



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

## **Members present:**

Mr JM Krause MP—Chair  
Mr JA Sullivan  
Mr DJ Brown MP  
Ms JM Bush MP  
Mr MJ Crandon MP  
Ms JC Pugh MP  
Dr MA Robinson MP

## **Staff present:**

Ms M Westcott—Committee Secretary  
Ms A Groth—Assistant Committee Secretary  
Dr S Pruim—Assistant Committee Secretary

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

### **TRANSCRIPT OF PROCEEDINGS**

**THURSDAY, 3 NOVEMBER 2022**

**Brisbane**

## THURSDAY, 3 NOVEMBER 2022

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**The committee met at 2.01 pm.**

**CHAIR:** Good afternoon, everyone. I am Jon Krause, the member for Scenic Rim and chair of the Parliamentary Crime and Corruption Committee. Joining me on the committee this afternoon are Mr Jimmy Sullivan, the member for Stafford and deputy chair; Mr Don Brown, the member for Capalaba; Ms Jonty Bush, the member for Cooper; Mr Michael Crandon, the member for Coomera; Ms Jess Pugh, the member for Mount Ommaney; and Dr Mark Robinson, the member for Oodgeroo. Before we begin, I acknowledge the traditional owners of the land on which we meet today and pay respects to their elders past, present and emerging, whose lands, winds and waters we all now share.

The committee's proceedings today 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 meeting at my discretion or by order of the committee. These 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. Media rules endorsed by the committee are available on request. 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 to turn their mobile phones off or switch them to silent.

Today the committee is beginning its meeting with the Crime and Corruption Commission in public. We will then close the public part of the meeting and proceed in private with the CCC. Before we get to that, I ask members: are there any declarations of interest? There are no apologies; everyone is here.

**Ms PUGH:** Just my standing ones, Chair.

**Mr SULLIVAN:** Same.

**CHAIR:** There are standing declarations from the member for Mount Ommaney and the member for Stafford. There being no other declarations of interest, I move to the adoption of the agenda. Members have been provided with a copy of the agenda for today's meeting. I move that the agenda for Thursday, 3 November 2022 as circulated be adopted. Those in favour? Against? That is carried.

Members have been provided with the Crime and Corruption Commission's public report to the committee for the period 1 July to 30 September 2022. The proposed resolution is that the committee publish the CCC's public report for that period. Michael Crandon, will you move that?

**Mr CRANDON:** I am happy to do that, Chair.

**CHAIR:** All those in favour? Against? That is carried. The committee will now commence its public discussion with the CCC.

**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**

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

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

**CHAIR:** Welcome. Mr Barbour, I invite you to make a brief opening statement and I am sure that members will have some questions after that.

**Mr Barbour:** Thank you very much, Chair. We are very pleased to present the Crime and Corruption Commission's report to you for the reporting period 1 July to 30 September 2022. This was a busy period for the CCC as we commenced implementing recommendations arising from the Brisbane

commission of inquiry's report that was handed down on 9 August. As you would be aware, the CCC provided its first progress report on the CCC's implementation and delivery of the COI recommendations to this committee on 9 September. A second progress report was provided on 7 October. The first two progress reports were also provided to the Attorney-General and the parliamentary commissioner. On 11 November we will release our first public report on the implementation of the COI recommendations and thereafter public reports will be provided on a quarterly basis.

We are implementing the COI recommendations as part of a significant and strategic renewal agenda for our agency. The sequencing and timing of delivery is influenced by a range of factors including the recruitment of capable resources. I am pleased to advise that many, but not all, of the positions required to scope and deliver our renewal agenda have been filled.

As you would all be well aware, labour market conditions have been strong over the past 12 months, with growth in both labour demand and supply. Over the three months to June 2022, total employment rose to a record high. The participation rate and employment-to-population ratio also rose to record highs. The unemployment rate fell to its lowest level since 1974 and internet job advertisements have reached their highest level since 2008. You may wonder why I am mentioning those figures to you. It is because those factors present challenges for the CCC.

Over the past 12 months the CCC has experienced a high level of recruitment activity and it continues to do so. This is consistent with the National Skills Commission's survey of employers, which indicates that there has been, in the past year, a 22 per cent increase in recruitment activity, the recruitment difficulty rate has increased by 15 per cent and there is ongoing competition for staff, with employers still forecasting to increase staff.

As previously advised to the committee, in response to recommendation 4 of the committee's inquiry report on the Logan matter, an independent review of the culture, policies and processes of the CCC's complaints assessment and review functions was commenced. On 31 August the independent consultant delivered the phase 1 report, which identified eight opportunities to improve the efficiency and effectiveness of the corruption assessment and review functions. Phase 2 is now underway, which will redesign the corruption complaints intake and assessment processes. We expect the review to be completed by the end of February 2023.

In addition to our renewal program of work, we continue to carry out our important operational work. In our Crime portfolio, this includes 10 crime investigations finalised during this reporting period. There have been 49 law enforcement intelligence disclosures and 50 days of hearings relating to crime investigations. In our Corruption portfolio, we finalised 11 corruption investigations, made four recommendations for disciplinary action as a result of corruption investigations relating to two persons, and made 11 prevention recommendations arising out of our corruption investigations and monitoring activities. There were 962 complaints of suspected corruption received during the reporting period and 1,012 complaints of suspected corruption were assessed.

