



# PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER

## REPORT TO THE PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

### PUBLIC REPORT

17 MAY 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 2 February 2024.

#### Progressive Work Program

2. The Progressive Work Program of the Office of the Parliamentary Crime and Corruption Commissioner for the period 19 January to 24 April 2024 is attached as Appendix 1 for the consideration of the Committee.

#### SIGNIFICANT EVENTS

##### Submission to Community Safety and Legal Affairs Committee

3. On 16 February 2024 I received correspondence from the Community Safety and Legal Affairs Committee inviting a submission on the Crime and Corruption and Other Legislation Amendment Bill 2024. The closing date for submissions was 23 February 2024. On that date I provided a submission to the Committee briefly addressing aspects of the Bill which directly impact upon my office.
4. I welcomed the proposed amendment of s.314 of the *Crime and Corruption Act 2001* inserting subsection 8 to clarify that the Parliamentary Crime and Corruption Commissioner may conduct an own initiative investigation in relation to conduct of a Crime and Corruption Commission (CCC) officer that would be corrupt conduct if the officer were an officer in a unit of public administration. The office of the Parliamentary Commissioner sought such an amendment in a submission to the Committee's 2020 Review of the CCC.
5. Similarly, my office had sought an amendment to s.25 of the *Telecommunications Interception Act 2009* corresponding to a similar amendment to the *Telecommunications (Interception and Access) Act 1979 (Cth)* clarifying that, as inspecting agencies, the Parliamentary Commissioner and the Public Interest Monitor may report on breaches of conditions of telecommunications interception warrants by the CCC and the Queensland Police Service respectively.

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6. I also supported the proposed amendments dealing with the records of the Connolly Ryan Commission of Inquiry. I have been involved in discussions with the Department of Justice and Attorney-General and the State Archivist concerning appropriate amendments to the Act to permit storage of the records at the Queensland State Archives.

### **Meeting with Public Interest Monitor**

7. On 27 February 2024 Mr Kunde and I met with the Public Interest Monitor, Mr David Adsett, to discuss various issues concerning surveillance device warrants and telecommunications interception warrants.

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

8. 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**

9. During our previous meeting on 2 February 2024 the Committee sought information about reporting mechanisms for integrity agencies equivalent to the CCC in other Australian jurisdictions. I undertook to obtain that information and provide it to the Committee. However, on 12 February 2024 the CCC wrote to advise that it had provided the Committee with an analysis of Australian integrity agencies' public reporting powers. In accordance with a request from the Committee, the CCC also provided that material to me.
10. I have expressed some views concerning the CCC reporting on the performance of its corruption function during meetings with the Committee and most recently during the public meeting on 2 February 2024.
11. 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. On 27 February 2024 the Reviewer wrote to invite me to make a submission to the Review. Submissions were sought by 19 March 2024.

### **Stakeholder Welfare Management**

12. After my last meeting with the Committee on 2 February 2024 the Committee provided me with a copy of the CCC's policies and procedures which directly consider the CCC's approach to the welfare of witnesses and other persons involved in investigations.

### **ADMINISTRATIVE MATTERS**

13. With the recent upgrade to the Queensland Parliament website, on 7 March 2024 the Committee Secretariat sought input from my office on amendments to the part of the Committee's page which discusses the Parliamentary Crime and Corruption Commissioner. Suggested amendments were provided on 8 March 2024.
14. The period of my 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.

### **Key Outputs achieved during the period 19 January to 24 April 2024.**

- 15.

<b>Function</b>	<b>Output</b>
Committee referrals finalised	1
Statutory functions finalised	1
Notifications of improper conduct assessed	11
Advices to the Committee finalised	0
Own initiative investigations finalised	0
Committee referrals received	1
Statutory functions arising	3
Notifications of improper conduct received	11
Advices to the Committee requested	0
Own initiative investigations commenced	0
Committee referrals on hand	3
Statutory functions on hand	2
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	2
Public meetings with the Committee	1
Private meetings with the Committee	1
Other meetings (CCC/QPS etc)	3
Hearings (in hours)	0
<b>Timeliness</b>	
Cumulative average time taken to finalise complaints against the CCC	23.1 weeks
Cumulative average time taken to finalise statutory functions	5.15 weeks

## **MATTERS ARISING FROM KEY OUTPUTS**

### **Inspection of the CCC's telecommunications interception records**

16. Pursuant to s.23(2) of the *Telecommunications Interception Act 2009* (TI Act), the Parliamentary Commissioner must inspect the CCC's telecommunications interception warrants records at least twice during each financial year to consider the extent to which CCC officers have complied with ss.14 to 16 and 18 to 20 of the TI Act. These sections relate to the detailed records the CCC is required to keep and the reports the CCC is required to make.
17. The second inspection of the CCC's telecommunications interception warrants records for the 2023-24 financial year was conducted on 15 February 2024. A schedule of the results of the inspection was provided to the Manager of the CCC's Electronic Collections Unit on 19 February 2024.

