



PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER

REPORT TO THE PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

PUBLIC REPORT

3 FEBRUARY 2023

OPERATIONAL REPORT

1. This is a report on the activities of the Office of the Parliamentary Crime and Corruption Commissioner for the period since the last meeting with the Parliamentary Crime and Corruption Committee (the Committee) on 10 November 2022.

Progressive work program

2. The Progressive Work Program of the Office of the Parliamentary Crime and Corruption Commissioner for the period 9 November 2022 to 20 January 2023 is attached as Appendix 1 for the consideration of the Committee.

SIGNIFICANT EVENTS

Record of Connolly Ryan Commission of Inquiry

3. Section 374 of the *Crime and Corruption Act 2001* requires that the Parliamentary Commissioner secure the records of the Connolly Ryan Commission of Inquiry so that only persons who satisfy the Parliamentary Commissioner that they have a legitimate need of access may access the records. Since 2010 the Connolly Ryan records have been stored in the Legislative Council strongroom. There is limited storage capacity in the Legislative Council and Legislative Assembly strongrooms so relocation of the Connolly Ryan records has been under consideration for some time.
4. In June 2022 I wrote to the Deputy Clerk, Mr Michael Ries, supporting a proposal that s.374 of the *Crime and Corruption Act* be amended to permit storage of the records at the Queensland State Archives with the Parliamentary Commissioner retaining responsibility for determining access. It is not essential that my office maintains physical possession of the records in order to make that assessment.
5. On 23 November 2022 our office received advice from the Department of Justice and Attorney-General that that matter remained under consideration by the Attorney-General's office.

Annual meeting of Parliamentary Inspectors and Commissioners

6. On 15 November 2022 Mr Kunde and I attended the annual meeting of Parliamentary Inspectors and Commissioners in Sydney. The meeting was hosted by Mr Bruce McClintock SC - Inspector of the Law Enforcement Conduct Commission (NSW) and Inspector of the Independent Commissioner Against Corruption (NT). Other attendees included Ms Gail Furness SC - Inspector of the Independent Commission Against Corruption (NSW), 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), Hon John Sulan KC - Reviewer of the Independent Commissioner Against Corruption (SA) and officers from the Commonwealth and ACT Ombudsman and Inspector of the Integrity Commission (ACT).

ADMINISTRATIVE MATTERS

7. The completion date for Mr Kunde's contract of employment in the position of Principal Legal Officer, Office of the Parliamentary Crime and Corruption Commissioner is 3 March 2023. Mr Kunde has sought reappointment to that position.
8. Mr Kunde had recreation leave and sick leave during the reporting period.

Key Outputs achieved during the period 9 November 2022 to 20 January 2023

9.

Function	Output
Committee referrals finalised	1
Statutory functions finalised	1
Notifications of improper conduct assessed	5
Advices to the Committee finalised	0
Own initiative investigations finalised	0
Committee referrals received	0
Statutory functions arising	1
Notifications of improper conduct received	5
Advices to the Committee requested	1
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	1
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)	1
Hearings (in hours)	0
Timeliness	
Cumulative average time taken to finalise complaints against the CCC	22 weeks
Cumulative average time taken to finalise statutory functions	5.3 weeks

MATTERS ARISING FROM KEY OUTPUTS

Intelligence Data Review

10. Section 320(1) of the *Crime and Corruption Act* 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 2021-22 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 2022.
11. 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. That advice is still being finalised. It will be provided to the Parliamentary Committee, the CCC Chairperson and the QPS Commissioner within weeks.

Audit of Assumed Identities

12. 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.
13. A six-monthly audit of the CCC's records of authorities for the use of assumed identities was conducted on 8 November 2022. It involved an inspection of the CCC's records of assumed identities for the period 6 May to 8 November 2022. The CCC has fully complied with its responsibilities pursuant to s.315 of the PPRA and s.146ZR of the *Crime and Corruption Act*. On 10 November 2022 a report on the results of the audit was provided to the CCC Chairperson.

Investigation Matter

14. The investigation of this matter is ongoing.

Investigation Matter

15. This matter is completed.

Investigation matter

16. This matter is ongoing.

Advices to Committee

17. The Committee has requested my advice in relation to certain matters.

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 provided notifications to the Committee and to me pursuant to s.329 of the Act.

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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 all s.329 notifications received in this reporting period. I 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 20 January 2023

Meeting date: 3 February 2023

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-October 2022 Report-February 2023	<ul style="list-style-type: none"> Continued work on Intelligence Data Review report. 	<ul style="list-style-type: none"> Check details of QPS Command structure. Obtain details of joint meetings from CCC. Finalise report. Provide report to PCCC, CCC and QPS. 	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 2022	<ul style="list-style-type: none"> Prepared report on audit. Provided report to CCC Chair. 	Finalised. Report provided to CCC Chair 10 November 2022.	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	February 2023	<ul style="list-style-type: none"> Continued reading material provided by CCC. Continued drafting report. 	<ul style="list-style-type: none"> Further consider material obtained from CCC. Consider whether further material necessary. Finalise report. 	Parliamentary Commissioner Legal Officer

Inquiry or Function	Description	Anticipated or agreed completion date	Progress last reporting period	Anticipated progress next reporting period	Resources
Supervision of CCC investigation	Pursuant to s.295(2)(f) of the <i>Crime and Corruption Act</i> supervise the CCC investigation and report on the supervision.	November 2022	<ul style="list-style-type: none"> Finalised report on supervision of CCC investigation. 	Finalised. Report provided to Committee 2 December 2022.	Parliamentary Commissioner Legal Officer
Investigation of issues	Pursuant to s.295(2)(d) of the <i>Crime and Corruption Act</i> investigate and report on issues	March 2023	<ul style="list-style-type: none"> Discussions with CCC CEO re reference from Committee. Identified issues and relevant CCC material. 	<ul style="list-style-type: none"> Request material from CCC. Receive and consider material requested from CCC. Commence drafting report. 	Parliamentary Commissioner Legal Officer
Provide advice to Committee	Provide legal opinion	February/March 2023	<ul style="list-style-type: none"> Read and considered correspondence from Committee and briefing paper prepared by Secretariat. 	<ul style="list-style-type: none"> Finalise opinion 	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"> Received new s.329 notifications. Assessed notifications. Advised Committee and CCC of assessment decisions for notifications. 	Ongoing	Parliamentary Commissioner Legal Officer