The CCC's review of the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 is also underway. The CCC is required by section 74C of the act to conduct this review. The review aims to determine how the act operates, including policies, training and practices that give life to the act. The review will also consider how well the act protects children and manages the risks posed by offenders defined under the act. On 13 October we published a discussion paper on our website inviting submissions from the public on the act's application, operation and effectiveness. Submissions are due by 14 November, and at the conclusion of the review we will deliver a report to the Speaker for tabling in the Legislative Assembly.

In closing, as you would be aware, there are important limitations on the matters we can discuss in open session, particularly in regard to investigations that are in progress. The progress of any current investigation is appropriately dealt with in the private component of our meeting with the committee.

Finally, you will recall that at our meeting in August I advised of the CCC's intention to lodge an application to seek leave to appeal the Queensland Court of Appeal decision in the Carne matter. We have recently been advised by the High Court that an oral hearing for that application will be scheduled before the end of this year.

Those are my opening remarks. Thank you, Chair and members. We are very happy to answer any questions that you for us.

**CHAIR:** Mr Barbour, I wanted to touch on something in relation to the composition of the commission. Section 223 of the Crime and Corruption Act says that the commission is to consist of a full-time commissioner who is the chairperson, which is yourself; a part-time commissioner who is the  
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deputy chairperson; and three part-time commissioners who are ordinary commissioners. That is five in total, all required under the act to constitute the commission. At the conclusion of the annual report period this year it was confirmed that there were, at that point in time, only an acting chairperson—and you have subsequently become the chairperson—a deputy chairperson and one ordinary commissioner. This has been the position since early 2022, when Mr MacSporran resigned, and that followed on from Judge Holliday's departure to join the District Court in 2021.

Mr Barbour, as we understand it, there are still vacancies for ordinary commissioners. Do you know how much longer this situation will continue, given the commission has been effectively operating not in full compliance with the act for almost a year now and is still short two ordinary commissioners?

**Mr Barbour:** The recruitment processes for vacant positions on the commission have been underway. As you know, those processes are not controlled, in terms of timing, by the commission. Regrettably, the appointment process does take some time and that is out of our hands. There was a recruitment process earlier this year that I understand is still underway, and I might be in a position during our private meeting to speak more to that. It may, indeed, be that the committee is more aware of that situation than I am.

In terms of the deputy chair role and one of the ordinary commissioner roles, we have had a recruitment process recently that we have gone through. We are also advertising this weekend for an ordinary commissioner. There is recruitment underway. We are very mindful and aware of the current situation. That is really all I can say.

**CHAIR:** Have you raised this matter with the Attorney-General? If so, what has been her response? Perhaps I will put it this way: there must be some limits on the effectiveness of the commission if there is not a full complement in place.

**Mr Barbour:** All I can say is that the Attorney is well aware of the situation and is obviously involved in the process of the appointments.

**CHAIR:** You mentioned that there has been advertising in relation to the position of deputy chairperson and also ordinary commissioners. When was that underway? Do you know when those ads were placed?

**Mr Barbour:** I can provide you with the specific dates. I do not have those dates available at the moment. The process and interview selections were concluded probably about a month ago. Those matters were then brought to the Attorney's attention.

**CHAIR:** Can you tell us how many applications have been received?

**Mr Barbour:** Less than I would have liked.

**CHAIR:** Mr Barbour, it is my understanding, based on a document that I found by searching on the internet, that the deputy chairperson's tenure was due to expire on 31 October this year. Can you tell me, please, and the committee, on what date the deputy chairperson's tenure actually ended at the CCC?

**Mr Barbour:** 31 October.

**CHAIR:** There are quorum provisions in the act. Is the commission quorate at this point in time?

**Mr Barbour:** At the moment, the commission is not quorate. The advice that I have received is that that will be remedied shortly. I am happy to go into that in the private session.

**CHAIR:** Okay. Thank you for confirming that. In relation, again, to the recruitment process, I have a copy of the act here and it pretty clearly says that the Attorney-General is responsible for nominating a chairperson, a deputy chairperson and ordinary commissioners. In line with what you have just told the committee and as I understand it, the CCC is also involved in that process. Can you please tell us how it works? The act says that the Attorney-General is responsible for those nominations, but you have indicated there is some involvement from the CCC as well. How does this work in practice?

**Mr Barbour:** I cannot speak to how it worked before I became chair. I can certainly speak in relation to the process since I became chair, and that is that the recruitment for the deputy chair and one ordinary commissioner position was structured in a way where the panel comprised myself and Ms Darch as a commissioner and also an independent party, the Queensland Ombudsman. The interviews were conducted by that panel, and recommendations were made to the Attorney so that she could consider who she might nominate, as required under the act.

**CHAIR:** The CCC essentially leads the process for nominating an ordinary commissioner for the CCC?

**Mr Barbour:** No, the Attorney nominates. What we have done is hold selection panels and we have made recommendations. Whether the Attorney accepts those recommendations or whether she chooses to nominate someone else is a matter for the Attorney.

