



PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

Members present:

Mr JM Krause MP—Chair
Ms JM Bush MP
Mr MJ Crandon MP
Ms JR Howard MP (virtual)
Mrs MF McMahon MP
Ms JC Pugh MP (virtual)
Dr MA Robinson MP

Staff present:

Ms L Manderson—Committee Secretary
Ms R Ponting—Assistant Committee Secretary

MEETING WITH THE CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF PROCEEDINGS

FRIDAY, 25 FEBRUARY 2022

Brisbane

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The committee met at 10.41 am.

CHAIR: Good morning and welcome back to our hearing this morning. 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. There are a couple of matters to deal with before we turn to our friends from the Crime and Corruption Commission. Firstly, members have been provided with secretariat briefings and the Crime and Corruption Commission's annual report for 2020-21 and the Crime and Corruption Commission's public report. I move—

That the committee authorise the publication of the Crime and Corruption Commission's public report to the committee for the period 1 July 2021 to 31 December 2021.

Those in favour? Those against? That is carried.

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

CAUGHLIN, Mr David, Acting Senior Executive Officer (Corruption), 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: The committee will now commence its public discussion with the CCC. I welcome CCC officers to the meeting. Mr Barbour, I invite you, as the acting chairperson, to make an opening statement to our meeting if you would.

Mr Barbour: We are pleased to present the Crime and Corruption Commission's report for the reporting period 1 July to 31 December 2021. Firstly, I wish to acknowledge the delivery of the PCCC's report of its inquiry into the CCC's investigation of former councillors of the Logan City Council and related matters tabled in state parliament on 2 December 2021. We understand that achieving alignment between purpose and organisational culture requires ongoing focus. We are committed to that. To continue the CCC's program of reform and to be responsive to the PCCC's recommendation No. 4, we advise that we will be undertaking an external review of our current practices in relation to the assessment of corrupt conduct complaints. We also recognise the announcement by the Premier of the commission of inquiry, which commenced on 7 February 2022. We look forward to assisting the commissioners with their inquiry.

While we acknowledge that there is public interest in our activities and it is important that reporting is done in open sessions such as this, we highlight that there are limitations to the matters that we can discuss in open session, particularly those investigations which are ongoing. The progress of any particular current investigation is appropriately dealt with in the private component of our meetings today. With this in mind, I am pleased to highlight a few of our high-level performance statistics for the reporting period.

In our Crime portfolio, we have delivered the following results: six investigations finalised and 93 days of hearings examining 87 witnesses relating to our crime and intelligence investigations. During the reporting period the CCC finalised a number of referred investigations which were advanced through witness examinations by the CCC. These included an investigation into the stabbing murder of a 35-year-old man at Kuraby in October 2017, an investigation of a suspected homicide of an 11-year-old girl at Mount Cotton between 27 July 2019 and 2 August 2019 where the sole suspect is the deceased 47-year-old mother, an investigation of the suspected torture of a 16- to 17-year-old boy who is vulnerable due to mental impairment and an investigation into the grievous bodily harm of a six-year-old boy at a residence at Caboolture in September 2020. There were 102 law enforcement intelligence disclosures as a result of our investigations and in response to specific intelligence information requests from other agencies. In relation to proceeds of crime, there

have been 13 restraining orders obtained with a value of \$7.743 million, 20 forfeitures of property to the state to the value of \$3.808 million and nine settlement negotiations with a value of \$2 million. Settlement negotiations mean matters that are currently under settlement negotiation.

In the corruption portfolio we have delivered the following results: in respect of corrupt conduct complaints, there were 814 complaints received for the public sector including government owned corporations and members of parliament, representing an 11 per cent decrease when compared to 2021; 190 complaints were received for the local government sector, representing a two per cent decrease compared to the period last year; 949 complaints were received in relation to the Queensland Police Service, representing a 28 per cent increase compared to 2021; and 93 per cent of complaints have been assessed within 30 days against our target of 85 per cent.

In respect of corruption investigations, 12 investigations were commenced and six were finalised and 67 per cent of investigations were completed within the 12-month target against our target of 85 per cent. This result is below target due to two of the six investigations not being finalised within that 12-month period. The two matters were joint investigations between QPS and the CCC resulting in longer time frames largely outside of our control. We expect to recover and meet this target by the end of the financial year as several investigations are due to be finalised well within the target time frame. Four people were charged with 43 criminal offences. There was one recommendation for disciplinary action and six prevention recommendations were made. We held six days of hearings in relation to those corruption investigations.

In our monitoring program, the median time of eight days to complete a review was maintained when compared to the same period in 2020-21; 45 final reviews and 67 interim reviews in relation to police matters; 80 final reviews of Public Service matters and 172 interim reviews in relation to the public sector, including local government matters. In addition, as the committee is aware, last October the CCC terminated its contract with the vendor engaged to supply a new case management system. As previously advised, the software was detected through comprehensive penetration testing to have what we considered to be intolerable security concerns. They could not be remediated within a reasonable time frame, and this combined with other defects rendered the solution not fit for our purpose.

