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# **PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE**

## **Members present:**

Hon. ML Furner MP—Chair  
Hon. GJ Butcher MP  
Mr MA Hunt MP  
Mr JJ McDonald MP  
Ms JC Pugh MP  
Mr RA Stevens MP  
Hon. AJ Stoker MP

## **Staff present:**

Ms L Manderson—Committee Secretary  
Ms H Radunz—Assistant Committee Secretary

## **REVIEW OF THE CRIME AND CORRUPTION COMMISSION'S ACTIVITIES**

### **TRANSCRIPT OF PROCEEDINGS**

**Monday, 03 November 2025**

**Brisbane**

## MONDAY, 03 NOVEMBER 2025

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### **The committee met at 9.33 am.**

**CHAIR:** Good morning. I am Mark Furner, chair of the Parliamentary Crime and Corruption Committee. Joining me today is the Hon. Amanda Stoker, member for Oodgeroo; the Hon. Glenn Butcher, member for Gladstone; Marty Hunt, member for Nicklin; Jim McDonald, member for Lockyer; Jess Pugh, member for Mount Ommaney; and Ray Stevens, member for Mermaid Beach. I start by acknowledging the traditional owners of the lands on which we meet here today.

Section 292F of the Crime and Corruption Act 2001 provides that the committee must, on a five-yearly basis, review the activities of the Crime and Corruption Commission and report to the parliament about any action that should be taken in relation to the act or the functions, powers and operations of the Crime and Corruption Commission. The committee commenced its review on 16 June 2025 and must report to the parliament on the review by 30 June 2026. In undertaking the review, the committee will examine the Crime and Corruption Commission's overall performance over the last five years and consider its jurisdiction, responsibilities, functions and powers.

The purpose of today's proceeding is to enable the committee to discuss with stakeholders some of the issues raised in their submissions to the review. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath, but I remind witnesses that intentionally misleading the committee is a serious offence.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. As these are parliamentary proceedings under the standing orders, any person may be excluded from the hearing at the discretion of the chair or by order of the committee. Please also note that, although the hearing is a public hearing, the confidentiality requirements of standing order 211A still apply. This is particularly relevant in relation to any individual complaints or correspondence with the committee about individual matters which have not been authorised for public disclosure.

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

**HARVEY, Ms Amanda, Legal Counsel, Australian Salaried Medical Officers' Federation Queensland**

**RAGUSE, Mr Mark, Executive Member and Assistant, Queensland Council of Unions**

**SENTHURAN, Dr Siva, Vice-President, Australian Salaried Medical Officers' Federation Queensland**

**TAN, Dr Hau, President, Australian Salaried Medical Officers' Federation Queensland**

**TOSH, Mr Nate, Legislation and Policy Officer, Queensland Council of Unions**

**CHAIR:** Good morning. I invite the two organisations to make opening statements, which I request you keep to no more than five minutes, after which committee members will have some questions for you.

**Mr Tosh:** Thank you, Chair, and good morning, committee members. I would like to acknowledge the Turrbal and Yagara people as the traditional custodians of the land on which this hearing is taking place and pay my respects to elders past and present.

We hope that our written submission is clear but, for the benefit of the committee, the key issues raised in our submission are these. Particular public sector agencies rely on the duty in section 38 of the Crime and Corruption Act to refer almost every conduct matter to the CCC, but quite often it is unclear on what basis the agency reasonably suspects the conduct to involve or possibly involve corrupt conduct, particularly when, in many circumstances, the preliminary information does not demonstrate that all three limbs in the section 15 definition of corrupt conduct can be met. By way of a simple example, there are lots of referrals that do not relate to conduct that meets the third limb of being conduct that would, if proved, be a criminal offence or a disciplinary breach providing reasonable grounds for termination. That requires assessment against the circumstances specific to the relevant employee and is not the same in every circumstance. Adding to this, about 90 per cent of complaints about alleged corrupt conduct assessed by the CCC are referred back to the relevant agency with no monitoring from the CCC; nor is the public sector agency required to provide outcome advice to the CCC. That is clear from the statistics in the CCC's annual report.

The CCC also do not provide the agency with written advice about whether the alleged conduct actually meets the definition of corrupt conduct in section 15 of the act. We note that this was confirmed by the Department of Sport, Racing and Olympic and Paralympic Games in their submissions and is something they, as a small agency, are calling for. It was not even provided by the CCC when they made a subsequent query about it. Despite the ambiguity, agencies conduct their investigations and subject employees to suspensions and disciplinary processes free from the level of scrutiny that should be applied to these matters.