**CHAIR:** Should it not be, though, Mr Barbour, that the Attorney-General does the work in recruitment and selection, not the CCC? This is a commissioner who is meant to oversee the entire commission and yet you were telling me that two of the three people on the panel were existing commissioners. Do you not see a problem with that?

**Mr Barbour:** No, not at all.

**CHAIR:** The act does not provide a role for the chairperson of the CCC in this, Mr Barbour; it provides a role for the Attorney-General. So I do not know how you cannot see an issue with that, particularly when it could lead to you forwarding nominations or suggested nominees to the Attorney-General selected by yourselves. There is a perception issue there, in my view, in that there could be a perception that—

**Mr SULLIVAN:** Sorry, Chair, there are clear imputations in what you are putting. Are you asking a question or are you trying to seek an opinion? I do not know how that fits within our role.

**CHAIR:** We are going to the recruitment process of ordinary commissioners. We have just heard that the commission is inquorate—

**Mr BROWN:** We also have an oversight function. On this committee as well, there is an extra layer—

**CHAIR:** Member for Capalaba, I did not hear you raise a point of order there.

**Mr BROWN:** I am just making a point.

**CHAIR:** Member for Stafford and member for Capalaba, we have just heard that the commission is inquorate. I am inquiring about the recruitment process. The act clearly specifies it is the Attorney-General's job to nominate commissioners and yet—

**Mr SULLIVAN:** We have been silent while you have been questioning, but I am making a point of order that you cannot put imputations to the chair when you are asking a question.

**CHAIR:** Thank you for your point of order, member for Stafford.

**Mr Barbour:** I also add this, because I do not agree with you, Chair, in relation to your assessment: the CCC currently is undergoing an enormous and significant renewal program. Matters around organisational change and management are critical to the success of the operation of the commission and were certainly highlighted by this committee in terms of what the commission needed to do. With respect, I do not think anybody currently is better placed than the chair of the commission to be able to add to that process in an effective way. To remove that role, I think, would in fact be counterproductive and would go against the very issues that this commission wants to guard against.

**CHAIR:** Thank you, Chairperson. Member for Stafford, do you have any questions?

**Mr SULLIVAN:** I do. Thank you, Chair. I am mindful that we are in the public session at the moment, but I did want to flag that some of the issues raised in the report went to the issue of cryptocurrency and I wanted to thank you again for the briefing you provided this committee out of session.

**Mr Barbour:** Pleasure.

**Mr SULLIVAN:** Is there anything in the public session that you could go to in terms of what the CCC is doing in that space?

**Mr Barbour:** I think we can certainly talk about the project work we are doing and the importance of that in terms of our ongoing work in relation to the crime area. Ms Loder can perhaps provide a brief outline of that work, and if there are any specifics or details that we cannot disclose in the public session we would be happy to answer them during the private session.

**Ms Loder:** Stage 1 of the project involved developing a capability framework, which has been dealt with in our previous reports. The current project is looking at implementing the aspects of that framework. At the moment we are focused on the training capability that is required and the different governance policies and procedures that are required in different environments in which we would operate. Also we are looking at making sure that we have the right technology to investigate properly the cryptocurrency. I can deal with that in a bit more detail.

**Mr SULLIVAN:** I do not want to go into specific matters, Mr Barbour, but, in relation to what I think the CCC describes as police related deaths in your report, can you run us through the process of what role the CCC plays in those cases—how referrals occur, who looks after it and how you come to conclusions? Again, I do not want mentioned specific names or cases, but can you give us a bit of an oversight as to the CCC's role and how you manage that internally?

**Mr Barbour:** Absolutely. We have been doing quite a bit of work in relation to this recently, and I will ask Ms Christensen to answer fully in a moment. Our role is an oversight role. It is to work in conjunction with and to oversight the police investigation at the time of those particular deaths. We are notified very promptly of those so that we can make a decision about whether our staff need to attend or whether it is a matter that does not require attendance, for whatever reason. Then our attendance permits us to review what is happening in relation to the police response, which is normally undertaken by the ESC, the Ethical Standards Command, and we can then determine whether or not that approach and that investigation is appropriate in the circumstances, and we can also form preliminary views about whether there appears to be any potential police misconduct or inappropriate conduct in relation to the particular injury or death that has occurred. We then will continue to monitor that and have a final report prepared if we are satisfied at that stage so that we can then review it further. We are doing some work on that process at the moment. I will get Ms Christensen to add if there is anything else she would like to say.

**Ms Christensen:** As emphasised, there are two aspects to the CCC's role when we become engaged in a police related death. One is the oversight of the ESC investigation itself as well as commenting and looking at the event that has occurred. We are available 24/7 to attend at a site. We have a system that will trigger directly to a CCC officer if an event has occurred. The ESC officer and the relevant CCC officer would decide whether CCC officers attend a particular event. We have a rostering system on that, and attendance at the event would be generally a civilian and a police officer; two officers would attend, subject to particular operational reasons. For example, if we receive a call at 1 am and the event is in Cairns, there may be operational reasons why we do not attend immediately.

In terms of other aspects, there is an MOU between the Coroner, the QPS and the CCC, and we work closely under that. That frames the things that we are looking at and focusing on: the rigour of the investigation, the transparency, management of conflicts of interest. We have a process of what CCC officers are looking at immediately when they are on site. Then again we follow through, review the incident as that goes. Our CCC officers may attend a site, do scene walks and be part of monitoring and review of the initial material. It will depend on the particular incident. They would review body worn camera imaging.