Finally, there has been significant public commentary and interest in recent weeks about matters concerned the Office of the Integrity Commissioner and the former state archivist. We believe that this forum is the most appropriate place to make any statements or answer any questions you may have in respect of those matters. We will of course be limited to some degree in this public meeting about what we can say. However, we will endeavour to be as helpful and as full in our responses because we consider that to be appropriate and in the public interest. Thank you. They are my opening remarks.

CHAIR: Thank you, Mr Barbour. The member for Coomera will start with questions today.

Mr CRANDON: Thank you, Mr Barbour, for those opening remarks. I have some questions specifically in relation to your public report. I believe congratulations are in order. I note you have mentioned in there that you have received a gold standard award from the Australasian Reporting Awards for your 2019-20 annual report. You can congratulate all your staff on that. Congratulations to the CCC in that regard.

Mr Barbour: Thank you.

Mr CRANDON: I am referring to recent media about the Office of the Queensland Integrity Commissioner. I note the Premier has commented quite a bit, as has the Queensland Integrity Commissioner, among other people as well, in that regard. My questions are these: can you confirm that you have been investigating the Office of the Queensland Integrity Commissioner, as outlined by the Premier on more than one occasion? Can you confirm that you are continuing investigations into the Office of the Queensland Integrity Commissioner? Can you indicate the scope of the investigation, when you started that investigation, when you completed or intend to complete those investigations and when we can expect a report, and is it your intention to report publicly?

Mr Barbour: Not surprisingly, we did anticipate some questions on these issues.

Mr CRANDON: I thought you might.

Mr Barbour: I hope that you might indulge me in the sense that I am about to state that we have 10 complaints in relation to or about that office. What I would like to do, because of the complexity and the way in which they interrelate with each other, is go through in some detail some prepared notes around those matters which I think will answer the bulk of your questions.

Mr CRANDON: Thank you.

Mr Barbour: Since October 2020, the CCC has received 10 complaints involving or related to the Integrity Commissioner or the Office of the Integrity Commissioner. Six of those 10 have been assessed. One of these complaints made allegations concerning the conduct of the Integrity Commissioner as well as one other person. We will address that further in a short time.

Of the 10 matters that were brought to our attention, allegations contained in two of those complaints are currently the subject of investigation. Four complaints have been assessed for no further action for various reasons including, for example, that there was insufficient evidence to raise a reasonable suspicion of corrupt conduct or because the allegation is of a type that it cannot be productively investigated. The remaining four are currently under assessment having been received by the CCC on 8, 11, 15 and 16 February this year.

Let me first deal with the allegations made against the Integrity Commissioner. These have been referred to in various media reports and as such I think it is important to clarify to the extent we can do so in the public meeting. The CCC received questions from a journalist on 11 February 2022 about whether the Integrity Commissioner had been referred to the CCC relating to a credit card and about a referral of a staff member at the office for allegations of potential workplace bullying. That contact was subsequently followed up with media reporting the following day. The CCC is aware that the Public Service Commission received similar questions on 11 February.

For context, I want to just make an important statement before we go into the details and it is this: the CCC can only play a fairly limited role in terms of investigating allegations of corrupt conduct against the Integrity Commissioner. Parliament, as you are aware, is currently considering this issue, but to help inform it the CCC has made a public submission to the Economics and Governance Committee's inquiry into the report on the strategic review of the functions of the Integrity Commissioner. Our submission is available on the parliamentary website.

Presently, we consider—and we understand the Integrity Commissioner has advice consistent with this—that for the CCC to be able to investigate the Integrity Commissioner the allegations must be such that, if proved, the conduct would amount to a criminal offence. What this means is that we are not enabled to investigate conduct such as workplace bullying. To clarify, such conduct is able to be investigated by the CCC if it has been engaged in by public servants, council officers, staff of universities and other entities which are covered by the Crime and Corruption Act. Because the position of the Integrity Commissioner is not a public servant but is an officer of the parliament, we are not able to investigate those types of allegations. They do not generally amount to criminal offences and therefore do not meet the threshold.

Our submission to the Economics and Governance Committee's inquiry stated that legislative amendments aimed at improving the independence of the Integrity Commissioner should also ensure that the Office of the Integrity Commissioner is considered a unit of public administration and that the position of the Integrity Commissioner is considered a public official under the Crime and Corruption Act similar to how directors-general or council CEOs are. This will ensure in future that the Integrity Commissioner will have obligations to notify the CCC of suspected corrupt conduct and the CCC would have jurisdiction over the Office of the Integrity Commissioner in the same way that it has jurisdiction over other units of public administration. In our view, this is an important reform to improve the framework of how the Office of the Integrity Commissioner operates.

Now, to the specific complaints—

CHAIR: Mr Barbour, just before you go there, can I take you back to your opening statement when you mentioned the two allegations which involve the Integrity Commissioner herself. I think you said in your opening statement that they had been dealt with?

Mr Barbour: They have been dealt with.

CHAIR: And set aside?

Mr Barbour: Yes, and I will provide you with some details about dates and how they were determined.

CHAIR: Yes. I think that is what the member for Coomera asked—when they started and when they were set aside.

