



# ***PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE***

## **Members present:**

Mr JM Krause MP—Chair  
Hon. SJ Hinchliffe MP  
Mr DJ Brown MP  
Mr MJ Crandon MP (via teleconference)  
Mr JR Martin MP  
Mr LL Miller MP  
Ms JC Pugh MP

## **Staff present:**

Ms E Hastie—Committee Secretary  
Ms H Radunz—Assistant Committee Secretary  
Ms C Reissis—Senior Committee Support Officer

## **MEETING WITH THE CRIME AND CORRUPTION COMMISSION**

### **TRANSCRIPT OF PROCEEDINGS**

**Friday, 17 May 2024**

**Brisbane**

**FRIDAY, 17 MAY 2024**

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**The committee met at 11.00 am.**

**CHAIR:** The committee will now commence its public meeting with the Crime and Corruption Commission. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Members, are there any declarations of interest relevant to this public session?

**Mr BROWN:** Only the previous one I have made.

**CHAIR:** Thank you. I inform the CCC that Mr Crandon, member for Coomera, is joining us via telephone today. Members have been provided with the Crime and Corruption Commission's public report to the committee for the period 1 December 2023 to 31 March 2024. The proposed resolution is that the committee authorises the publication of the Crime and Corruption Commission's public report to the committee for the period 1 December 2023 to 31 March 2024. Member for Stretton, would you like to move that?

**Mr MARTIN:** Yes, Chair.

**CHAIR:** It is so moved by the member for Stretton. All those in favour? All those against? The motion is carried.

**BARBOUR, Mr Bruce, Chairperson, Crime and Corruption Commission**

**CHRISTENSEN, Ms Cecelia, Senior Executive Officer (Corruption), Crime and Corruption Commission**

**DARCH, Ms Helen, Ordinary Commissioner, Crime and Corruption Commission**

**DOWLING, Mr Peter, Ordinary Commissioner, Crime and Corruption Commission**

**LODER, Ms Sharon, Senior Executive Officer (Crime), Crime and Corruption Commission**

**O'FARRELL, Ms Jen, Chief Executive Officer, Crime and Corruption Commission**

**WEBBE, Ms Simone, Ordinary Commissioner, Crime and Corruption Commission**

**CHAIR:** The committee will now commence its public discussion with the CCC. Welcome, everyone. I think we have a full complement from the CCC today.

**Mr Barbour:** Almost.

**CHAIR:** Except for the deputy chair.

**Mr Barbour:** Unfortunately, apologies from the deputy chair.

**CHAIR:** Mr Barbour, would you like to make an opening statement for the committee before we go to questions?

**Mr Barbour:** Chair and committee, we are very pleased to present the Crime and Corruption Commission's report for the period 1 December 2023 to 31 March 2024. The public report sets out in detail our performance and activities for the reporting period. I would like to highlight some of the work that we undertook during this time.

The Crime division continued to progress a major crime investigation involving the suspected professional facilitation of money laundering and trafficking of dangerous drugs including heroin and methamphetamine. It used its coercive hearing powers to advance eight investigations referred by the QPS, including four homicide investigations and three investigations into suspected homicides.

During the reporting period, the CCC progressed two intelligence operations. One of these was into suspected money laundering activities and suspected organised crime activity related to the sale of illicit tobacco and vape products. The other related to the alleged involvement of criminal organisation participants in a weapon manufacturing facility.

On 9 April, we published our review of the Criminal Proceeds Confiscation Act 2002. Our aim was to examine whether Queensland's asset confiscation regime was still effective in the face of contemporary organised crime environments. We looked at how the legislation was to deal with issues such as crime derived assets, money laundering and the accumulation of criminal wealth. We found that the legislation will need significant reform if it is to have the disruptive impact on serious and organised crime that it is intended to have. We made 10 recommendations designed to modernise Queensland's asset confiscation regime. These include updating the money laundering offence and enabling law enforcement to deal more effectively with digital assets such as cryptocurrency. Findings from this review have also been used to inform our consideration of the capabilities required for financial investigator roles at the CCC.

In relation to our Corruption division, between 1 December 2023 and 31 March it received 1,651 complaints, notifications and matters identified as falling within our jurisdiction. Of these, 233 matters have been triaged as meeting the criteria of serious, systemic and strategic. A total of 42 new matters were referred for monitoring and six matters were finalised. As at 31 March, 86 matters were being monitored by the CCC.

During the reporting period, we finalised eight corruption investigations. One investigation resulted in a brief of evidence relating to misuse of information being referred to the Office of the Director of Public Prosecutions for advice as to the suitability of criminal prosecution. The subject officer has been charged. Seven investigations were finalised in relation to allegations of misuse of office or authority, failure of duty, interfering or undermining an investigation, misappropriation of resources and misuse of information. The investigations did not substantiate any alleged conduct and no corrupt conduct. However, the relevant agencies have been provided with information following those investigations to support their ongoing management of risks in relation to recruitment, procurement and information management. As at 31 March, the CCC is conducting 51 corruption investigations.