### **Audit of Assumed Identities**

18. Pursuant to s.316 of the 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. A six-monthly audit of the CCC's records of authorities for the use of assumed identities is scheduled to be conducted on 29 April 2024. A written report on the results of the audit will be provided to the CCC Chairperson.

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**Review Matter**

19. This matter is ongoing.

**Investigation Matter**

20. This matter is ongoing.

**Investigation Matter**

21. This matter is ongoing.

**Review Matter**

22. This matter is finalised.

**Section 329 Notifications**

23. 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.

24. 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.

25. 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.

**Assessments under section 314(4)**

26. Section 314(4) of the *Crime and Corruption Act* provides for the Parliamentary Commissioner's own initiative investigative function in relation to complaints made against, or concerns expressed about, the conduct or activities of the commission or a commission officer. This function only relates to conduct of a CCC officer that involves or may involve corrupt conduct.

27. Pursuant to s.314(5), the Parliamentary Commissioner may conduct a preliminary assessment to decide whether a matter involves corrupt conduct. Apart from matters notified pursuant to s.329, I conducted two other preliminary assessments in the relevant period.

**CERTIFICATION**

28. 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.

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29. 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 24 April 2024**

**Meeting date: 17 May 2024**

Inquiry or Function	Description	Anticipated or agreed completion date	Progress last reporting period	Anticipated progress next reporting period	Resources
Inspection of Telecommunications Interception Records	Pursuant to s.23(2) of the <i>Telecommunications Interception Act 2009</i> inspect the CCC's TI records to find out the extent to which the CCC has complied with ss.14-16 and 18-20.	February 2024	<ul style="list-style-type: none"> <li>• Inspected hard copy files and RADARS records to ensure all documents and details kept</li> <li>• Checked copies of evidentiary certificates were maintained.</li> <li>• Inspected Use and Communication register to ensure appropriate level of detail recorded.</li> <li>• Recorded results of inspection on Compliance Schedule.</li> </ul>	Finalised. Covering letter and Compliance Schedule provided to Manager ECU 19 February 2024.	Parliamentary Commissioner  Legal Officer
Review Report	Pursuant to s.295(2)(f) of the <i>Crime and Corruption Act</i> review report	May 2024 (revised from February 2024 )	<ul style="list-style-type: none"> <li>• Sought details of progress of investigation from Committee</li> <li>• Requested copy of Investigation Report</li> </ul>	<ul style="list-style-type: none"> <li>• Receive and review report and provide Committee with report on outcome of review.</li> </ul>	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"> <li>• Finished consideration of material obtained from CCC.</li> <li>• Commenced drafting report.</li> <li>• Requested further information from CCC</li> </ul>	<ul style="list-style-type: none"> <li>• Consider further material requested from CCC.</li> <li>• Finalise report.</li> </ul>	Parliamentary Commissioner  Legal Officer

Inquiry or Function	Description	Anticipated or agreed completion date	Progress last reporting period	Anticipated progress next reporting period	Resources
Investigation of complaint	Pursuant to s.295(2)(d) of the <i>Crime and Corruption Act</i> investigate and report on the complaint	Mid 2024	<ul style="list-style-type: none"> <li>• Received copy of report from CCC.</li> <li>• Read covering report and commenced examining attachments.</li> </ul>	<ul style="list-style-type: none"> <li>• Determine whether further material needed from CCC</li> <li>• Receive and consider all relevant holdings from CCC.</li> <li>• Commence drafting report</li> </ul>	Parliamentary Commissioner  Legal Officer
Review information received by Committee	Pursuant to s.295(2)(f) of the <i>Crime and Corruption Act</i> review information and report	March 2024	<ul style="list-style-type: none"> <li>• Received and reviewed information from Committee</li> <li>• Analysed CCC’s assessment and handling of complaints</li> <li>• Drafted and finalised report to Committee.</li> </ul>	<ul style="list-style-type: none"> <li>• Finalised. Report provided to Committee 20 March 2024</li> </ul>	Parliamentary Commissioner  Legal Officer
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"> <li>• Received new s.329 notifications.</li> <li>• Assessed notifications.</li> <li>• Advised Committee and CCC of assessment decisions for notifications.</li> </ul>	Ongoing	Parliamentary Commissioner  Legal Officer
Preliminary Assessment of complaint or concern	Pursuant to s.314(5) of the <i>Crime and Corruption Act</i> conduct preliminary assessment of complaint or concern about conduct of CCC.	Ongoing	<ul style="list-style-type: none"> <li>• Read material provided by complainants.</li> <li>• Finalised s.314(5) preliminary assessment of complaints</li> <li>• Advised complainants of assessment decision.</li> <li>• Notified Committee of assessment decision.</li> </ul>	Ongoing	Parliamentary Commissioner  Legal Officer