Mr Barbour: Absolutely. Because of the number of them, I think it is important that we are very clear because, regrettably, much of the information that has been the source of public comment has not been as clear.

On 16 December 2020, the CCC received a complaint making two allegations against the Integrity Commissioner. One allegation concerned misuse of a credit card. The CCC determined there was insufficient evidence to raise a reasonable suspicion of corrupt conduct and had advised the notifying agency of that decision on 25 January 2022—five weeks later.

CHAIR: Who was the notifying agency?

Mr Barbour: The PSC. The second allegation concerned bullying over a two-year period. As mentioned earlier, because the CCC has no jurisdiction with respect to such conduct involving an officer of the parliament, we could take no action and the notifying agency was advised of this decision—once again, 25 January. We have received no further complaints against the Integrity Commissioner. Accordingly, the CCC is not currently investigating the Integrity Commissioner.

I will now deal with other complaints relating to the Integrity Commissioner's office—the CCC investigation 'Workshop'. As I stated earlier, allegations which are contained in or information arising from two complaints received by the CCC are currently under investigation. The first that is under investigation concerns matters involving the alleged disclosure of, access to and security of confidential information relating to the Office of the Integrity Commissioner. The CCC commenced this investigation in August 2021. It remains ongoing. In accordance with section 69 of the Crime and Corruption Act, we will be seeking in due course from the committee consent and a direction to make a report to parliament—and therefore public. The investigation is in its final stages. I expect it should be finalised by April this year. As stated earlier, we will provide additional information to the committee in private session in relation to some aspects of the ongoing investigation.

The current PSC investigation, which is subject to CCC monitoring, was referred to the Public Service Commission to complete. It is subject to the highest level of monitoring by the CCC. The investigation has been outsourced by the PSC and it concerns an allegation of workplace bullying. The CCC referred this matter to the PSC on 25 January 2021 when it returned its earlier decisions in respect of the Integrity Commissioner. This matter involves a complaint against a PSC employee who was a staff member of the OIC. It was devolved in accordance with the principle of devolution provided in section 34 of the Crime and Corruption Act. As we stated, the matter is subject to the highest level of monitoring by the CCC as a public interest review. Under a public interest review, as the committee is aware, mandatory reports are required to be submitted to the CCC according to the following schedule: interim report, six weeks, three months, six months and nine months; final report, 12 months. I am in a position during our private session to provide some more details in relation to that ongoing investigation and its status.

CHAIR: Is that the bullying one?

Mr Barbour: That is the bullying one in relation to another staff member, correct.

Mr CRANDON: I am sorry; have you finished?

Mr Barbour: Yes. There are other matters that I am happy to answer but I will wait for questions.

Mr CRANDON: You just mentioned the bullying matter. As I understand it, there were allegations of material being deleted from a laptop computer. Is that part of the ongoing investigation?

Mr Barbour: Matters relating to laptops and their contents are part of the investigation Operation Workshop, which I mentioned earlier. That relates to the potential release of confidential information. That forms part of that investigation. I will be in a position in our private meeting to brief you more fully on that.

Mr CRANDON: So there are two parts to that. One is an allegation of release of confidential information and another part to it is in relation to someone deleting data from a laptop. There are two parts to one investigation?

Mr Barbour: Could I put it this way: to be able to investigate one, the other issue needs to be looked at appropriately as well.

CHAIR: Do you have any other questions on that matter at this stage?

Mr CRANDON: Not on that matter, no.

CHAIR: It might be an appropriate juncture to start another line of questioning.

Mrs McMAHON: In relation to this and to finish on it, a lot of the public commentary that we have heard in relation to the issue around the laptop used the word 'raid'. I have been involved in many raids in my time. I understand that there have been some responses in relation to what that actually looks like. Could you clarify some of the terminology that has been used in the public domain about raids on the office of the Integrity Commissioner?

Mr Barbour: I can answer it this way: 'raid' is not a word that I would use to describe what took place.

CHAIR: Mr Barbour, on the time frame here, when did Operation Workshop begin?

Mr Barbour: It started in August of last year.

CHAIR: And it has not been completed yet?

Mr Barbour: As I said, it is close to completion. I will be able to provide you with some more details about that in our closed meeting.

CHAIR: In relation to the matters referred to you in relation to the Integrity Commissioner, who referred those matters to the CCC?

Mr Barbour: The matters relating to the Integrity Commissioner were referred by the PSC to the CCC and the other matters that we are currently looking at come from a range of sources, but largely either the PSC or the PMC.

CHAIR: The PMC?

Mr Barbour: Or the Integrity Commissioner, I am reminded as well; some direct. I am sorry: it is the P&C, not PMC.

Dr ROBINSON: Mr Barbour, if the so-called raid on the office to do with the laptop was not a 'raid', how would you describe that process and what happened?

Mr Barbour: I think I can describe it fully in our closed session. I think to provide too much of a description to it at this stage would be disclosing information that I am not comfortable about disclosing in a public session. I am very happy to provide the committee with fuller answers and more detail in our closed session.