On 16 March, Queensland held its local government elections. In the lead-up to the elections, as the committee is aware, on 14 February we, together with the Electoral Commission Queensland and the Office of the Independent Assessor, issued a joint letter to all registered local government candidates about the importance of campaigning with integrity. Post election, we are now working with the Office of the Independent Assessor and the Department of Housing, Local Government, Planning and Public Works on communication and engagement opportunities with newly elected government officials.

In relation to the recommendations from the Fitzgerald-Wilson commission of inquiry, as at 31 March the CCC had implemented 11 recommendations in full and made significant progress on 16 recommendations. The remaining five require legislative amendments, relate to future reporting requirements or are not within the responsibility of the CCC. As part of the work being undertaken to deliver the COI recommendations, we have commenced recruitment of key critical roles including to enable the development of our prevention and engagement functions and an increased technical capacity and data and analytics. We have now published five public reports detailing our progress with implementing the recommendations. During the reporting period we published two reports on our website, on 8 December and 8 March.

As you would be aware, a review of the CCC's power to publicly report on corruption matters is currently underway. The review is being conducted by Queensland's former chief justice, the Hon. Catherine Holmes AC, SC, and she is expected to report to government by Monday, 20 May 2024. We have been engaging with Justice Holmes throughout her review.

Finally, I wanted to advise the committee that during the reporting period the bill addressing the amendments to the Crime and Corruption Act to give effect to recommendations 2 and 25 of the commission of inquiry was introduced. In addition, other recommendations arising from various reviews such as the committee's last five-yearly review, in particular in relation to reconciliation of powers in chapters 3 and 4, were introduced. The bill was considered by the Community Safety and Legal Affairs Committee, which reported on 5 April 2024 recommending that the bill be passed. The bill remains before the Assembly. I understand that the second reading is scheduled for next week. We were extensively involved in negotiations in relation to the bill and its introduction as an important step in progressing long-needed amendments to the act.

Those are my opening remarks. Thank you very much. We are very happy to answer any questions the committee has for us.

**CHAIR:** Thank you, Mr Barbour. I will give the call to the deputy chair.

**Mr HINCHLIFFE:** Thank you, Mr Barbour, for your outline of the report. I think there are a number of matters that we will want to follow up on and have some conversation about. I want to start by acknowledging the media reports of an incident that happened at the CCC offices or in the environs. I do not want to go into the detail of that because it might be the subject of further matters going before the courts, but I did want to express concern for the welfare of all of the staff of your organisation. I want to check in if there is anything you want to report on in terms of anything that you need or what has been put in place to respond to that circumstance.

**Mr Barbour:** Thank you very much. I very much appreciate the concern of you and the committee. Certainly that will be passed on to the staff of the CCC. I am very pleased to say that, although it was a very serious incident, it was not one that was directed towards the CCC or its staff. It was an incident that simply appears to have happened by chance. The individual involved is well known to police and has an extensive history, which I will not detail in public session.

The important thing was that we responded very quickly with our code black procedures. There were no staff at any time in any particular danger. Our systems worked well. We have had a number of debriefs in terms of the actual police involvement in the matter but, more importantly, we had a debrief with all of our staff. Many were present at the time the code black was initiated which meant that they had to go into secure rooms. They were in those secure rooms for a few hours with limited availability of knowledge and information about what was going on at the time.

We felt it was very important, notwithstanding there being no physical danger, that we follow up with all staff. We had a debriefing and presented information to everybody about what actually happened and also, importantly, provided all staff with an opportunity to communicate any issues of concern they had, any views about the process and how it worked for them. It was an opportunity to take on board those comments which will feed into our review of those procedures.

**Mr HINCHLIFFE:** Thank you for that feedback. It is clear that the welfare of everyone involved is paramount for this committee. On that point, I think Ms Pugh might have some questions that relate to the broader issues around the welfare of individuals.

**Ms PUGH:** You may want to answer this in private session. In previous hearings we have had some discussions about looking after the welfare of witnesses and complainants. Any information that you would like to furnish or any progress you have made in that regard over the last year or so would be of great interest to the committee.

**Mr Barbour:** Firstly, I was very pleased to hear the very positive remarks made by the parliamentary commissioner earlier today about the significant work that has been undertaken by the commission in that area. Certainly we have been doing that. We see it as being an extremely important area and one that we are addressing both thoroughly and progressively. The committee would be aware from the information that we provided to it previously of the strategies that we are adopting and the progress in relation to that. Ms O'Farrell might be able to give you an update on anything that has happened certainly since our last meeting. It is an important issue and a work in progress.