A significant example of this is that employees are denied the right to request a periodic review about a procedural aspect of the relevant public sector agency's handling of their suspension, workplace investigation and/or disciplinary process in accordance with section 124 of the Public Sector Act 2022 and the suspension, workplace investigation and discipline directive. That cannot be categorised as anything other than unfair. The basis for curtailing an employee's rights is not reasonable, particularly when employees in these circumstances are suspended from duty for up to years, are provided with little communication about the progress of their matter and are rarely provided with any support for their welfare beyond the provision of contact details for an employee assistance program. It is not good enough and is a clear failure to meet the duty of care owed to those employees, including the duty to manage psychosocial risks prescribed in Queensland's work health and safety laws. These duties are clearly outlined in regulation 55C of the Work Health and Safety Regulation 2011, section 26A of the Work Health and Safety Act and *Managing the risk of psychosocial hazards at work: code of practice 2022*. This duty applies irrespective of how a subject employee's alleged conduct is categorised.

We note that Gladstone Ports Corporation Ltd spoke about this issue and submitted that a risk-based approach to investigation timeframes could be implemented to ensure that not only physical safety but also psychosocial health is being considered for the parties involved. The recommendations in our submission are aimed at addressing these matters. Thank you.

**Dr Tan:** I might defer to Dr Senthuran to give an opening statement.

**Dr Senthuran:** Thank you for the opportunity to appear before you today on behalf of the Australian Salaried Medical Officers' Federation Queensland, ASMOFQ. We represent Queensland salaried doctors and medical specialists working across the public health system. Our members are committed to high standards of clinical and ethical conduct in serving Queensland communities. Our appearance today is driven by serious and ongoing concerns about administrative failure in the handling of alleged corrupt conduct within Queensland Health—failures that have led to injustice for individual doctors and that undermine confidence in public sector administration and its governance.

ASMOFQ's submission, supported by confidential documentation before this committee, highlights the systemic gap between the Crime and Corruption Act 2001 and the Public Sector Act 2022—a gap that is being exploited by health service executives and their legal advisers. In essence, when the CCC refers a matter back to an agency under the devolution principle, often with no further advice or awaiting outcome advice, agencies are failing to undertake the proper investigation required under the CCC's own guidelines, *Corruption in focus*. Instead, they are proceeding directly to disciplinary action or summary dismissal, citing the CCC referral itself as justification to avoid the procedural safeguards required under the Public Sector Act: the workplace investigations directive and the discipline directive. The result is that public medical officers are being terminated without a full and fair investigation, without adherence to natural justice and without oversight by the CCC or the Public Sector Commission.

These cases, including those provided, reveal a troubling pattern of misuse of the so-called common law right to dismiss, employed as a shortcut around statutory due process. In some cases, the allegations themselves originated from workplace conflict, reprisal or managerial error and would have been resolved through ordinary managerial review had proper process been followed. This is not only unjust to individual doctors; it corrodes the principles of procedural fairness and integrity that underpin public confidence in Queensland's accountability system. It also exposes the state to legal risk and professional loss as highly skilled clinicians are removed from service through defective processes, often with profound and personal reputational harm.

When referral powers are used to bypass fair workplace investigation and disciplinary procedures, the line between genuine corruption oversight and administrative misbehaviour becomes dangerously blurred. In practice, this can transform what should be an accountability mechanism into a tool of coercion and retaliation. For the individual doctor, the consequences are often devastating. Once a referral is made, particularly under the label of suspected corrupt conduct, it carries a stigma that can follow a practitioner for years, even if the allegation is later shown to be baseless. The mere existence of a CCC referral or suspension can trigger a notification to Ahpra or the OHO, placing the doctor's professional registration and future employability at risk.

These processes move slowly. In the meantime, the doctor may be stood down from clinical duties, isolated from colleagues and subjected to whispered speculation within their workplace and community. Their reputation, built over decades of medical service, can be tarnished overnight. Many experience severe psychological distress, insomnia, depression and anxiety, compounded by uncertainty about their future and fear that their career may be irreparably damaged. Loss of employment in one hospital and health service can effectively end their career in Queensland Health as other employers hesitate to engage anyone who has been subject to a corruption referral, regardless of the outcome. In effect, these processes can function as a professional death sentence without a trial.

ASMOFQ has seen doctors who are simply performing their duties, often under extreme workload pressure, reduced to exhaustion, humiliation and financial hardship by processes that should never have been triggered. When integrity mechanisms are used in this way, they cease to protect the public and begin to destroy individuals, undermining both fairness and faith in the integrity system itself. ASMOFQ respectfully urges this committee to recommend that the CCC and the Public Sector Commission clarify and address this administrative gap with proposals outlined in our written submission.

We are not here to diminish the vital role of the CCC. We are here to urge that its powers and the obligations of agencies operating under them be applied consistently, transparently and justly. The health of Queensland's integrity system depends on it.

