



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

**Members present:**

Mr JM Krause MP—Chair  
Hon. SJ Hinchliffe MP  
Mr PS Russo MP  
Mr MJ Crandon MP  
Mr JR Martin MP  
Mr LL Miller MP  
Ms JC Pugh MP

**Staff present:**

Mrs K O'Sullivan—Committee Secretary  
Ms H Radunz—Assistant Committee Secretary  
Ms C Reissis—Senior Committee Support Officer

## **MEETING WITH THE PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER**

### **TRANSCRIPT OF PROCEEDINGS**

**Friday, 30 August 2024**

**Brisbane**

**FRIDAY, 30 AUGUST 2024**

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**The committee met at 9.01 am.**

**CHAIR:** Good morning, everyone. Welcome to the hearing of the Parliamentary Crime and Corruption Committee. My name is Jon Krause. I am the member for Scenic Rim and chair of the committee. Joining me today are: Hon. Stirling Hinchliffe, member for Sandgate and deputy chair; Mr Michael Crandon, member for Coomera; Mr James Martin, member for Stretton; Mr Lachlan Millar, member for Gregory; Ms Jess Pugh, member for Mount Ommaney; and Mr Peter Russo, member for Toohey, substituting for Mr Don Brown, member for Capalaba.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. As parliamentary proceedings, under the standing orders any person may be excluded from today's meetings at my discretion or by order of the committee.

The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Media may be present and will be subject to my direction at all times. The media rules endorsed by the committee are available from committee staff. All those present today should note that it is possible you might be filmed or photographed by media during the proceedings and images may also appear on the parliament's website or social media pages. Before we proceed, I ask everyone present to please turn mobile phones off or switch them to silent mode.

The committee is beginning its meeting in public to deal briefly with some committee matters, before commencing our public meeting with the Parliamentary Crime and Corruption Commissioner. The committee will then close the public part of the meeting and continue its meeting with the commissioner in private session. Following that, the committee will meet in public from approximately 11 am with the Crime and Corruption Commission, before closing the public part of that meeting to continue the remainder of the proceedings with the Crime and Corruption Commission in private session.

Members have been provided with a copy of the agenda for today's meeting. I move that the committee adopt the agenda for today. All those in favour? Those against? That is carried.

Members, are there any declarations of interest relevant to the public sessions with the Parliamentary Crime and Corruption Commissioner or the Crime and Corruption Commission? I will make my standing declaration in relation to the CCC meeting. I take it there are no other declarations of interest.

**Ms PUGH:** Just my standing declaration.

**CHAIR:** That has been recorded previously. Thank you, member for Mount Ommaney.

We will move on to the parliamentary commissioner meeting. Members have been provided with a secretariat briefing, a copy of the parliamentary commissioner's public report and appendix—that is from 25 April to 19 August 2024—and a transcript from public proceedings on 17 May 2024. Mr Crandon, would you like to move that the committee authorise the publication of the parliamentary commissioner's public report to the committee for that period?

**Mr CRANDON:** I so move.

**CHAIR:** All those in favour? Those against? That is carried.

**KUNDE, Mr Mitchell, Principal Legal Officer, Office of the Parliamentary Crime and Corruption Commissioner**

**WOODFORD, Mr Michael, Parliamentary Crime and Corruption Commissioner**

**CHAIR:** We will now commence our public discussion with the parliamentary commissioner. I welcome Mr Woodford, Parliamentary Crime and Corruption Commissioner, and Mr Kunde, Principal Legal Officer, to the meeting. Mr Woodford, would you like to make a brief opening statement?

**Mr Woodford:** Thank you, Mr Krause. I am here to update the committee on the work of the office since we last met on 17 May this year. You have my public report dated 30 August which deals with the period of activity between 17 May and that time.

Various audits of the CCC records have been undertaken over the period, which is the busier part of the auditing season. The six-monthly audit of the assumed identities record was completed and I have reported to the CCC chair in relation to that. The six-monthly audit of the surveillance device warrants records has been completed and the committee has my report in relation to that. The annual controlled operations records were inspected and my annual report on controlled operations activities has been supplied.

In addition to those matters and since the report was provided to you for the current period, the 30 August report, I have been to the CCC last week and undertaken the telecommunications interception warrant inspection. A report will follow from that in the coming week or so. Various section 329 notifications have been received, considered and responded to and reported on to the committee. I have reported to the committee on a matter that has been referred and the office has otherwise been working on other referrals that have been sent.

The recent amendments to the Crime and Corruption Act that came through have included the amendments dealing with the movement of the Connolly-Ryan records. That is going to allow that to progress. We are presently working on a memorandum of understanding with the State Archivist to iron out some practicalities with the movement of the records. I can note that the State Archivist has been most proactive in that endeavour which is really terrific.

The other significant thing that has happened over the period is Mr Kunde and I have met in person, as we do annually, with our counterparts from the other states and territories. That meeting this year took place in Darwin a couple of weeks ago. I understand the Australian Public Sector Anti-Corruption Conference was on just prior to when I arrived up there, and I know that a number of members of this committee attended that conference and no doubt it was of great benefit as well.

For our part, it was good, as usual, to meet with our counterparts in Darwin to discuss matters of common interest and concern and particularly tapping into the group's combined experience and wisdom. It was beneficial, as it has been each year that we have attended. Mr Krause, those are the matters that I wish to raise in the public session.

**CHAIR:** Thank you very much, Mr Woodford, for that. We might just pause proceedings for the test of the emergency evacuation system in the parliamentary precinct.

**Proceedings suspended from 9.08 am to 9.10 am.**

**CHAIR:** We will resume our meeting now. Thank you, Mr Woodford. We were just at the point of concluding your opening statement and commencing members' questions. In that vein, I will pass to the deputy chair.