**Ms O'Farrell:** The committee is aware that we developed a witness welfare action plan last year. Most of those actions have been implemented save for an external review that we have engaged a consultant to assist us with which is about trauma informed practice. That consultancy has commenced and is due to be completed in July.

We have just recently had a consultation session with the executive team and the consultants around the principles and the relevant domains and the framework that they are proposing for trauma informed practice within the Corruption division, which is the main focus for this part of the work. We are hoping to the extent possible that the framework can be expanded for applicability in our Crime division and also in our witness protection program, which are the other main areas that have direct contact with people external to the commission. When we have completed that work with the consultant on the framework, we are happy to provide that to the committee.

**Mr MARTIN:** I have a question about the complaints clearing house project. Could you update the committee on that?

**Mr Barbour:** Unfortunately, I cannot beyond what I have said previously. My understanding is that the project is continuing. We have not been engaged directly with it for some time and I do not know what stage it is at. As I have previously advised the committee, it was felt by a number of the integrity agencies that were asked to participate on a project board that there was an inherent conflict in us being involved directly in that, given the nature of the work. Because of that, we took a step

back but indicated that we were very happy to provide any information that was needed by the board in its deliberations to assist it, but we have had very little information in the last several months in relation to that project so I have nothing to update, I am afraid.

**CHAIR:** Mr Barbour, I want to ask a question by referring to an event that was relayed into the public domain by the member for Coomera some months ago now. It involved a situation where a complaint or an issue had been raised with the Queensland Police Service and then, subsequent to that, the issue that was raised by the member for Coomera with the police somehow found its way into the knowledge of the minister's office and, for one reason or another, became the subject of political debate in parliament. I know that in the past there has been discussion around the influence of ministerial officers—I think the Coaldrake review touched on that—and the independence and operations of the Public Service. I want to ask for your comments in relation to that situation involving the QPS. Where is the line, or where should it be, between the QPS and the government when it comes to the reporting of information or making of statements where that could become political in nature or become the subject of political debate, and the lines of communication between QPS and ministerial officers especially?

**Mr Barbour:** That is a very difficult question for me to answer, to be honest, because I do not know the specifics of the matter that Mr Crandon raised and the circumstances in which it may or may not have been communicated to a ministerial office. In general terms, the QPS is effectively part of the executive and forms a response, if you like. It works under the direction of the minister. I do not know what arrangements are in place in terms of the provision of information between the QPS and the minister, but certainly if there was ever brought to our attention allegations of any inappropriateness in that regard we would certainly review it to see whether there was any issue there. Without having specifics of the matter, it is very difficult for me to put forward an all-encompassing proposition, to be honest.

**CHAIR:** I understand that. The member for Coomera's situation is just an example, I suppose. I will ask a further question in that respect and it relates more broadly to government as a whole. In the past, the CCC has put out papers in relation to influencing practices and corruption risks that were spoken about in that paper and in other contexts as well. Is there a corruption risk if we see any part of the government being influenced by politics so that they become players in the process as well as politicians being players in the political process? When I say 'part of the government', I mean public servants potentially being a part of the process rather than public servants in an independent sense. Is there a corruption risk there?

**Mr Barbour:** Once again, it depends on the particular conduct. It is very difficult to say in a broadbrush approach that any kind of contact has a corruption risk, but clearly corruption risks arise in relation to all sorts of different circumstances. The influencing practices paper that you refer to sets out, in our view, from our experience and our analysis of information, particular areas where we thought there could be improvements in the response to issues around influencing. One such example that came under heated discussion, as I recall, at a previous committee meeting was in relation to extending the requirement for details to be kept of meetings beyond ministers and the Leader of the Opposition to all members of parliament and electorate officers. There has been recent public commentary about particular issues to do with that very matter.

Apart from putting forward a broad principle around what may or may not constitute a corruption risk, it is really going to depend on the circumstances in each individual case. Ministers have a responsibility to guide, shape and work with their agencies. It is entirely appropriate for them and senior public servants to engage frequently about a range of issues within their portfolios. If at any stage that were to stray into areas that were inappropriate, if that was brought to our attention we would certainly look at it to see whether or not there was a concern.

**CHAIR:** In relation to the opening statement that you made concerning money laundering and the review of the Criminal Proceeds Confiscation Act, I take it from your comments that the view of the CCC is that the act as it stands is not effective for contemporary circumstances?

**Mr Barbour:** That is correct.

**CHAIR:** How urgent is it to fix that act, in your view?

**Mr Barbour:** We believe that it is important to fix that act. The longer it is not fixed, the more risk there is in relation to the issues that have been identified as really falling through the cracks and not being able to be dealt with appropriately. Ms Loder is in a position to provide more detail on those issues, if you would like?