**CHAIR:** I will start with the Queensland Council of Unions. I note your submission and, in particular, the case studies involving the Australian Workers' Union and some alarming cases including one waiting for a period of more than 2½ years and the unfortunate case of a member who suicided as a result of pending investigations. Furthermore, you indicated figures of 3,387 out of 3,733 requiring further action, which is an alarming 90 per cent of those particular cases being subject to having an ability to have some consideration back to those allegations. Out of those figures, does any specific agency stand out more than any other public service agency?

**Mr Raguse:** To answer your question, I would say that it is across the board, at least for our members. We represent thousands of members, predominantly in blue-collar operational roles across a number of departments including: public health, so Queensland Health departments and HHSs; the Department of Youth Justice and Victim Support, particularly in youth detention; Disability Services; and park rangers. I would say that, probably because of the volume, most of the issues that our members deal with in relation to these referrals would be from the Department of Health and youth detention within the department of youth justice.

**CHAIR:** Recommendation 1 in your submission relates to section 15 of the Crime and Corruption Act. Obviously, the threshold of that section is that a person, if proven guilty of a criminal offence, would warrant disciplinary action for reasonable grounds of terminating the performance of that individual. Can you delve a bit deeper into what you are requesting under recommendation 1?

**Mr Tosh:** Recommendation 1 is about when referrals are made from the CCC back to the agency. What we are finding is happening is that, because of the section 38 duty, agencies are erring on the side of caution and referring everything and then it is coming back to them from the CCC. No advice is being provided to them about the view on whether what they referred actually even meets the definition of corrupt conduct. We are asking that that is provided to the agency in writing with the CCC's view on why they formed the opinion that it is or is not corrupt conduct.

Stage 2 of our recommendation is that that in some form, whether it be redacted or not, is provided to the employee when they are suspended or the subject of a particular investigation that now the agency is conducting so that they know where they stand and what the basis is. That does two things. One is that it will ensure agencies are not circumventing the rights that employees are entitled to for things other than corrupt conduct. It will also mean that, where maybe an employee might form a different view, they clearly understand why that view is being formed and they can then determine whether they want to exercise some rights about disputing whether it actually meets that definition at a very early stage. That is essentially what we are on about.

**CHAIR:** I thought that might be the case. I refer to the example in your submission of a case being before the AWU for 2½ years. By allowing the CCC to provide further consideration of alleged corrupt conduct, do you believe that might extend the period for the investigation—by having the CCC make that determination before a referral back to the agency?

**Mr Tosh:** Recommendation 1 is simply about whether the alleged conduct may or may not meet the definition under section 15. When you have a look at it and you look at the limbs, particularly the last one states—

would, if proved, be—

- (i) a criminal offence; or
- (ii) a disciplinary breach providing reasonable grounds for terminating the person's services ...

There needs to be, in the first instance, some level of interrogation about whether what is being alleged might possibly meet that definition before it enters the process for investigating corrupt conduct. Otherwise, it should be dealt with otherwise. We say up-front that assessments should be able to be made because just capturing everything is denying employees' fundamental rights when workplace investigations are occurring, when they are suspended, when they go through disciplinary processes.

**CHAIR:** I understand where you are coming from because in the past I have dealt with private sector employees where you have a fundamental principle of attending the Industrial Relations Commission or court to defend the grounds of a termination or, in some cases, prior to termination evaluating the circumstances of why that person is allegedly being considered for termination or has been terminated without the involvement of the CCC, whereas in the public sector you have this situation where a person is a public servant and the matter can be considered by the agency or the department as well as the CCC. I get where you are coming from in that respect. Mr Raguse, did you want to add something?

**Mr Raguse:** For a lot of our members, under section 38 of the act the person in control will actually just refer everything there if they think there might be even some application when it comes to section 15. It then goes up to the CCC and then it becomes in effect lost, so the employee—our member—is stuck in almost like a no-man's-land. How can you appeal something or seek a review or dispute it if you are actually not sure who the employer is anymore? The employer is the department but it refers it off to the CCC. The CCC is not the employer, per se, but they are in control of that process and so that employee or that member is then stuck in no-man's-land.

As Mr Tosh outlines, if we can hold the referring agency and the CCC to a position of actually saying up-front it is in or it is out and use a test using criteria then, in my personal view, I think a lot of these would not meet the test. They do not meet all of those limbs. Nevertheless, that is not questioned. If we are able to take those 90 per cent and bring that down, that would remove the carve-out that the CCC have to not be reviewed after six months. The next part is: even if it is not carved out then there should be a review after six months because there needs to be some accountability on that process.

**Mr Tosh:** Our second recommendation goes to that and it goes to the comment you made about the timeliness. We are essentially saying that there should be a periodic review, and that might mean it moves and changes the opinion on the definition about whether it is in or out.