**Mr HINCHLIFFE:** Thank you, Mr Woodford, for that update. You were noting a number of things that have occurred since the last joint meeting. One of the other things that has occurred since the last joint meeting has been the release of the Holmes report, to use that shorthand. There has been some commentary in the broader community about that and from particular institutions. Do you have anything that you want to share in this public session regarding the recommendations from the review? We can go into some further detail if you think it is more appropriate in the private session, but I wanted to give you the opportunity.

**Mr Woodford:** I have been watching some of the commentary in relation to the release of that report from the Hon. Catherine Holmes. I have noted Mr Barbour's comments and I have noted Mr Barbour's sense of frustration. He can speak to his own sense of frustration, and he may do that again today.

I have looked at the report. If I go back a step, when the matter was under consideration following particularly when the Court of Appeal handed down its judgement on 5 August 2022, at that stage—that is over two years ago—I think it is fair to say that, amongst all of the stakeholders—Mr Barbour, my office and even perhaps the committee—there was great optimism that the power to report, as everyone understood it to be and how everyone understood it to exist for a number of decades, may be where the law ended up on it in the High Court.

If we go back a couple of years, when there was a meeting and Mr Barbour was asked about whether that was a point in time for considering statutory amendment, at that point in time Mr Barbour was confident that perhaps the law might end up where we all thought it had been for a long time. Why I say that is: there is a period of about a year there between the Court of Appeal handing down its judgement and when the High Court finally handed down its judgement on 13 September 2023. It

has been a considerable period of time since then, of course, and Mr Barbour has spoken to that frustration, but there needs to be some context around it. It has been a couple of years, but there was a period of great optimism that it would not be necessary to go to legislative amendment. I think that is being fair on the issue to point that out, but there has been a substantial time since then.

The Hon. Catherine Holmes has supplied a very detailed and very in-depth report. There are no two ways about that. Over this whole period the thing that has been in my mind is that, from my perspective—and this is something I have discussed with the committee on many issues over my term so far—sometimes with particular issues it is very important to tap the resources in terms of people who have a great depth of understanding of particular issues, whether that be witness welfare when we have discussed that—and a lawyer is probably not the best person to seek guidance on that. Catherine Holmes is certainly the person to seek expert legal advice on matters, for there is an expert legal problem solver. The report is very good in the sense of presenting the legal landscape.

The thing that came into my mind is that, for an issue like reporting to parliament and the tabling of documents in parliament, the people who really understand that issue and the practicalities and the nuance to it are the clerks of parliament. They have the depth of knowledge and experience with these issues. That is part of their life. The report was terrific to read—the depth of harking into the issues—but what I found very helpful when I looked at the report was the submission made by the Queensland Clerk of the Parliament, Mr Neil Laurie. I had thought about the issue a lot, but in the six pages that Mr Laurie put in his submission he was able to encapsulate so well the issues that are at play in a simple and straightforward manner.

I see that the whole issue is now going to go off to a parliamentary committee, and Mr Barbour has indicated his great satisfaction with that process happening, because he has indicated that the recommendations cause him some great trouble in terms of their practical implementation and what it means for the nature of the reporting he will be able to undertake. I would think that any parliamentary committee that takes the Holmes report and considers the way forward with reporting by the CCC would have a very long, hard look at what Mr Laurie has had to say in his submission. I think he would be very helpful to that committee with that process moving forward. That is the chief point I wanted to make about my observations of the report and issues surrounding the report.

**Mr HINCHLIFFE:** We had discussions at the 17 May joint meeting. I want to get your observations about the progress that has happened since in relation to the T(IA) Act. Is there anything you would like to add in this public session with regard to the amendments to the T(IA) Act as they are being progressed?

**Mr Woodford:** Thank you, Mr Hinchliffe, for that question. This is Mr Kunde's great area of expertise, as he enjoyed answering that last time. I think the answer is a little simpler today, so I will relieve him of that burden—unless he starts twitching!

**Mr HINCHLIFFE:** I will let you know if he does!

**Mr Woodford:** Great. It is still progressing. We have reached a stage now—I do not think it is a problem for me indicating that in this forum—that further draft amendments are passing back and forth between the CCC and my office. We feel that that is progressing well and we feel that we will arrive at a joint position to be able to go off to the Commonwealth authorities before too long. It is progressing.

**CHAIR:** Mr Woodford, in terms of your office and your output, are there any issues arising from the work you have done in the last few months that you need to tell us more about that you have not already covered off in your opening statement?

**Mr Woodford:** No, I do not think so, Mr Krause.

**CHAIR:** This is going to be a short session, the way we are going! The issue I was going to ask about was in relation to the Commonwealth legislation around telecommunications interception, which has already been answered. Is there anything else you wish to share about the parliamentary commissioners meeting in Darwin?

**Mr Woodford:** No, we are sworn to secrecy! For me personally and for Mr Kunde, there are parliamentary commissioner equivalents and also principal lawyer equivalents there. It is a really worthwhile exercise to be able to sit with people over the course of a day and talk about things—under the cone of silence, if you like—that we cannot otherwise talk about. Issues come up that are really helpful to the way things are managed in the office and the thought that goes around matters that we deal with. Perhaps I will talk a little bit more about that in the closed session.

**CHAIR:** Last chance for questions in the public session?

**Ms PUGH:** I think it is better for the private session. I was going to ask about any emerging trends from those sessions, as per the previous witness welfare issue. We can discuss that in private session.

**CHAIR:** Sure. Thank you, Mr Kunde and Mr Woodford, for your time here in the public session. We will cease the broadcast now and move into private session.

**The committee adjourned at 9.20 am.**