**CHAIR:** Yes, please, Ms Loder.

**Ms Loder:** I think in terms of the urgency, some of the recommendations reflect recommendations that have been longstanding from various reviews and reports. The other urgency obviously is that we are operating in a rapidly evolving and very complex crime environment, largely driven by technology and also changes in the financial systems that we operate under. It is fairly urgent. It is rapidly becoming very outdated.

**CHAIR:** You have sort of answered my next question, which is: how long has this issue been raised with the government? I recall it was the subject of a recommendation in our five-year review in 2021. I cannot recall whether or not it was a subject in the 2016 five-year review. How long has the CCC been raising this issue with the government?

**Mr Barbour:** A long time. I think the easiest way to answer that question is to say that the act has been around for over 20 years and I do not believe it has been amended at all in that time.

**CHAIR:** If I recall, the recommendation of this committee was for the government to review the act in 2021—

**Mr Barbour:** Yes.

**CHAIR:**—but now the CCC has gone ahead and done that review itself?

**Mr Barbour:** Yes. We felt that the issues were significant and that, because there was no activity in relation to the matter being reviewed externally, we should do that ourselves. We did it in consultation with others and we certainly briefed, for example, DJAG throughout the process.

**CHAIR:** I need to ask this question of you, Mr Barbour, again, especially given that this Monday coming is the release date, as we understand it, for the Holmes review into the reporting functions. Does it remain your view that the Carne and Trad reports should be published?

**Mr Barbour:** Consistent with my previously stated views, I think it is appropriate for any amendments to permit retrospectivity in terms of approval of any previous reports that have been tabled, the work that went into those reports and the preparation of those reports and, were that to be the case, then any outstanding reports would be caught within that.

**CHAIR:** Member for Sandgate, I am happy to give you the call. I have some more but I have spoken for a little while.

**Mr HINCHLIFFE:** I think Mr Brown has a question.

**Mr BROWN:** Mr Barbour, in your joint statement you touched on local government elections and the OIA and the Electoral Commission. Has there been any feedback from the Electoral Commission, now that the dust has settled in those elections, about concerns of developer donations or any other corrupt processes during the election? Has that been fed back to you?

**Mr Barbour:** I do not believe we have received any information along those lines. Interestingly, although we have had a significant increase in our local government complaints, only eight complaints thus far that we have received have related specifically to election related issues or matters. It is quite a small number. However, previous experience would suggest that sometimes those complaints will come in after the event and during the period when we have new councillors settling in. I do not think we have had anything directly from the Electoral Commissioner.

**Mr BROWN:** Did they communicate any feedback about how many complaints they have received during the election process? Do you only get to see those who have complained directly to the CCC?

**Mr Barbour:** No. They would notify us of any matters that they received which would potentially lead to a view that there may be corrupt conduct involved and they would refer those to us. My understanding is that we have had none referred from the commission so I am assuming that they have not received any of those.

**Mr BROWN:** That is from the Electoral Commission, but what about the OIA during the election?

**Mr Barbour:** Do you know whether we have received anything from the OIA?

**Ms Christensen:** I need to check whether we have anything specific from the OIA. As I said, the number is eight in terms of local government for the reporting period. We would expect only to receive if that organisation considers there is a suspicion of corrupt conduct. We are not privy to what other complaints they may receive but we do have contact with them. I can look more specifically at that. In the next three months we may receive further complaints, and they could come from another agency or from the public, just based on trending data. Again, they are complaints; it is not necessarily that there is any corrupt conduct involved.

**Mr BROWN:** When a complaint is put in with regard to the local government elections, do you respond back to the complainant about that and keep them up to date with their complaint?

**Mr Barbour:** Absolutely.

**Mr BROWN:** I note that the Electoral Commission does not do the same.

**Mr Barbour:** There is actually a requirement in our act that requires us to keep complainants informed and to provide them with the outcome of matters. Could I also correct something that I said to the committee before? I did not believe there had been amendments to the CPCA, but there were, in fact, amendments in 2013 to the unexplained wealth provisions and the SDOCO provisions, but they are the only amendments.

**CHAIR:** It must have come in with the VLAD laws, perhaps.

**Mr BROWN:** From your experience in overseeing local government elections, do you have any concerns about the resources of the Electoral Commission? Local government councils pay for their elections and I know that there was concern about the level of funding that councils were willing to pass on up to the ECQ to run the elections. Did you see that with regard to enforcement or oversight?

**Mr Barbour:** I am certainly not aware of seeing that.

**Ms Christensen:** No, we are not aware of that and that would not necessarily come within information, but we were certainly dealing early with the Electoral Commission in terms of consistent messaging in that sense. Certainly, we are not aware otherwise of concerns around resourcing.

**CHAIR:** Mr Barbour, in relation to the reporting function, it has now been 18 or 20 months since the Court of Appeal decision in the Carne matter—and I think we have spoken about this before—which effectively put the kybosh on public reporting by the CCC. Is there anything you wish to report on from the CCC's perspective to this committee through this public hearing about investigations or reports that you otherwise would not be able to disseminate into the public domain as a result of that Carne decision?