Dr ROBINSON: That is fully acceptable. However, you did attempt to start to describe it. You ruled out one terminology. I wonder whether you should not provide some other description for the public's sake.

Mr Barbour: I just do not believe it was a raid. I think that is the extent of what I am prepared to say in the public session. It was put to me whether that terminology was appropriate. I have a view that it was not. The circumstances could be described by different people in different ways. Reasonable minds would have a whole range of different descriptors. We can talk about the facts in the closed session. I suspect that different people will come away from those facts viewing it in a different way.

Mr CRANDON: Would you use the term 'confiscation'? Was the computer confiscated?

Mr Barbour: I am happy to discuss it in the closed meeting.

CHAIR: On the phone, members for Mount Ommaney or Ipswich, do you have any questions at this point?

Ms PUGH: I am good.

Ms HOWARD: I am good at this stage.

CHAIR: We will go to the member for Macalister.

Mrs McMAHON: My questions are on other issues, if we have finished with the Integrity Commissioner.

CHAIR: Member for Cooper, do you have any questions on this point?

Ms BUSH: Not at this stage.

CHAIR: If we are okay to move on to another issue, at this point I will give the call to the member for Macalister. You get the first go at the next issue.

Mrs McMAHON: This week we heard statements in the parliament around matters that are allegedly before the courts. Given that the CCC was named as a party to those potential matters in court, in this session can you brief the committee on your thoughts on the implications of publicly raising those matters and how that affects the working and professional relationship between the judiciary and the Legislative Assembly?

Mr Barbour: As the committee knows, I am prevented from discussing any issues in relation to that particular matter. There are, I think, areas that go to the question that you have asked that I can provide more detail on in our closed session. As you know, that is permitted. I think at this stage I would prefer to wait and deal with that particular issue, if you ask me again during the closed session.

Mrs McMAHON: From a legal point of view, I know all of you here in front of me have legal backgrounds that I do not have. I refer to the precedent that is potentially being set in raising these types of issues and whether that actually sets the tone for how matters like this proceed in the future. Is there guidance that the CCC might have for members of parliament who choose to stray into these areas?

Mr Barbour: Certainly it is an issue that we can take on board and look at down the track. You make the observation that we are all lawyers. I think it is that very reason that in fact prevents us from being able to answer your question too much in public session. If I can speak in hypothetical terms, clearly there will be cases from time to time before the courts where particular directions are made by the courts. In my view, they ought to be followed. Certainly that is what we would be doing.

Mrs McMAHON: There is an interesting rub between parliamentary privilege and the rulings of the courts. I guess we will see what that looks like coming out from here.

CHAIR: Mr Barbour, following on from that, there has been significant public reporting of that particular matter in the media, not just in parliament, including today. Are you able to inform the committee about whether the report into the matter is complete, which was one of the questions or issues raised in media reporting?

Mr Barbour: I am happy to discuss that in detail at our closed meeting. However, there is nothing, as far as I am aware, that the committee is not already briefed on in relation to that matter.

CHAIR: One of the other things that was referred to in public reporting today in the *Australian* was about a Public Service Commission directive issued in relation to merit assessment in chief executive officer appointments. Apparently it was reported in response to matters considered by the CCC regarding the appointment of chief executives under the Public Service Act. Can you inform the committee what matters considered by the CCC led the Public Service Commission to issue such a directive?

Mr Barbour: Once again, that strays into the territory that I am not at liberty to discuss in the public session. I am very happy to add what I can to answer that question in the private session.

CHAIR: Even though it has been publicly reported on in the media?

Mr Barbour: Absolutely.

CHAIR: I will ask another question about that matter. Is it the case that, where the CCC investigates appointments or processes that lead to appointments that should be merit based and where there are conflicts that should be resolved but they are not or may not have been in particular circumstances, is that a scenario—from a CCC perspective and under your act—that could constitute corrupt conduct in particular circumstances?

Mr Barbour: It would depend on the particular circumstances but, yes. If I can draw an analogy, the CCC can undertake an investigation and prepare a public report. Let us look at Impala, for example, which dealt with access to confidential information. We can make wideranging recommendations to remedy the very risks and problems that we saw in that particular matter. We make those recommendations. We seek legislative reform. But beyond that there is very little that we can do. If further cases raising the same issues or the same problems come before us, we need to then address them as individual issues.

The recommendations to try to improve the core risk problems and the potential corruption issues are the subject of recommendations for legislative reform and for work within the public sector. At the end of the day, it is up to the government and parliament to respond to those recommendations and try to put in place procedures that deal with those issues.

CHAIR: But you cannot tell us here what led to that recommendation being made to the POC?

Mr Barbour: No.

CHAIR: We will go to the member for Coomera.

Mr Barbour: I wanted to confirm that the advice I had given was correct and it is. The dilemma for us is clearly there is an investigation that underpins what we are talking about. Because of various circumstances, I am not in a position to be able to say any more.

Mr CRANDON: I refer you to the State Archivist report titled *Statutory investigation into allegations of unauthorised disposal of public records by Honourable Mark Bailey MP, Minister for Main Roads, Road Safety and Ports and Minister for Energy, Bio Fuels and Water Supply*. It is a long title. I have two versions, but the version I am referring to is dated 24 October 2017. It is directed to Jamie Merrick, the Director-General of the Department of Science, Information Technology and innovation.

