



PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER

REPORT TO THE PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

PUBLIC REPORT

2 FEBRUARY 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 24 November 2023.

Progressive Work Program

2. The Progressive Work Program of the Office of the Parliamentary Crime and Corruption Commissioner for the period 11 November 2023 to 18 January 2024 is attached as Appendix 1 for the consideration of the Committee.

SIGNIFICANT EVENTS

Annual meeting of Parliamentary Inspectors and Commissioners

3. On 14 November 2023 the Office's Principal Legal Officer and I attended the annual meeting of Parliamentary Inspectors and Commissioners in Sydney. The meeting was hosted by Ms Gail Furness SC - Inspector of the National Anti-Corruption Commission and Inspector of the Independent Commission Against Corruption (NSW). Other attendees included Mr David Fintan - Senior Assistant Ombudsman (ACT), Mr Bruce McClintock SC – Inspector of the Law Enforcement Conduct Commission (NSW) and Inspector of the Independent Commissioner Against Corruption (NT), Mr Eamonn Moran PSM KC - Inspector of the Independent Broad-based Anti-Corruption Commission (Victoria), Mr Matthew Zilko KC - Parliamentary Inspector of the Corruption and Crime Commission (WA), Mr Philip Strickland SC – Inspector of the Independent Commissioner Against Corruption, Office for Public Integrity and Ombudsman (SA). Senior officers of each agency also attended.
4. Amongst the topics for discussion was the progress of proposed amendments to the Commonwealth *Telecommunications (Interception and Access) Act 1979 (Cth)*.

ADMINISTRATIVE MATTERS

5. The office's Principal Legal Officer, Mr Kunde, had leave during the reporting period.

Key Outputs achieved during the period 11 November 2023 to 18 January 2024.

6.

| Function | Output |
|--|---------------|
| Committee referrals finalised | 1 |
| Statutory functions finalised | 3 |
| Notifications of improper conduct assessed | 4 |
| Advices to the Committee finalised | 0 |
| Own initiative investigations finalised | 0 |
| | |
| Committee referrals received | 1 |
| Statutory functions arising | 1 |
| Notifications of improper conduct received | 4 |
| Advices to the Committee requested | 0 |
| Own initiative investigations commenced | 0 |
| | |
| Committee referrals on hand | 3 |
| Statutory functions on hand | 0 |
| 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 | 4 |
| Public meetings with the Committee | 1 |
| Private meetings with the Committee | 1 |
| Other meetings (CCC/QPS etc) | 2 |
| Hearings (in hours) | 0 |
| Timeliness | |
| Cumulative average time taken to finalise complaints against the CCC | 23.6 weeks |
| Cumulative average time taken to finalise statutory functions | 5.2 weeks |

MATTERS ARISING FROM KEY OUTPUTS**Intelligence Data Review**

7. Section 320(1) of the *Crime and Corruption Act 2001* requires the Parliamentary Commissioner to conduct an annual review of the intelligence data in the possession of the CCC and the Queensland Police Service (QPS). The 2022-23 intelligence data review involved inspections of the intelligence data held by the QPS State Intelligence Group on the Australian Criminal Intelligence Database (ACID) and intelligence data held by the Crime and Intelligence Command on QPRIME. An inspection was also conducted of the CCC's intelligence holdings on its IRAS database. The review of all relevant intelligence data held by the QPS and the CCC was completed on 27 October 2023.
8. Section 320(3) of the *Crime and Corruption Act* requires that the Parliamentary Commissioner prepare a written advice on the review containing the Parliamentary Commissioner's findings and recommendations. The advice on the review of the 2022-23 Intelligence Data Review was provided to the Committee, the CCC and the QPS Commissioner on 24 November 2023.

Inspection and Report on Surveillance Device Warrants records

9. Section 362(1) of the *Police Powers and Responsibilities Act 2000* (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. I conducted an inspection of the CCC's surveillance device warrants records on 30 November 2023.

10. 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 5 December 2023.

Audit of Assumed Identities

11. 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. The Parliamentary Commissioner is required to give the CCC Chairperson a report on the results of the audit.
12. An audit of the CCC's records of authorities for the use of assumed identities was conducted on 1 December 2023. It involved an inspection of the CCC's records of assumed identities for the period 6 April to 1 December 2023.
13. On 4 December 2023 a report on the results of the audit was provided to the CCC Chairperson. The report notes that the CCC has fully complied with its responsibilities pursuant to s.315 of the PPRA and s.146ZR of the *Crime and Corruption Act*.

Investigation Matter

14. This matter is finalised.

Review Matter

15. This matter is ongoing.

Investigation Matter

16. This matter is ongoing.

Investigation Matter

17. This matter is ongoing.

Section 329 Notifications

18. 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.
19. 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.
20. 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

21. 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.

22. 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 18 January 2024

Meeting date: 2 February 2024

| Inquiry or Function | Description | Anticipated or agreed completion date | Progress last reporting period | Anticipated progress next reporting period | Resources |
|--|---|---|--|--|---|
| Intelligence Data Review | Pursuant to s.320(1) of the <i>Crime and Corruption Act</i> conduct an annual review of intelligence data in the possession of the CCC and the QPS. | Review completed in October 2023 Report completed in November 2023 | <ul style="list-style-type: none"> • Checked details of QPS Command structure. • Obtained details of joint meetings from CCC. • Obtained details of NCIS from CCC. • Finalised report. | Finalised. Report provided to PCCC, CCC and QPS | 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. | November 2023 | <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 |
| Audit of Assumed Identities | Pursuant to s.146ZS <i>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. | November 2023 | <ul style="list-style-type: none"> • Inspected registers of assumed identities, cancellations and variations. • Inspected authorities to acquire/use assumed identities, variations and formal authorities. • Finalised report on audit of assumed identities. | Finalised. Report provided to CCC Chair 4 December 2023. | 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 | October 2023 (revised from August 2023) | <ul style="list-style-type: none"> • Analysed relevant correspondence and relevant case law. • Completed drafting report. | Finalised. Report provided to Committee | Parliamentary Commissioner Legal Officer |
| Review Report | Pursuant to s.295(2)(f) of the <i>Crime and Corruption Act</i> review report | February 2024 (revised from November 2023) | <ul style="list-style-type: none"> • Again contacted Officer in Charge of investigating officer to request progress report on investigation. | <ul style="list-style-type: none"> • Await finalisation of QPS investigation and provision of report. • Review report and provide Committee with advice on outcome of review. | 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 | February 2024 (revised from November/December 2023) | <ul style="list-style-type: none"> • Continued reading material obtained from CCC. • Commenced drafting background section of report. | <ul style="list-style-type: none"> • Finish consideration of material obtained from CCC. • Consider methodology for investigation of other aspects of complaints. • Continue drafting report. | 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 | Mid 2024 | <ul style="list-style-type: none"> • Read complaint material received with referral. • Awaited receipt of report from CCC | <ul style="list-style-type: none"> • Receive and consider report from CCC. • Request, receive and consider all relevant holdings from CCC. | 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 |