integrity and Ombudsman (SA), Mr Matthew Zilko KC - Parliamentary Inspector of the Corruption and Crime Commission (WA), and Mr Iain Anderson - Commonwealth and ACT Ombudsman and Inspector of the Integrity Commission (ACT). Senior officers of each agency also attended.

ADMINISTRATIVE MATTERS

7. The period of my initial appointment expires on 21 August 2024. On 20 March 2024 I wrote to the Speaker and the Committee to confirm that I am willing to be reappointed as Parliamentary Commissioner for a further two years should the Speaker and the Committee wish. I received relevant correspondence from the Committee on 16 April 2024.
8. On 2 May 2024 I received correspondence from the Speaker of the Legislative Assembly, Hon Curtis Pitt MP, advising that he had approved my reappointment to the position of Parliamentary Crime and Corruption Commissioner for a further period of two years. The Speaker also approved the appointment of Mr Kunde as Acting Parliamentary Crime and Corruption Commissioner during my absence from duty, for the duration of my extended term.

Key Outputs achieved during the period 25 April to 19 August 2024.

9.

Function	Output
Committee referrals finalised	2
Statutory functions finalised	4
Notifications of improper conduct assessed	9
Advices to the Committee finalised	0
Own initiative investigations finalised	0
Committee referrals received	1
Statutory functions arising	3
Notifications of improper conduct received	9
Advices to the Committee requested	0
Own initiative investigations commenced	0
Committee referrals on hand	2
Statutory functions on hand	1
Notifications of improper conduct to be assessed	0
Advices to the Committee to be provided	0
Own initiative investigations current	0
Reports to the Committee	5
Public meetings with the Committee	1
Private meetings with the Committee	1
Other meetings (CCC/QPS etc)	3
Hearings (in hours)	0
Timeliness	
Cumulative average time taken to finalise complaints against the CCC	23.3 weeks
Cumulative average time taken to finalise statutory functions	5.1 weeks

MATTERS ARISING FROM KEY OUTPUTS

Audit of Assumed Identities

10. Pursuant to s.316 of the *Police Powers and Responsibilities Act 2000* (PPRA) and s.146ZS of the *Crime and Corruption Act*, the CCC Chairperson must have the records of authorities for the use of assumed identities audited by the Parliamentary Commissioner at least once every six months while the authority is in force and at least once in the six months after the cancellation or expiry of the authority. The Parliamentary Commissioner is required to give the CCC Chairperson a report on the results of the audit.
11. A six-monthly audit of the CCC's records of authorities for the use of assumed identities was conducted on 29 April 2024. It involved an inspection of the CCC's records of assumed identities for the period 2 December 2023 to 29 April 2024. On 30 April 2024 a report on the results of the audit was provided to the CCC Chairperson. The CCC has fully complied with its responsibilities pursuant to s.315 of the PPRA and s.146ZR of the *Crime and Corruption Act*.

Inspection and Report on Surveillance Device Warrants Records

12. Section 362(1) of the PPRA requires that the Parliamentary Commissioner inspect the CCC's surveillance device warrant records to decide the extent of compliance with Chapter 13 of the PPRA by the CCC and law enforcement officers of the CCC. On 23 May 2023 notice of an inspection of the CCC's surveillance device warrant records was provided to the CCC Chairperson pursuant to s.362(2)(a) of the PPRA. I conducted an inspection of the CCC's surveillance device warrants records on 29 May 2024.
13. Pursuant to s.363(1) of the PPRA, the Parliamentary Commissioner is required to make written reports at six-monthly intervals on the results of each inspection under s.362. I provided the Committee with a written report on the results of the inspection on 31 May 2024.

Inspection of the CCC's Controlled Operations Records

14. Pursuant to s.272 of the PPRA the Parliamentary Crime and Corruption Commissioner is required to conduct an annual inspection of the CCC's records to consider the extent of the CCC's compliance with chapter 11 (Controlled Operations) and chapter 21 part 2 (Registers).
15. On 23 July 2024 notice of an inspection of the CCC's Controlled Operations records was provided to the CCC Chairperson pursuant to s.272(2)(a) of the PPRA. The inspection was conducted on 24 July 2024. There were no authorities for Controlled Operations operational in 2023-24. The inspection confirmed that no records were created since my last inspection of the CCC's Controlled Operations records.

Report on Controlled Operations Activities

16. Pursuant to s.269 of the PPRA, the Parliamentary Commissioner is required to prepare a report of the work and activities of the CCC under chapter 11 (Controlled Operations) for the preceding 12 months. This report is prepared using information contained in the CCC Chairperson's six-monthly controlled operations activity reports to me and information gathered during my inspection of the CCC's Controlled Operations records.
17. On 24 July 2024 I completed my Annual Report on the CCC's Controlled Operations work and activities for the 2023-24 financial year.

Review Matter

18. This matter is finalised.

Investigation Matter

19. This matter is finalised.

Investigation Matter

20. This matter is ongoing.

Review Matter

21. This recent referral is ongoing.

Section 329 Notifications

22. Pursuant to s.314(4) of the *Crime and Corruption Act* the Parliamentary Commissioner has the function to investigate on his or her own initiative a matter mentioned in s.314(2)(b) or (c) or a matter notified to the Parliamentary Commissioner under s.329, subject to certain conditions set out in s.314(4)(a) and (b). During the period covered by this report, the CCC sent notifications to the Committee and to me pursuant to s.329 of the Act.

23. Under s.314(5) of the Act, the Parliamentary Commissioner is permitted to undertake a preliminary assessment of a matter to decide whether the conditions set out in s.314(4)(a) and (b) are satisfied for the matter.