CHAIR: It was tabled in parliament a couple of weeks ago.

Mr CRANDON: Yes, it was tabled in parliament. I refer to page 7. Under '3. Scope of Investigation' in the fifth paragraph down, the State Archivist says—

In addition in response to a request to provide 87 emails and their attachments which the State Archivist was unable to access from the data provided by CCC, Minister Bailey was able to provide all of the emails and their attachments. This highlighting again that there are either differences in the data provided to us and Minister Bailey's copy of the data or Minister Bailey had retrieved them from other sources.

In the next paragraph he goes on to say—

It must be noted that it was Minister Bailey who provided the information that had not made available to us in the data provided by CCC ... Whilst it doesn't impact the validity of the conclusions on data we were able to review, it does potentially highlight that other public records may also have been within the account at some point which we have not been able to review. The integrity of the data is a factor in considering the likelihood and appropriateness of any decision to prosecute Minister Bailey.

My understanding is that this report was done after the CCC forwarded everything to the State Archivist, having determined that the CCC was not proceeding with any prosecutions. That is my understanding. You might be able to correct me. My question is: now that you are aware of this, have you considered revisiting that particular issue, given that what you gave the State Archivist did not have all of the data available for the State Archivist to make his determinations on certain things? Are you looking again at this or have you looked again at this since this report was tabled?

Mr Barbour: We have not looked again at these particular matters because we feel they were satisfactorily dealt with previously both in the Archivist's report to us as part of the investigation that we worked on with him back in 2017 and also by his two reports to the minister and also to the director-general. There are other matters that are before us at the moment and we are awaiting the McKenna report to determine whether or not there should be further review of these matters. You will recall that the former chair of the commission provided a detailed background and statement about what the commission concluded and the reasons for its decisions back in 2017. It was clear that there was no basis for criminally charging the minister. It was also clear that there needed to be substantial reform to the Public Records Act. That reform is still outstanding. There has been, it appears, very little progress in relation to that and from the commission's perspective an effective and appropriate Public Records Act is essential to prevent the very kinds of issues that you are raising and quoting from the State Archivist's report.

Mr CRANDON: Have you had a look at the material that Minister Bailey provided to the Archivist to see whether that raised any further concerns, or is that something that you are now going to review? Is that what you have just indicated?

Mr Barbour: No. We were in close contact with the Archivist at that time and after that time. He did not raise, as far as I am aware, any further request to investigate those matters and the matters were finalised on the basis of his reports to both the minister and the director-general. I think in essence what that report is saying is simply this: that when public records are not recorded properly and systems are not used that should be used for ensuring that those records are maintained effectively, there is a risk that they will obviously be lost. In this particular case it is clear that there were a number of ways in which Minister Bailey was able to reaccess the information and make them accessible to the Archivist.

Mr CRANDON: But you did not get to access that information, that is the point that I am making, before you passed it on to the Queensland Archivist and he then had to go back and say, 'Hey, for these 87 emails I can't get the data. Can you give it to me?' It seems to me that perhaps there was a shortfall in the investigation by the CCC in that if it had tried to access this information it would have discovered that it was unable to access the information and therefore should have perhaps gone back to Minister Bailey and said, 'Hey, we can't access this information. Provide this information to help inform our decision on a way forward.'

Mr Barbour: My understanding is that the Archivist was effectively conducting the bulk of the investigation in consultation with the CCC at that time and the CCC only took the matter over after those steps had been completed. So my suspicion—and I am happy to look at it in more detail if the committee would like me to confirm this—is simply that in the further work that the Archivist did he approached those issues in that way and he did not raise those as concerns with the CCC in terms of any failings on the part of the CCC in its activities. There was a much more detailed report that was prepared and provided to the CCC by the Archivist, and that was referred to in detail in the former chair's statements at the time. If the committee would like me to review that issue, I am happy to take that on notice.

Mr CRANDON: Chair?

CHAIR: I am okay with him taking it on notice, if you are happy with that.

Mr CRANDON: Yes, absolutely; yes, thank you. That is it for me in that regard. I have plenty of other questions, but they relate to other issues.

CHAIR: Yes, so I will ask a couple of questions in relation to that if I could, Mr Barbour.

Mr Barbour: I am just reminded that the information that the Archivist obtained that you are referring to was in fact provided to us prior to the final report, so my suspicion, as I just said, is probably accurate, but we will confirm that and we will provide a proper answer.

Mr CRANDON: Thank you.

CHAIR: With regard to this report, which is the 24 October 2017 document tabled in parliament just two weeks ago, did the commission—the CCC—receive that at any time prior to that time?

Mr Barbour: No.

CHAIR: No.

Mr Barbour: So the first time we saw that report was on 8 February. We had a request from the director-general of the Department of Communities, Housing and Digital Economy and we responded to that request the same day and that request sought our urgent views about the release of the report. Our advice was to the effect that we had no concerns and it was not our report and it was a matter for the department.