The first end stage of reporting is what you will see in this report, a special activity report that looks and comments on that initial attendance—the preliminary views of the incident as well as preliminary views on the ESC's investigation. Then as we go on from that we will see the final ESC investigation report and Coroner's report, if that is part of it, and comment, review and do a further report on that. The CCC has regular scheduled meetings with the coroners, so we also inform the Coroner of our preliminary views of the matter. I trust that answers your question. I am happy to take any other questions.

**Mr Barbour:** I know this is a little irregular, but can I just say, if I have the chair's indulgence: I am delighted to say that the commission will be quorate from tomorrow. Mr Peter Dowling's appointment, which I was not prepared to discuss in public session because I did not think it appropriate, has now been approved. There is confirmation of executive council approval—it has just been provided—and his appointment comes into effect tomorrow.

**Ms PUGH:** Fantastic. Breaking news. My question is about the annual training budget in the public component of the report. I note that the training budget this year has been a bit lower than years gone by. However, I am wondering if that has to do with the structural reforms you are undertaking and if, because of that, that might be showing up in other places, if that makes sense. Rather than having your normal training for staff, because of the structural changes and the cultural changes you are undertaking, is that coming up in different places and in different ways? I was just keen to delve a little more into that. Could you shed any light on it?

**Mr Barbour:** I will ask the CEO to answer.

**Ms O'Farrell:** What we have experienced over the last couple of years is a general decrease, not in the budget allocated for training and development of staff but certainly in the uptake. That has been affected by COVID, accessibility factors and the like. We are in the process of developing a new capability program that is particularly responsive to the COI recommendations. That work we hope

will be completed around February. We have unallocated funds in our budget now, specifically designed to then be able to input into those training needs analysis and to fill the gap that is identified in those capability plans, plus other projects as well.

Training and development continues for staff. There is a budget allocated centrally and also within each division of the Crime and Corruption Commission. Everyone has just finished their performance development agreement process—or are about to; there are a few stragglers—and there is a key component in that process for professional development. The commission is an organisation—like most organisations, but particularly us—where the currency of digital awareness and technology and particularly investigative applications is critical. We have to keep our forensics officers up to date, particularly our witness protection officers. Typically our witness protection training and development is done overseas for some officers, and we have just had an officer travel to Europe for that. We have recently conducted the national witness protection course in Queensland, hosted by us. It is a big priority and will remain a big priority, and you will see a greater allocation in that budget once we have done our planning.

**Ms PUGH:** I want to make sure I am not paraphrasing or misunderstanding. When are you doing these performance reviews, personal development and training is actually part of everyone's—I want to say KPIs. Part of being employed by the CCC means agreeing to undertake a certain amount of professional development over the course of their employment?

**Ms O'Farrell:** It is a mutual obligation, I suppose, and one that is encouraged because we need to maintain currency of training for certain officers. Then there is the obligation on us as well to promote their further career advancement, whether that be internally within the CCC or externally, in the hope that one day they come back to us. We have ongoing mandatory training which is all about compliance. There is an online learning platform that in a cost-efficient manner provides a plethora of management, leadership and specific skills training and then there are bespoke designed programs that we insource from universities or other training providers that are designed for a specific cohort of our staff.

**Ms PUGH:** Mr Barbour, you spoke in your opening statement about the challenges around recruitment. I think that is something anybody who is looking for staff right now can relate to. I am keen to hear whether there are any particular skill sets where you are finding it more difficult. Are there some places where the gaps are larger than other places, in general terms?

**Mr Barbour:** I will get the CEO to answer that as well. Certainly one of the things we are seeing is that the challenges around recruitment are expanding. Once upon a time they were in particular niche positions but now they are broadening. It is one of the reasons I sought your indulgence in my opening remarks to talk about some of those figures—to demonstrate how this is a problem that is universal at the moment. In a boutique, specific organisation like the CCC, the market that we go to is much smaller and so it becomes more challenging. With the imminent setting up of the NACC and the expansion of other bodies around the country, this is going to become an ongoing problem for us.

**Ms O'Farrell:** I will add to the chairperson's response. Specifically, we are competing for skilled investigators, intelligence analysts, forensic experts and the like, but more broadly within the labour market, with reduced migration, the skills that we need around business analysis, systems design and project management are really being impacted and I think it would be impacting a lot of people. The ability to pay what the market is prepared to pay is an issue. We have particular issues retaining staff when they are getting offered other positions within other investigative agencies. We are currently looking at that and whether an attraction and retention incentive scheme might be a potential response to that issue. The difficulty is across the board, quite frankly. We have had a lot of luck recently with a lot of our renewal team which is great. We are getting highly capable, talented, experienced people, but certainly operationally there are some impacts for sure.

**Mr Barbour:** I think Ms Loder wanted to make a point as well.

**Ms Loder:** Not all training has a financial cost to the commission. We contribute to courses that are run by particularly the QPS. We have staff who deliver modules on those courses. Our staff have the opportunity to get invited to and participate in different courses—not just with the QPS but with our other law enforcement partners. Our commissioned officers have a personal training allowance that I understand the commission does not pay for, so they use that for their professional development as well.