**Mr Barbour:** No, not really, Chair. As I have indicated previously, it is obviously, in our view, inappropriate for us to not be able to be fully transparent. It is inconsistent, in our view, with the public interest for us to not be able to report. I am looking forward to seeing the outcome of the review, what ultimately is recommended and what the government response is to that review; however, in terms of specific work, because we have not been able to report publicly we have not focused on that in terms of any of our current investigations. It has been important for us to continue to do those and manage those without turning our minds to whether or not it was something we needed to report on publicly or not. Once this is remedied, I suspect that there will be a range of provisions which will relate to public reporting that we will need to consider and they may impact on the circumstances in which we will be able to publicly report in the future. Until the review is completed, we are in the position—as the committee is—of not knowing exactly what will be recommended.

**CHAIR:** I understand that. I was inviting you to share anything else that you wish to in this forum, which of course you are able to do notwithstanding the court decisions. You may have already answered this question but I wanted to ask: have you identified internally matters of public significance that, but for that decision, you would have reported on publicly?

**Mr Barbour:** We have certainly had discussions internally about matters which, as a consequence of the situation that we are presently in, we are not able to report on but not many. You would be familiar with the fact that over the course of the last few decades there has not been a huge number of public reports that the commission has made—it is not something that is done multiple times per year; however, importantly, we have taken a very conservative approach to what we can and cannot publish publicly in relation to our corruption investigations.

As the committee knows, we were ready to put forward on our website summaries of matters that had been devolved for investigation with other UPAs to provide guidance to the public sector. We have been prevented from doing any media statements in relation to corruption investigations and various other things. We are looking forward to a situation where there is clarity around what we can and cannot do in relation to public reporting. I hope, as I have said previously, that happens sooner rather than later, because there are a range of things that we feel very reluctant to move forward with, given the High Court decision and prior to any formal amendments being introduced.

**CHAIR:** You mentioned there were not many matters. Can you put a number on how many you have discussed?

**Mr Barbour:** No, I cannot.

**CHAIR:** Could you take the question on notice?

**Mr Barbour:** The discussions will not necessarily be detailed reported discussions. I am trying to be as frank and open as I can with the committee.

**CHAIR:** I understand, and that is good. Can you notify people when they are cleared of allegations?

**Mr Barbour:** Yes.

**CHAIR:** There is no problem with that?

**Mr Barbour:** No.

**CHAIR:** Can you report the outcomes to complainants?

**Mr Barbour:** Yes.

**CHAIR:** You have no problem with that; good. Michael, do you have any questions?

**Mr CRANDON:** At this stage I do not have any questions, Chair, thank you.

**Mr HINCHLIFFE:** I take you back to the report and to the really interesting information in the illicit market space. I want to open up an opportunity for you to speak further to that in terms of the work of the CCC. One of the policies that will have an impact—the CCC can potentially have a role in influencing that—is in relation to vape products. There is a broader debate going on at the national level—aligned with what is happening in Queensland—around the availability of vape products and what impacts different policy positions might have on illicit markets and broader organised crime activity.

**Mr Barbour:** Sure. I think Ms Loder is very well placed to deal with that. I will let her answer.

**Ms Loder:** Thank you. I think there are three areas: community health, the organised crime involvement in this area, and excise and revenue issues that come with it. From a CCC and law enforcement perspective, our scope is really concerned with the organised crime involvement in that space. They are the areas that we can usefully influence. Certainly a lot of discussion has occurred, both nationally and at the state level, amongst law enforcement agencies to try to understand how each of the agencies that are involved in those three areas can work together and coordinate their efforts to provide the best response generally, but we are limited to focusing on that organised crime involvement.

Organised crime will continue to be involved in that space for as long as it is profitable. It is a very complex problem that is not easily resolved. There has been legislation introduced at the Commonwealth level around the importation of vapes and tobacco. Some of that has just come online, on 1 January and 1 March this year. There is a range of state legislation in Queensland that is attempting to influence what that looks like in the retail space as well as where people can smoke. Also, the licensing regime for tobacco retailers will come into effect on 1 September this year.

**Mr HINCHLIFFE:** Obviously, organised crime has an involvement not only in products that are illicit but also in products that are legal and potentially using that as a method of money laundering et cetera. Are there any areas where you see emerging shifts around that? Would the new regulatory environments in relation to vapes see a change in criminal organisation activity?

**Ms Loder:** I think, as we have previously discussed, a lot of the organised crime involvement in this space is driven by the opportunities to avoid revenue and the profits that can be made. There are other areas where we are seeing organised crime increasingly looking to areas in government where they can get involved in schemes where they can somehow rip off the government, because it is a huge money pot for them. We see that in GST frauds in the taxation space; we see that in the NDIS and so on. This area is not very different in that regard.