CHAIR: What about the one that was dated 5 September 2017?

Mr Barbour: To the minister? No, we did not have a copy of that either.

CHAIR: No; okay.

Mr Barbour: Can I just say for completeness though—

CHAIR: Sure.

Mr Barbour:—both of those reports largely reflect all of the information and detail that was in the report that we did have from the Archivist, so—

CHAIR: That is actually my next question, because it has been reported that there was about a 100-page report given to you by the State Archivist. Is that correct and, if so, could you provide it to the committee?

Mr Barbour: Yes. The Archivist did prepare a report and I think that was the subject of mention as well in the former chair's statements at the time. We can certainly provide a copy of that to the committee.

CHAIR: Members, are there any further questions?

Mr CRANDON: I have questions on other matters.

CHAIR: Okay. Go ahead.

Mr CRANDON: Thank you. Going to the public report proper for the period 1 July to 31 December 2021, on page 14 in the second paragraph of the misuse of confidential information section you talk about 370 complaints relating to misuse of information and that this currently accounts for approximately 20 per cent of all complaints and 27 per cent of current investigations. Is that on a time basis as well or is it just the volume of complaints—that is, 370 complaints is 20 per cent of complaints received and approximately 27 per cent of the CCC's current investigations?

Mr Barbour: It is a numerical—

Mr CRANDON: Numerical, so not in time?

Mr Barbour: No, no.

Mr CRANDON: They are not taking up that much of your time? Okay, that is good.

Mr Barbour: Well, they may do. I would not say one automatically rules out the other. They may well take a considerable amount of time to investigate, but that is not the purpose of that statistic. That statistic is purely a numerical statistic.

Mr CRANDON: I wanted to clarify that. Then we go to the next page, page 15, referring to abuse of authority. In the second paragraph under abuse of authority it says that there are 288 complaints which is 15 per cent of complaints received and that complaints relating to the abuse of authority account for 68 per cent of the CCC's current investigations. That is a huge number. Then

further down relating to exploitation of public sector resources, in the second paragraph it says that there are 181 complaints which are 10 per cent of complaints received and 14 per cent of current investigations. The problem is if you add those up they come to 109 per cent, so is the 68 per cent anomalous? Is there an error in reporting that 68 per cent? Is there a typo there or something?

Ms O'Farrell: They are not mutually exclusive categories, so there might be some crossover between, for example, abuse of authority and exploitation of public sector resources and if that is the case we will write to you and confirm that, if you like.

Mr CRANDON: Are you going to check that 68 per cent figure?

Ms O'Farrell: Yes. They are broad categories and within the case categorisation/prioritisation models there are specific types of conduct that roll up into particular categories. There may be some crossover between a couple of categories, but we will confirm that for you.

Mr CRANDON: Okay; thank you.

Ms PUGH: So what you are saying is if you are investigating something—and there are obviously multiple issues at play—then rather than giving that a single category distinction you would allocate it to each issue so that a single issue may have three or four classifications. Is that what we are thinking?

Ms O'Farrell: Generally I would suggest—and I will not provide a guarantee at this point—that there may be crossover between the abuse of authority roll up and the exploitation of public sector resources. It will not be enormous crossovers, but that may well be the explanation for the slight variation between 100 per cent and 107 per cent.

Mr Barbour: I think also the numbers in terms of complaints and the percentage of complaints received relate to the numbers within this particular period of time that we are reporting on. The number of current investigations might traverse the earlier period of time as well, so you may well get a set of figures that are not going to match perfectly because current investigations may well be still ongoing but have commenced in the earlier period of time.

Mr CRANDON: I understand that, but you will come back and confirm that for us?

Ms O'Farrell: We will, yes.

Mr CRANDON: That is great. Jess, have you finished?

Ms PUGH: Yes. I just wanted to clarify because that is about the classifications and I think it is good that it would be classified so that, rather than picking a main category, each of the issues would be addressed, yes.

Mr CRANDON: I refer to page 17 of your public report and the update on the integrated case management system. Can you speak to this section and what was the cost from a net loss perspective—that is where I want to go with that—and I will just remind you of the figures that you gave us in July. I did not write the date down, but at our last public hearing with you you gave us some figures. Some \$2.43 million was the total expenditure to 30 June 2021, of which \$700,000 was vendor, \$909,000 testing costs and then the balance, which I just mathematically worked out to being \$894,000, for data et cetera. Reading the report you got some benefit from the work that was being done, so not all of that is out the back door, but have you looked at it from a net cost or loss perspective?

Ms O'Farrell: I think I transposed my figures maybe in that last meeting. It is \$2.34 million, not \$2.43 million. You will note in the annual report for the commission in 2020-21 we did forecast in the notes to the balance sheet and the financial statements that we could not quantify at that point what the potential impact on the balance sheet will be in relation to the work in progress asset. We have now been able to do that and we expect it will be a \$2.34 million write-off, and that will occur in this year's statements.