**Ms O'Farrell:** That is QPS commissioned officers.

**Ms PUGH:** Which is a substantial cohort of your overall workforce?

**Ms O'Farrell:** Inspector and above.

**Mr CRANDON:** The secretariat was kind enough to put together some material for us regarding the Working for Queensland survey results for the last few years—2019, 2020 and 2021. Those results are in this report. It is a fact that the number of respondents has been steadily decreasing. Over those three years, the number of people who have been bothered to fill out the Working for Queensland survey has been decreasing. Perhaps the CEO could give us some thoughts on why you think that might be the case.

**Mr Barbour:** I am happy to hand over to the CEO.

**Ms O'Farrell:** I think we provided the Working for Queensland survey results to the committee yesterday.

**Mr CRANDON:** I am not talking about those ones. They are not public yet, are they?

**Ms O'Farrell:** No. This year's response rate was 70 per cent, which is very high. It is lower than previous years; I accept that.

**Mr CRANDON:** Before you go on, is that document public?

**Ms O'Farrell:** No, but I am happy to make—

**Mr CRANDON:** To talk to it?

**Ms O'Farrell:**—the response rate public. This is a matter for internal staff but we are happy to share it with the committee so you understand where officers are and the engagement levels within the commission and so forth.

**Mr CRANDON:** In 2019 it was up over 80 per cent. In 2020 it was just below 80 per cent. In 2021 it looks like it was around 72 per cent. You now say that this year it is 70 per cent.

**Ms O'Farrell:** Correct.

**Mr CRANDON:** So it is declining?

**Ms O'Farrell:** Yes, declining but still very high. I will not compare because I do not know what the whole-of-sector response rates are. It is a high response rate, generally speaking. If you get a more than 50 per cent response rate on most surveys you are doing well.

**Mr CRANDON:** The results that the secretariat were kind enough to put together for us show for agency engagement, job empowerment, workload and health, learning and development right the way through to my work group, my manager, organisational leadership, organisational fairness, anti-discrimination and innovation—other than anti-discrimination—right across the board there was an improvement over those three years that I am talking about. How does that reflect in the current report that you gave to us yesterday?

**Ms O'Farrell:** As I said in the report and my letter yesterday, we have seen a general decline in engagement and in various other factors. The survey tool this year is a new tool so we cannot directly correlate between previous years, but I am confident to say that we would want to see improved results next year. I think the results are reflective—the response rate is high so they are statistically significant results—of the perception of staff and how they are feeling. I think over the last couple of years, but certainly the last 12 months, the program of intense scrutiny, reform and the change that we are requiring within the organisations is impacting staff for sure. We will continue to work with staff to make that transition to a new commission easier and understood but, yes, there is absolutely general acceptance within the commission that those results are less than previous years.

**Mr CRANDON:** That is the one that is not published at this stage? You gave us a copy of it yesterday?

**Ms O'Farrell:** Correct.

**Mr CRANDON:** In that regard, how does it compare with the broader state results?

**Ms O'Farrell:** I think you could see, if you have seen the results, that there is a comparison against the general public sector in many of the factors. I think you will see that they are less favourable than they have been.

**Mr CRANDON:** You have had the report for some time?

**Ms O'Farrell:** Not some time; I have had the report since late October—25 or 27 October; last week.

**Mr CRANDON:** Just a week or so. You have had time to turn your mind to where you might want to go with turning things around again?

**Ms O'Farrell:** Some time, but not a great deal of time. It is quite busy in the commission at the moment. We have shared the results with our staff at the high level and now each division will go into their individual sharing sessions and action planning. Particular governance committees—for Brisbane

example, I chair the organisational health and wellbeing committee—will look at the particular factors that they want to focus on as a committee for particular interventions over the next 12 months and start that process.

**Mr Barbour:** Before we leave that, I will say that the CEO and I wrote to all staff about the results of that survey. As she has indicated, at a level throughout the organisation they will be the subject of discussion to ensure we have appropriate systems in place to respond to any issues that we need to respond to. I am not surprised that the results are worse this year than they were previously. I think there are any number of reasons, that you are all well aware of, staff would be feeling concerned about their roles, concerned about how their work is perceived externally and dealing with critical views that are expressed constantly about their work, so I think at this stage it is not surprising. What it does mean, though, is that we need to work with staff to ensure that they are appropriately trained, that they have the best quality materials and access to supports that they can possibly have, and that we are open to engaging with them around these issues. I wish I could say that I was surprised by the results, but I have to say that I was not.

**Mr CRANDON:** What is the current budget for training? You may have said it already if there was a question about this from members at the other end, but I was concentrating on how I was going to frame some questions. What is the budget for training this year? I see in the report that the amount spent on training has decreased quite significantly over the last handful of years. Going forward, what are you budgeting?

**Mr Barbour:** The CEO is looking for a figure now.

**Ms O'Farrell:** In terms of the actual spend, I think you cannot refer to the last couple of years as indicative because they have been wildly affected by COVID. As I said earlier, we would see a general pick-up of that. There is a specific plan being developed around capability. That capability is focused very much on developing a greater understanding around public sector policy and framework, particularly for QPS seconded officers when they are doing investigations at the commission, as well as various other things. Generally, the budget centrally has been around \$350,000. As Ms Loder said, that is not the total investment. That is total investment in external courses. We invest in our online learning application. We also have on-the-job training and development—so a whole series of higher duties arrangements, project work and the like. As well, we contribute to courses that are delivered by others.