**Mr HINCHLIFFE:** Obviously there is significant work that goes on between yourselves and other agencies nationally and internationally to prepare and identify risks in that area?

**Ms Loder:** Yes, there is. There is a lot happening in that space at the moment, particularly around illicit tobacco. At the Commonwealth level there is an illicit tobacco and e-cigarette commissioner who has been appointed to coordinate national responses, but it is not likely to be a problem—as in any licit or illicit commodity—that goes away. Organised crime will be involved in anything where there are significant profits to be made easily.

**Mr HINCHLIFFE:** The CCC has spoken previously at public meetings like this one about the cryptocurrency transaction project and the CCC's ability to investigate those sorts of matters. I wanted to see if there was further update around that side of things and whether that project is on track to be completed in the near future, as I think was flagged back in November.



**Mr Barbour:** It is certainly progressing. I think Ms Loder will be able to give you an update on where we are at.

**Ms Loder:** We were on track to conclude the project at the end of June this year but we have extended it. We had a break in the project lead so we have extended it to the end of the year. At the end of the year we should be in a position to have embedded that capability to such an extent that it is able to continue as part of the ongoing BAU. In January next year we hope to have recruited a permanent position that will have the responsibility for looking after that capability and ensuring our policies, procedures and training are up to date.

We have allocated over \$54,000 from our budget for 2024-25 for some additional training for investigators at foundational, intermediate and advanced levels, and some of that money will also go towards training our forensic computing officers in relation to forensic analysis and seizures related to cryptocurrency. We are currently working on embedding policies and procedures and investigator guidance in that area. I think in the reporting period we had some further foundational training as well. It is progressing well so that we have relevant software from our forensic computing area and also we have a proprietary blockchain explorer that allows us to trace assets. We are currently doing that in one of our crime investigations in particular but also in some of our proceeds investigations.

**Mr HINCHLIFFE:** Thank you.

**CHAIR:** Mr Barbour, going back to the reporting issue—you may think I am fixated on it, but I think that is what many people who look at the CCC are concerned about—has the CCC does any work internally to refocus the business plan or the way you do things because of the Court of Appeal and High Court decision, or have you adopted a ‘wait and see’ approach to see if reforms or changes to laws might be made?

**Mr Barbour:** We have not introduced that as a step in our strategic planning, if you like. It has been an issue of proceeding as we would normally in relation to investigations. The majority of investigations that we undertake do not require a public report to be prepared; however, having the capacity to do that in cases where it is warranted, of course, is extremely important. As you will see from the report that we have provided, quite a number of the investigations that are spoken about as having been concluded in this particular reporting period were ones that did not actually lead to a finding of corrupt conduct; however, they did lead to significant recommendations that we could make in terms of improving systems and mitigating risk in relation to particular agencies. Those kinds of investigations, for example, would not normally lend themselves to a public report of the kind that we are talking about; they may more appropriately lend themselves to a thematic report for the purpose of corruption prevention. That is always something that is on our radar. You would know from our corruption strategy and the work we are doing there that we are embedding in our processes a greater degree of focus on prevention and engagement and making sure we are building that into our investigations.

**CHAIR:** Are you preparing reports on a thematic basis?

**Mr Barbour:** Not at this stage for public release. What we are doing is progressing information to enable us to do that where it is necessary. Our primary focus is on guidance to UPAs and providing advice and information back to them from that space.

**CHAIR:** Are you able to do the reports on a thematic basis?

**Mr Barbour:** Not if it involves information from specific investigations.

**CHAIR:** That would make it difficult to create themes, wouldn't it?

**Mr Barbour:** Not necessarily, because things can come up not just through investigations but through our intake and assessment work, through the work that is being done within UPAs. As I have said, we have taken a very conservative approach. We do not want to do anything which could be in any way construed as being inconsistent with the decision of the High Court.

**CHAIR:** In relation to the devolution principle, table 11 of the public report on page 25 shows outcomes of complaints assessed: 38 retained for CCC investigation; 72 referred to the appropriate agency, subject to the CCC's monitoring role; 558 referred to the appropriate agency, outcome advice required by the CCC; and then, a significant number, 2,076 referred to the appropriate agency, with no further advice required by the CCC.

One of the issues that has been recurring over many years is the nature of investigations that get sent back to UPAs for investigation themselves. Could you talk us through what the threshold is for the CCC to retain an investigation? There is a concern—we hear it and I am sure you hear it, too—that too many are devolved in some cases. Could you give us some information about that? What triggers the CCC to keep an investigation?

**Mr Barbour:** We have certainly been working hard and introduced new systems in our intake and assessment area. I will ask Ms Christensen to speak about that in a moment. In setting up that discussion and response to your question, I think it is important to reiterate that what we do is consistent with what is required of us by our act. The act clearly sets out that we should focus our resources on serious corruption. It also sets out principles that we must have regard to. One of those significant principles is devolution. Section 34 of our act makes it clear that, wherever possible, we ought be referring matters back to agencies for them to review.