As you are aware, when I terminated the contract, we had a contractual obligation at the time to pay the vendor for work which had been completed up to the current stage but not yet billed. That amounted to just over about \$130,000. I think I have communicated that to the committee. We thought that was a fairly good result. The way we structured that contract, it was a little bit different to what the template contract is under the QITC arrangements. Usually, unless you did what we did, you would have been liable to pay for any work that had been completed by the vendor, irrespective of the milestone stage. We avoided essentially a potential liability of \$700,000 to \$800,000 by the way we had constructed the contract, which meant we only had to pay about \$130,000.

In terms of the value, we are getting into quite technical explanations under accounting standards of what you can and cannot recognise as assets on your balance sheet. Even though I did start my career as an accountant, I will not dare say that I am across the standards at the moment but I do understand from my CFO that we cannot recognise any value of the work in progress asset on the balance sheet, so it will be written-off this year.

Mr CRANDON: So you have written the whole lot off.

Ms O'Farrell: We will write the whole lot off.

Mr CRANDON: But there is some advantage.

Ms O'Farrell: There are definitely advantages in the artefacts and the work that was done during the course of the project, and I have documented that in the public report today. We will continue to use that data and those assets as we move toward working out what our next strategy will be in relation to improving the capabilities in case management and the like within the commission.

Mr CRANDON: I am aware that this report is for the period when the bulk of the Logan City Council matter was being investigated. I note in the next section on page 17, under 'CCC future workforce strategy', you talk at the bottom about surveys being conducted at two weeks, six months and 12 months. Obviously we have not got to the 12-month point yet because it all kicked off in June 2021. Can you give us some feedback about the outcome of the surveys of staff? That would have been a fairly disruptive period for the staff, I would imagine. Can you give us some feedback on the outcome of your surveys in that regard?

Ms O'Farrell: I can come back with some detail. We are dealing with new starters; we are not dealing with our established workforce on this employee experience. We accept, yes, it was a very disruptive year but the entire world has been disrupted for a considerable period of time. There is no disputing that commission officers are feeling a little I will not say stressed but pressured, but that is no different to a lot of people in the world.

As Mr Barbour said early on, the commission is very much focused on doing the best job that it possibly can for the people of Queensland. People join the commission because of the purpose, and the purpose is a strong and sound purpose. The result from those surveys, which we get periodically, is that the induction process is a very thorough process. It solidifies for those people who join the commission that they have joined for the purpose and they are getting that it is resonating for them when they are dealing with people within the commission in their first period of time.

We just had a new EA start in our office, for example. She has come from Victoria police. Her impressions are that everyone is very helpful and focused on assisting people to do their best in their early stages in getting across what is, for many people, an unusual governance structure and rules. We have some peculiarities—as you are very well aware—and they appreciate hearing about that early so they can make sure they are focused on their compliance obligations and do the best they can.

Mr CRANDON: You said you would get some information to us in that regard. There is also stage 2. Could you do that as well?

Ms O'Farrell: I will.

Mr CRANDON: I note the Working for Queensland survey action plan is also in there. Could you do the same there?

Ms O'Farrell: Yes, I can.

Mr CRANDON: I will turn now to some of the tables. On page 22 of the report, there are a couple of tables that I want to have a look at. The first one is table 9 on CCC corruption investigations on other units of public administration excluding the Queensland Police Service. There were 10 of them, including: investigations finalised, six; no charges; no charges laid; recommendations for disciplinary action, zero; number of people, zero; and then prevention recommendations, six. Can you talk to that? These are CCC corruption investigations, other than Queensland Police Service.

Mr Barbour: I am happy to provide the committee with further details about those matters if you would like. I am not in a position to say what specific matters led to the recommendations. Can you add to that?

Mr Caughlin: Not in terms of the specific outcomes of those investigations, but I can certainly say that the fact that an investigation does not result in charges or disciplinary actions does not mean that it does not identify opportunities for prevention or better practice in the public sector entities that we look at.

Mr CRANDON: It just seems like a low number as well—CCC corruption investigations, only 10 in total over a six-month period.

Mr Barbour: That is just the number of commenced investigations, obviously, and there would be a range of other matters that are ongoing. It is a very small snapshot of time—although it is six months—but it is not going to reflect the nature of the complete investigative work, if I can put it that way.

Mr CRANDON: The next one that piqued my interest was table 12, complaints received QPS. It seems like a very big increase when compared to 2021—a 28 per cent increase in complaints received and a 43 per cent increase in allegations received. Can you comment on that? It is a big jump.

Mr Barbour: In fact we have only been talking about this very recently. It does not we think reflect a particular trend, but it is probably specific to the fact that there are a number of investigations which involve a substantial number of police and complaints that are currently underway and were commenced during that time. It has created, if you like, a much higher level of figure in both the number of complaints and also the number of allegations. We were also wondering whether or not interaction with the community being heightened as a result of during the COVID period may have led to a spike as well. We do not see it setting a trend. In fact, it is counter to the trend that we saw happening over previous reporting periods where there was a decline. We think that is it, but if the committee is particularly interested in that, we can have a look at that in more detail and provide a more detailed response.

Mr CRANDON: It is significant and it is towards the latter part of the COVID crisis that we have had.