**Mr CRANDON:** I just want to check a couple of things. Has the strategic plan 2022-2026 been made public?

**Ms O'Farrell:** Yes, on 1 July.

**Mr CRANDON:** Has the corruption audit plan 2021-2023 been made public?

**Ms O'Farrell:** That is on our website.

**Mr CRANDON:** I just wanted to check before I ask my question. I notice in that you have a particular focus on a few things. From July to December 2021 you looked at Bundaberg Regional Council, Ipswich City Council and Whitsunday Regional Council. How did things go there as far as your auditing was concerned? That is the area of misuse of public resources and the scope was examining a sample of allegations involving a misuse of public resources.

**Mr Barbour:** That is part of our ongoing audit plan, I believe. I do not have the specific results of that here, but I am happy to provide those to the committee if you would like.

**Mr CRANDON:** Under 'Recruitment part A—selection process', which was January to June 2022, once again we see a couple of statutory authorities in there. The departments were Children, Youth Justice and Multicultural Affairs and Seniors, Disability Services and Aboriginal Torres Strait Islander Partnerships. You also have in there Gladstone Ports Corporation Ltd. So you were looking at that as an audit and it was completed a few months ago?

**Mr Barbour:** Yes, it has. We are just finalising the data from that.

**Mr CRANDON:** Thank you. Employment screening is a flow-on, if you like, from recruitment—part A, selection process. You are showing an interest again in the Gladstone Ports Corporation Ltd, among other organisations. Is that just a flow-on from that first one?

**Mr Barbour:** No, but we are actually not proceeding with that. We are making a few changes to the audits that have not yet been undertaken. We are revisiting those in the context of our development of a new corruption strategy and also looking at our priorities. As you can imagine, these activities are very fluid in terms of what we need to do, so those two audits that have not yet proceeded, that are identified as not having commenced, at this stage are not going to proceed and we are reviewing what we are going to be doing in their place.

**Mr CRANDON:** So September 2022 to January 2023, they are not proceeding; and December 2022 to April 2023, they are not proceeding at this stage? You are going to be reviewing that?

**Mr Barbour:** That is right.

**Mr CRANDON:** You will provide some feedback to us in that regard?

**Mr Barbour:** We will. We will develop a new audit plan and ultimately that will be published, as we normally do.

**Ms O'Farrell:** We just needed to divert the resource to assist us with the corruption strategy work, which will focus a lot on prevention. It is a critical input for that resource to actually input and help us with the engagement with our stakeholders about corruption risks in the sector and where we need to focus prevention and functions like corruption auditing.

**Mr BROWN:** With regard to the report and the comparison of complaints for the local government sector and the decrease in both complaints and allegations received when compared to 2021-22—a drop of 61 per cent and 71 per cent—is there any explanation for that?

**Mr Barbour:** No, but I suspect the association is delighted. No, there is not. There is no particular trend that is over a long period of time that we are seeing. Certainly those figures are suggesting that there has been a large drop. There may be any number of reasons for that, but at this stage we have not identified anything that is consistent.

**Mr SULLIVAN:** I have just two quick questions. One is a follow-up from the line of questioning from the member for Coomera. Without going into specific matters, is it fair to say that your audit process is by its nature a cross-section of our community and public entities and that for any individual organisation audited it is not necessarily the fact that it has come from a specific complaint or a specific concern?

**Mr Barbour:** No, that is right. Generally, the audits will follow our particular areas of interest, which are supported within our strategic plan. We will try to get a broad cross-section. Obviously what we audit is targeted in the sense that it comes from intelligence. It also is supported, as I say, by the strategic plan.

**Mr SULLIVAN:** Are there particular investigations or programs you have done?

**Mr Barbour:** Whilst it is a general application, I would not say in all cases that that does not mean that we might include in a particular audit at a particular time an agency that we think is appropriate to audit for particular reasons.

**Mr SULLIVAN:** Perhaps coming out of Belcarra or something like that?

**Ms O'Farrell:** Generally speaking, as you know, we have the option to monitor investigations. There will be occasions where we determine not to monitor, but we advise the unit of public administration that the investigation that is being devolved may be the subject of an audit at a later time.

**Mr SULLIVAN:** In terms of training of externals—we have had feedback, for example in our five-year review, from local government CEOs across the state—does the CCC involve itself in training of internal transparency issues and internal responsibilities within council, for example?

**Mr Barbour:** We have just done some recent training, which Cecilia can speak to, that I think will address that.

**Ms Christensen:** Recently some CCC officers from the area we call Integrity Services have done some regional forums. They were in Townsville. We were very pleased with the attendance for a number of the regional areas: even officers from Fraser Coast attended in Townsville. That particular forum, for example, focused on the actual process of lodging a complaint, assessment and managing and working with the CCC when it is referred back. The other aspect is: we provided some training on investigations—helping to build the capability of organisations themselves. That was well received. That is a particular format we would like to do again and certainly in more regional bases.