The devolution process, whilst there is often some misunderstanding about it, is often portrayed as us deflecting work or not doing our work. The reality is that that process is set out very clearly in the act. We are operating consistently with our governing legislation in ensuring that system works well. We do not just leave agencies without any assistance. We are monitoring matters. There is a close relationship and liaison with the agencies. Where we send back matters, there is no difficulty with agencies contacting us, so there is a relationship there where we can provide assistance and advice.

The vast majority of complaints we get come from four major agencies, all of which have very well experienced and strong ethics and investigation areas. They are very experienced in dealing with these matters. In terms of the way in which we assess these matters, I will hand over to Ms Christensen. She can discuss with you our SSS processes and our new strategic intake and assessment processes.

**Ms Christensen:** In February last year we introduced a new case assessment model, which we call our SSS model. That is helping us to sharpen our focus not only from a governance point of view—that is, that we are reviewing and assessing the serious and systemic matters with potential for serious or systemic corruption risks. The second element of that is that then we look at what other inquiries and what focus of time—the more serious it is, the more inquiries we will have or make. In terms of that, we are looking clearly at how serious that offence is—a criminal offence—or the actual allegation or the corruption risk itself.

Systemic is a key important factor for us as well. Are we talking about an individual and their pattern of conduct versus the organisation itself? The more systemic we see, the higher that risk. Again, that would then elevate our interest in either monitoring or investigation.

Another factor in that is the phrase ‘strategic’. We are talking really about the public interest. Where is the role for the CCC to help maintain and build trust around public confidence in the handling of that particular matter? The actual powers and the role that we can bring to the table on that matter are really important. That certainly influences decision-making—whether it is going to be investigated versus monitored, for example. Is it something that would involve all of our powers? More than one agency, for example, would be something that we would consider. There are a range of matters. How we engage is also influenced by the information we receive from that complainant and their willingness to deal with us as well—whether it is anonymous or not and then the quality of that ongoing engagement.

We have also introduced a case prioritisation model that is helping us again focus the reasoning and focus again on the serious and systemic corruption risks and where we are best placed to help. Some of that is also how we can help support the agency in that matter. We do receive requests from agencies about wanting to work with us jointly. They are things we will consider. There are a range of factors to consider in that decision-making.

In terms of devolution, I will highlight that we receive a large number of complaints. We are assessing all of them. While we receive a number of those and we may refer them on for no further action, on that information it is just a complaint at that point. It is not necessarily on that information raising or suggesting corruption conduct. Again, we can refer to an agency and once they have done more work they can reassess and refer back to us if information changes and we will re-engage with that matter. I trust that assists you.

**CHAIR:** It does. I have a follow-up question for either Mr Barbour or Ms Christensen. If you have an agency that has been subject to two commissions of inquiry which were quite critical of it, would that bear upon the decision to devolve an investigation about that organisation back to it? I know this is somewhat of a hypothetical question but, when investigations have already been conducted very publicly into an organisation and then further matters arise from that, would that trigger some sort of assessment about the adequacy of devolving back to that organisation again?

**Mr Barbour:** It certainly does. I assume you are referring to QPS.

**CHAIR:** I was asking an abstract question.

**Mr Barbour:** I cannot think of many other organisations in recent times that have been subject to two commissions of inquiry. We have one but not two. It certainly does, and we are very mindful of that. Of course, there is the context in which that needs to be considered, and that is that we have finite resources and there is only so much we can do. Often the agencies that we are devolving these particular matters to are agencies with significantly more resources than we have and the capacity to deal with these issues in-house far more quickly than what we would be able to do outside.

As Ms Christensen pointed out, there are a range of factors we take into account. One of the key factors is whether or not there is a need for us to exercise our particular specialist powers to ensure an investigation can be undertaken effectively. That is one factor that we take into account.

In terms of the QPS—and I am quite happy to refer to that in detail—you would see that we have had a significant increase that has been ongoing for some time in relation to complaints relating to the QPS. We have heightened and strengthened our assessment processes in relation to QPS and we are probably monitoring more matters now than we have done previously in relation to QPS. They account for 60 per cent of our complaints.

One of the recommendations made by one of those commissions of inquiry was to set up a standalone unit within the CCC—a police integrity unit—that would actually take over the handling and conduct of all police complaints and that that should be appropriately resourced. That is just sitting out there somewhere. We did a lot of work in relation to that. There was a report provided to government, but that matter is still with government.