24. If the Parliamentary Commissioner decides to conduct a preliminary assessment under s.314(5), then pursuant to s.314(7), the Parliamentary Commissioner must notify the Parliamentary Committee of the decision. I finalised preliminary assessments of the s.329 notifications received in this reporting period and notified the Committee and the CCC of my assessments.

CERTIFICATION

25. I submit that the above information demonstrates:

- a) satisfactory progress in the efficient, effective and economical achievement of the goals of the Office of the Parliamentary Crime and Corruption Commissioner;
- b) resources are being allocated to produce best value for money; and
- c) outputs are being provided at the standards stated in the Parliamentary Service Plan.

26. I also submit that the above information confirms:

- a) the appropriateness of the goal, and strategies to achieve the goal, as outlined in the Parliamentary Service Management Plan;
- b) the suitability of the performance indicators in measuring the achievement of the goal;
- c) options to improve the efficiency, effectiveness and economy of operations are being pursued.



Michael Woodford
**Parliamentary Crime and
Corruption Commissioner**

Appendix 1

PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER

Progressive Work Program

PUBLIC

As at 19 August 2024

Meeting date: 30 August 2024

Inquiry or Function	Description	Anticipated or agreed completion date	Progress last reporting period	Anticipated progress next reporting period	Resources
Audit of Assumed Identities	Pursuant to s.146 <i>ZS Crime and Corruption Act</i> and s.316(1) <i>PPRA</i> , audit the CCC's records of authorities for assumed identities and provide a report to the CCC Chair.	April 2024	<ul style="list-style-type: none"> • Inspected registers of assumed identities, cancellations and variations. • Inspected authorities to acquire/use assumed identities, variations and cancellations. • Prepared report on audit of assumed identities. • Provided report to CCC Chair. 	Finalised. Report provided to CCC Chair 30 April 2024.	Parliamentary Commissioner Legal Officer
Inspection and report on the inspection of the CCC's records of Surveillance Device Warrants	Pursuant to s.362 of the <i>PPRA</i> inspect the CCC's records to decide extent of compliance with chapter 13 of the <i>PPRA</i> and report to the Committee Chair.	May 2024	<ul style="list-style-type: none"> • Formally notified CCC Chair of inspection. • Inspected warrants registers for all required documents. • Checked warrants compliance with provisions of <i>PPRA</i>. • Inspected Use and Communication register. • Inspected destruction register. • Finalised report. 	Finalised. Report provided to Committee.	Parliamentary Commissioner Legal Officer
Annual inspection of CCC's Controlled Operation records	Pursuant to s.272 <i>PPRA</i> inspect the CCC's records to find out the extent of compliance with chapter 11 <i>PPRA</i> and provisions relating to registers.	September 2024	<ul style="list-style-type: none"> • Inspected register of Authorities to Conduct Controlled Operations. 	Finalised. Inspection completed 24 July 2024.	Parliamentary Commissioner Legal Officer
Annual report on Controlled Operations Activities	Pursuant to s.269 <i>PPRA</i> prepare a report of the work and activities of the CCC under chapter 11 <i>PPRA</i> for the preceding 12 months.	September 2024	<ul style="list-style-type: none"> • Referred to six-monthly reports of CCC Chairperson. • Verified Chairperson's reports and noted no authorities for controlled operations. • Finalised report. 	Finalised. Report provided to Committee and CCC Chairperson.	Parliamentary Commissioner Legal Officer

Inquiry or Function	Description	Anticipated or agreed completion date	Progress last reporting period	Anticipated progress next reporting period	Resources
Review Report	Pursuant to s.295(2)(f) of the <i>Crime and Corruption Act</i> review report.	May 2024	<ul style="list-style-type: none"> • Sought details of progress of investigation. • Requested and obtained copy of Criminal Investigation Report. • Received copy of Disciplinary Investigation Report. • Analysed Investigation Reports. • Prepared report to Committee. 	Finalised. Report provided to Committee.	Parliamentary Commissioner Legal Officer
Investigation of complaint.	Pursuant to s.295(2)(d) of the <i>Crime and Corruption Act</i> investigate and report on matters raised in complaint.	May 2024 (revised from February 2024)	<ul style="list-style-type: none"> • Obtained information requested from CCC. • Considered the further material obtained from CCC. • Finalised report to Committee 	Finalised. Report provided to Committee.	Parliamentary Commissioner Legal Officer
Investigation of complaint.	Pursuant to s.295(2)(d) of the <i>Crime and Corruption Act</i> investigate and report on the complaint.	Sept/October 2024	<ul style="list-style-type: none"> • Further considered covering report and attachments received from CCC. • Sought update on CCC's current position and outcome. 	<ul style="list-style-type: none"> • Request and consider all relevant CCC holdings. • Commence drafting report 	Parliamentary Commissioner Legal Officer
Review information provided by Committee	Pursuant to s.295(2)(f) of the <i>Crime and Corruption Act</i> review information and advise.	Sept/October 2024	<ul style="list-style-type: none"> • Received referral and information from Committee 	<ul style="list-style-type: none"> • Review correspondence from Committee and CCC Report. • Request any further material required for investigation. • Commence drafting report. 	Parliamentary Commissioner Legal Officer

Inquiry or Function	Description	Anticipated or agreed completion date	Progress last reporting period	Anticipated progress next reporting period	Resources
Receive and assess notifications of suspected improper conduct.	Pursuant to s.314(5) of the <i>Crime and Corruption Act</i> assess notifications received from CCC of suspected improper conduct of Commission officers.	Ongoing	<ul style="list-style-type: none"> • Received new s.329 notifications. • Assessed notifications. • Advised Committee and CCC of assessment decisions for notifications. 	Ongoing	Parliamentary Commissioner Legal Officer