The other aspect is that we certainly receive requests. In our report we talk about conflict of interest training we have held with the department. We are very interested in how we can further support local governments and all of our UPAs on the ground in terms of assessing and working with that and how to do that best. That is something we are very keen on and part of our corruption strategy. That is part of the prevention space that the CEO has mentioned.

**Mr Barbour:** We recently met with the Local Government Association of Queensland. During the course of that meeting we indicated that we were very keen to work with the council and local government sector around these very issues. I am firmly of the view that we need to work in Brisbane

partnership with agencies as much as possible. Our role is to ensure that they have systems that deal with risk and corruption prevention in the best way they possibly can. If we can assist through our experience and our work to help train or provide advice or assistance, I am very much one to encourage that. I think it is very important.

**Mr SULLIVAN:** And to do it proactively as opposed to reactively.

**Mr Barbour:** Absolutely, yes. In the development of our corruption strategy we will be engaging with all of our UPA stakeholders and other relevant agencies and partners. We are developing that at the moment. We see that as being very important. I want to hear from all of them about what their experience is with us, what they believe we can do better, what they need from us and what they see as being their major risks so that we can build that into our planning for the next five years.

**CHAIR:** In relation to the Workshop report, after you became acting chair did the draft report take a different turn from where it was previously headed—for example, from a tone that reflected heavily and with concern on those events to one that framed them more as business as usual or ordinary course of business in terms of what went on in the Public Service Commission?

**Mr Barbour:** No, I do not believe it changed direction at all. Importantly, in terms of the decisions made in relation to that matter, I think I have previously indicated to the committee that I actually took no role in the specific decisions. Having worked for a short time as the Integrity Commissioner on an acting basis, I thought it was inappropriate for me to be involved directly in the decisions. Whilst I managed the administrative process in terms of reporting to this committee and so forth, I did not take a role in relation to the specific decisions.

**CHAIR:** Ms O'Farrell, to your knowledge, can you answer that question as well, please?

**Ms O'Farrell:** No, I cannot, because generally I do not take an active role in operational decision-making.

**CHAIR:** That is okay. Ms Christensen—to your knowledge?

**Ms Christensen:** To my knowledge, I am not aware of that. I joined the CCC in July, so I am not able to provide any further information on that.

**CHAIR:** Ms Darch, you were part of the commission throughout the entire period. Are you able to tell us, to your knowledge, whether the investigation took a different turn or the report took a different turn around the time that Mr Barbour became acting chair?

**Ms Darch:** Thank you for your question. I have not observed any change at all, to be very honest with you.

**CHAIR:** No worries.

**Mr SULLIVAN:** Mr Chair, can I suggest that Mr Barbour have the opportunity to answer what you are insinuating here? If you are going to put something, put it.

**CHAIR:** He has. He said that he did not have anything to do with it.

**Mr Barbour:** I am not at all clear on the purpose of the question, but it is up to you, Chair, whether you wish to share what it is that you are trying to get to. It may well be something that I can answer, but at the moment it is unclear to me what you are getting at.

**CHAIR:** Mr Chairperson, I wanted to also touch on a different matter in relation to the Investigation Workshop report. I have a copy of it here. On the second page it has the cover letter, which you signed, saying that the commission has adopted the report. Around that time—I think it was in June; it is dated July but it was adopted around about that time—the commission had three commissioners at the time. The act, as I understand it, requires four commissioners to be present for the adoption of a report. Section 264(2) states—

However, if a report is to be presented to the commission for adoption, the quorum for the meeting is any 4 commissioners.

How could the commission have adopted that report? I think in June and July there were only three commissioners in place.

**Mr Barbour:** I am happy to look at that issue and we will get back to the committee.

**CHAIR:** You are aware of the quorum requirement for adopting a report?

**Mr Barbour:** Yes. As I said, I will take it on notice and I will get back to the committee.

**CHAIR:** Take that one on notice, please. There are a couple of other things before we round this out. Would you be able to provide an update on any legal costs incurred by the commission in relation to both the Carne High Court appeal and any increase or change in costs for the legal proceedings involving Ms Trad?

**Mr Barbour:** We are happy to provide you with an update. Apart from the preparation of the material for the High Court special leave application, the figures are pretty much as previously provided to the committee. There would obviously be some increase in relation to the Carne fees as a result of the work in preparation for the High Court, but I am happy to provide the exact figures to the committee.

**CHAIR:** Take that one on notice too, please. You mentioned the LGAQ before. I know that they have publicly gone out into the media and mentioned their desire to see a review of particular failed prosecutions in the local government space. What is the commission's view on that, because I know that the commission of inquiry made some recommendations around this point? Will the commission commit to reviewing those failed prosecutions not only going forward but also looking backwards?

**Mr Barbour:** The commission of inquiry recommended, as the committee is aware, that changes be made to the process in terms of the commission seeking the opinion of the DPP prior to charging. That process is currently progressing. We are looking at potential amendments to the legislation which will be introduced. That is very early stages at this stage but that will happen. We have just had a meeting with DJAG, DPP, Police and ourselves to look at the starting process for those amendments. The commission of inquiry also recommended that there be a post-prosecution review. We are currently developing a procedure within the organisation to undertake that.