Short of doing something like that or short of changing the legislation so that it means that police and the commissioner are not responsible primarily for their own complaint handling and that we do not have a devolution process, there would need to be amendments for us to take a greater role and we would need to have additional resources. We saw after the commission of inquiry into the policing of family and domestic violence an increase in complaints, particularly in relation to things like domestic violence, bullying, misogyny and inappropriate behaviour, but I am pleased to say that the QPS response to that was to strengthen their response and their processes in relation to dealing with those as well.

We work very closely with QPS in a range of our functions. In terms of our intake and assessment process with complaints, we have a strong relationship and we regularly deal with them on those matters to make the best decisions we possibly can. We are very mindful of the issues, Chair, that you have raised. We build that into our assessments and our thinking around those issues, but we do not have the capacity to deal with more matters in that space than what we are dealing with now.

**Mr HINCHLIFFE:** That was a very good answer to a question that I was not going to make any comment about in terms of hypothetical questions, which are not permitted under the standing orders. I did want to take that conversation in a slightly different direction on the basis of the report, and that is in relation to the renewed corruption prevention and engagement functions. I want to understand how that balance has maybe shifted, not necessarily in terms of a change to the devolution policy but rather to what further resources can go into that proactive guidance process. Is there anything further that you or your team want to add to address that?

**Mr Barbour:** It is an area that we have been resourcing over recent times. I am very pleased to say that we are doing a lot of very good work in relation to developing processes and systems there. Ms Christensen can detail those for you. However, one of the important things I would emphasise before passing on to her is that our work in that area has been done in considerable consultation with UPAs. We wanted to understand what they needed from us. We wanted to understand how we could better engage with them. That process of hearing them and listening to how they would like us to work with them has been very formative and important in terms of the way in which we developed our systems and that particular unit. Ms Christensen, do you want to add to that?

**Ms Christensen:** In terms of corruption prevention and engagement, there are a number of key projects that are listed in the corruption strategy for this year and they will be ongoing. One piece to start is a refresh look at what is the prevention and policy function for a contemporary model that meets stakeholders' needs. From the corruption strategy consultation, we heard a lot about wanting more from a strategic insights perspective, working more data informed, so that fits with the investment on data. We are in the stages of completing our current state assessment and understanding our current business and where we want to go from a corruption prevention point of view. For that project we expect to have completed recommendations around July this year. Then we will move into an implementation phase. We are again in foundational steps.

The other project is a data and insights plan. We are taking stock of the data that is available to us and consulting with a number of stakeholders as well about their data and how we can be working together again to shift to providing more strategic advice around risks for agencies and in a more tailored way for sectors. Again, that project is targeted towards July. That is our first plan and, again, shifting to implementation phase.

The next important part I would like to talk about is our stakeholder engagement plan. We are shifting to introduce more of a structured, tailored approach to our stakeholder engagement. We have been more responsive to requests, but we want to maximise our impact and how we share and engage with our stakeholders. That is also underway and we are consulting with a range of stakeholders. They are the three core foundational matters at the moment.

Third, we are also trialling and piloting a thematic monitoring function. This would be a new function. We are piloting how we could introduce a thematic monitoring. This would be shifting away from that individual case investigation of a matter referred to a broader thematic and much more of a joint engagement with a particular sector or a particular UPA. Again, the focus is prevention, support and capability building and looking at risks and how to work together going forward. They are the major pieces that are working and progressing at the moment.

**Mr HINCHLIFFE:** How are the UPAs responding to that approach?

**Ms Christensen:** It is welcomed. The corruption strategy that we introduced in July last year—we opened that to consultation with all our UPAs and had strong engagement and participation in that—has opened the door. We talked in those meetings about people's interest in working with us. Again, we are working with different agencies. It is positive. It is how the sector wants to work with us and how we want to partner and work with them.

**CHAIR:** Does anyone else have anything to add? All commissioners, this is your opportunity.

**Ms Darch:** Just endorsement of what was said.

**CHAIR:** That is very good. Mr Chairperson, can you tell us how many investigations are open for the QBCC?

**Mr Barbour:** Not off the top of my head. I think nil.

**CHAIR:** Okay; interesting. Are there any concerns about any particular sector of UPAs where you have seen an uptick in complaints or concerns?

**Mr Barbour:** You would have seen that we have a trend of significant increases in our complaint numbers. There is no specific indicator we have identified yet in relation to why in certain sectors. However, we have seen a significant spike in complaints relating to detention of juveniles and complaints in relation to watch houses—allegations of assault and improper conduct in relation to watch houses. We have seen an increase in QCS matters and also in police matters in relation to those kind of intersecting issues. We are continuing to see issues in a number of agencies around access to information. That continues to be an area of significant complaint numbers. Beyond that, there is nothing specific to report.

**CHAIR:** That concludes the public meeting. Thank you to all members of the commission for being here at our public meeting today. I appreciate everyone who is watching online. This concludes our public session. We now will move into a private meeting with the CCC.

**The committee adjourned at 12.04 pm.**