Ms O'Farrell: If I could point out table 8. You can see that there were 43 charges laid in relation to QPS investigations, so that is reflective of a lot of the allegations that have come through on a small matter, a small number.

Mr CRANDON: The final one for me is workforce composition, table 24, full-time equivalents, year to date as at 31 December 2021. Do you see that figure of 312 full-time equivalents remaining stable, increasing or decreasing in the future?

Ms O'Farrell: I would hope it will increase! There has been quite a bit of separation in the commission. We were again talking about it this morning. We have some niche capabilities within our organisation that are highly sought after, particularly by the Commonwealth at the moment. We are finding that we are unable to compete with remuneration and other entitlements that might be offered by the Commonwealth so it is a bit of an issue for us. We are looking at it. That is a moment in time. Post 31 December we have finished a number of recruitment processes so that figure is higher now but it is below what we would like to see.

Mr CRANDON: That is it from me.

Ms PUGH: My question is circling back to the matters that have been ventilated in the media regarding the office of the Integrity Commissioner. I just want to know if any of those matters may be impacted by a public interest disclosure.

Mr Barbour: I think with the intersection of the public interest disclosure legislation and the fact that disclosures have been made with the complaints that I mentioned earlier that we had received, there are certainly some issues in relation to those that we could ventilate in the closed meeting. Clearly, any matters that involve public interest disclosures need to be dealt with in the most appropriate manner and wherever possible to protect the identity of the discloser. We can perhaps provide a little more detail in the closed meeting.

Ms PUGH: Thank you.

CHAIR: Mr Barbour, it is my understanding that the Integrity Commissioner complained to the CCC about the Public Service Commission taking her laptop and other issues, and then the Public Service Commission provided her laptop to the CCC. Is that correct, and are you investigating the PSC in that respect?

Mr Barbour: I will be able to deal with some of those elements in our closed session. Just briefly in terms of the laptop, because it has received so much public attention, the request that was made by the CCC for a laptop to be provided to it was only made after the commencement of the investigation, which we have named Workshop, which commenced in August. As has been reported in the public arena, a laptop or laptops were removed from the office in March. I can leave the answer at that point and I am happy to address in more detail the question during the closed session.

CHAIR: We will get there. Are you able to tell us when that complaint was made about those factual scenarios?

Mr Barbour: It was initiated as a CCC investigation and there are a range of matters that intersect with that particular matter. I do not want to be difficult, but it is one of the reasons I was very careful in what I said earlier. Because of the fact that we have 10 matters before us and they all came at different times and relate to similar issues, they have been dealt with in a particular way. I am sure that I will be able to help you much more with some elements you may have questions about in the closed session. The reason I just mentioned what I did is to make it clear that it was not at the request of the CCC that laptops were removed from the office of the Integrity Commissioner. The timing, as I have just indicated to you, does not support that fact.

Mr CRANDON: I just want to clarify two things. First of all, you mentioned a laptop or laptops, plural, but there were also mobile phones confiscated—or taken, sorry, in the sweep—I do not know what term to use now.

Mr Barbour: There has been some public discussion about that. It has clearly been reported, but I will limit my comments in relation to those particular matters for our closed meeting.

Mr CRANDON: Just to be clear, going back to the beginning, the Integrity Commissioner matters are closed. It is other matters now in relation to the—sorry.

Mr Barbour: There is no investigation into the Integrity Commissioner. There remain matters open involving the office of the Integrity Commissioner.

CHAIR: Mr Barbour, has any other party requested your advice or the commission's advice regarding documentation concerning oversight or complaints into the OIC?

Ms O'Farrell: Can we just check? We are not sure if we are able to answer that in public session. If you can indulge us for five minutes, we might get some advice on that.

CHAIR: I am happy to do that. We can pause. We will give you five minutes.

Proceedings suspended from 11.47 am to 11.49 am.

CHAIR: Welcome back to those who are following the live feed. I am sure there are a couple of people out there. Mr Barbour, do you remember the question I asked?

Mr Barbour: Yes, I do. Thank you for the committee's indulgence to allow us to conference a little bit about that. Firstly, we believe that we are prevented by parliamentary standing rules from commenting in relation to certain matters. However, in addition to that particular issue I can note that we received a letter from the director-general of the Department of the Premier and Cabinet on 13 February requesting an update and information on when investigations concerning the Integrity Commissioner might be concluded. We responded the next day, advising that we were not in a position to provide that advice and that this committee was our oversight committee, and no doubt that was the appropriate venue to answer any questions in relation to that.

CHAIR: Mr Barbour, we certainly all appreciate the respect you showed to the committee. In the past that has not prevented some members of the commission from providing public updates, but on this occasion we acknowledge the deference shown. Are there any other questions?

Ms PUGH: Not for the public hearing, Chair.

CHAIR: Michael, have you run out of questions?

Mr CRANDON: I have run out of questions.

CHAIR: Mr Barbour and members of the commission, I thank you for your attendance here at the public session. We will continue in private session.

Members of the media and members of the public, thank you for your attendance. That concludes our public session now, so we will ask if you could take your leave. We will continue in private session shortly.

The committee adjourned at 11.51 am.