As to specifically reviewing other matters, I will not give an undertaking to do that in relation to all because obviously every matter is different. Clearly, these changes and matters up until this point have not proceeded to a full hearing for a whole range of reasons. We are aware of those reasons. Many of them are very clear. Importantly, the DPP has indicated that, notwithstanding the amendments that are being proposed, that will not prevent the DPP at any stage while it is prosecuting a matter to make a decision to not proceed with the prosecution. Those matters are outside the CCC's control and often have no bearing at all to the issues that must be considered prior to charging. For example, if you look at the prosecution rates and success rates for the directors of public prosecution around the country, you will see that somewhere between 50 and 60 per cent is the rate of successful conviction. Those other matters do not proceed to conviction and they do not proceed for a range of reasons. It is no different here. This is the way the criminal justice system works. Those matters are all taken into account by the commission when it considers these kinds of issues.

**CHAIR:** Going back to the Carne and Trad issues and the Carne appeal in particular, in our last public meeting—and I have the transcript here—in one of my questions I suggested—

In relation to those matters that we have spoken about—the Carne matter, the Trad matter and various other matters—you have a number of reports that you wish to still have tabled to have published in the public domain. You are not stepping away from that position in relation to those particular reports?

You answered, 'No.' Is it still the same position today?

**Mr Barbour:** Absolutely.

**CHAIR:** Mr Barbour, going back to the adoption of the Investigation Workshop report, you were acting chairperson at the time.

**Mr Barbour:** Yes.

**CHAIR:** Can you not recall the process that that went through for the commission to adopt that report?

**Mr Barbour:** I do not want to give an imprecise answer. I want to make sure that I provide the committee with an appropriate answer. I think that is reasonable. Had I been aware that it was a matter of interest to you and been made aware of that, I would have been in a position to answer fully today.

**CHAIR:** It is in the act that you need four commissioners to adopt a report so it has been there for a number of years. That is how I found out about it. I am happy for you to take that on notice and provide a response, along with the other questions on notice. We are at that stage of proceedings where we will talk about the questions on notice. I go back to the recruitment issue, which we touched on earlier. You mentioned you would take on notice the issue of when those positions were advertised—the deputy chairperson and the ordinary commissioner positions. May I also ask whether you could provide—

**Mr Barbour:** I can indicate to you that those positions were advertised on 29 July.

**CHAIR:** For both?

**Mr Barbour:** Yes.

**CHAIR:** In which publications or media?

**Mr Barbour:** The *Australian* and on Smart Jobs.

**CHAIR:** Nothing earlier in the year?

**Mr Barbour:** For the deputy chair and/or ordinary commissioner, no.

**Ms O'Farrell:** Mr Dowling's appointment arose from an earlier advertisement. I do not have the date of that but we can come back and provide that.

**CHAIR:** That is fine.

**Mr Barbour:** I think that would have been around February/March that that was advertised.

**CHAIR:** If there are any other details that you could fill us in with, Ms O'Farrell, that would be appreciated. Did the CCC place those ads?

**Ms O'Farrell:** The CCC placed the ads on 29 July for the deputy chairperson and the ordinary commissioner, not the ad that resulted in Mr Dowling's appointment.

**CHAIR:** That was the previous one.

**Ms O'Farrell:** Correct.

**CHAIR:** Dr Robinson has not asked a question today so he has a quick one.

**Dr ROBINSON:** It is on an entirely different subject, coming to the report in terms of major crime investigations. Given that the CCC is progressing an investigation into money laundering, fraud and drug trafficking involving members of an outlaw motorcycle gang based on the Gold Coast, can you speak generally about the threat posed by outlaw motorcycle groups in Queensland?

**Mr Barbour:** I will ask Ms Loder to answer that because that is as long as a piece of string, that particular question.

**Ms Loder:** I cannot say anything specific in the public session, but I can say that there definitely is a focus not just of the commission but also of law enforcement generally. I think the commissioners or the assistant commissioners of the three main policing agencies in this state, as recently as July, gave a press conference about the focus of those agencies on outlaw motorcycle gangs.

**Dr ROBINSON:** It may well be a perception by prominent media reports in other parts of the country and in the media in Queensland. Potentially, there is a perception of outlaw motorcycle gangs being more active or it could well be that there is more media reporting of it. Do you have a take on whether we are facing an increase in activity and what is our response to that?

**Ms Loder:** The commission is not primarily responsible for law enforcement in Queensland. That is the role of the QPS. Definitely we play a support role in that regard. We have our own crime investigations and they are predominantly focused on gathering intelligence. There are a couple of matters where we are focusing on specific groups. I really cannot provide a lot of detail in the public session about our focus in detail, and certainly I would not want to speak for other agencies.

**Dr ROBINSON:** Sure. Perhaps in the private session you can elaborate on that.

**Ms Loder:** Yes.

**CHAIR:** Thank you, Dr Robinson. That brings the time for our public session to a close. I note that the commission has taken some questions on notice. Could you please provide your responses by close of business on Thursday, 10 November 2022? That concludes the public meeting. The committee will continue the remainder of its meeting in private session. I thank everybody who has been here in the public gallery and watching online. We will now move into private session.

**The committee adjourned at 3.06 pm.**