**CHAIR:** I understand.

**Mrs STOKER:** I have a question for Dr Senthuram, but first I want to clarify something that was raised by that exchange. The proposal to have the CCC check off whether an allegation meets the definition of corrupt conduct at the outset is a proposal, as I understand it, that would require the CCC to consider the matter on the basis that there is sufficient evidence to make out that allegation before that investigation has occurred. Am I understanding that correctly? By doing it at the outset, you are sort of front-loading it before an investigation has actually occurred. Is it the intention that that advice would be provided in essence to see whether or not the elements of it would be ticked off if you took the allegation at its highest?

**Mr Tosh:** If we remember that section 38 is about a public official reasonably suspecting that a complaint or information on a matter involves or may involve corrupt conduct then they can refer it to the CCC. It then becomes a corruption matter that is investigated. Agencies are just sending it off with no understanding of the basis for why they reasonably suspect it. It goes to the CCC and is referred back to the agency with no advice about whether they think, based on the information, there is a reasonable suspicion that it meets the definition. Then it goes into limbo. The agencies are treating it as a corrupt conduct investigation matter and employees do not have the ability to access these rights. It is more about the CCC providing a view back to the agency of the matter that they referred: 'Yes, there's a reasonable suspicion that this might meet the definition so proceed with an investigation in accordance with the principles for a corruption investigation' or 'It doesn't' and then it reverts back to the normal process.

**Mrs STOKER:** Thank you. I understand where you are coming from there. Dr Senthuran, changing gears slightly, from your submission I get a sense that one of the scenarios about which you are really concerned is where a salaried medical officer raises concerns about what to them may appear to be corrupt conduct, reports it to their superior and then finds themselves on the receiving end of a complaint. Are you suggesting, because it is not articulated in the submission, that there needs to be a strengthening of whistleblower provisions as they apply to salaried medical officers?

**Dr Senthuran:** I think the whistleblower provisions are there but require formal activation at the moment.

**Ms Harvey:** In the circumstance of the example that we spoke about, there was a PID complaint made that alleged precisely that, which is a whistleblowing complaint. It was ignored and the use of the common law power in the circumstances circumvented any dealing with that PID complaint whatsoever, which rendered the whistleblower regime completely useless.

**Mrs STOKER:** Does that mean there needs to be a change to the whistleblower regime's structure or does the change need to happen at the procedural fairness level that you have talked about in your submission?

**Ms Harvey:** Neither. The problem arises from the misuse of the common law power and the gap presented by this grace phase where the PSC cannot intervene and the CCC is not adequately monitoring investigations. Incidentally, that overlaps with the council's submissions. What I think needs to be looked at is: within the guidelines used by the CCC for investigation, there are four categories of referral back to the agency. The first two categories referred to in our submissions are at clause 18, and that is where the matter is referred back to the agency with no further advice. It is called RNFA. There is absolutely zero guidance provided about whether they think there is any indication of corruption or not, but because of the mere fact that the issue has been referred to the CCC they do not want to risk letting it go because the referral may involve corrupt conduct once it is investigated, so it is referred back to the agency with zero guidance. It does not then fall back into a workplace investigation protocol under the PSC structure; it sits under the CCC structure. However, the CCC has not said to them, 'Investigate in accordance with our guidelines,' and they can do whatever they like for that investigation.

The second category is similar, and that is where it is referred awaiting outcome of advice, which is the AOA, and that is where the agency must simply tell the CCC what it has done and what is the outcome, which also means the agency can do whatever it likes and it is not required to adhere to the PSC structure; nor is it required to adhere to the CCC guidelines. Hence, you have people sitting on suspension for 2½ years.

**Mr BUTCHER:** Mr Tosh or Mr Raguse, in your submission—and you mentioned it earlier—you talked about prolonged suspensions and the mental health issues associated with that. You said that there is a phone number that someone can ring if they are in that position, and that is really all there is. I am interested in your thoughts on what mechanisms would be a positive moving forward. What suggestions do you have? We heard comments today about people getting suspended from their job and it gets referred to the CCC. They are sitting at home and they do not hear anything back for up to 2½ years. What mechanisms could be put in place to make sure those people get support while they are on suspension from their job and under the investigation of the CCC?

**Mr Tosh:** I will answer in a general sense and then I will turn to Mr Raguse, who can probably provide some more specifics. Broadly, the reason we mention the work health and safety framework in our submission is that there is guidance in that about what should be happening. The specific circumstances for every single employee will be different. With regard to the psychosocial hazards that exist and the risk factors that exist, no-one is doing a risk assessment of this person's psychosocial health or safety and then putting in place what the relevant processes are or should be.

There is guidance around how to do that, but that does not happen. I would say in a general sense that that needs to happen. At a very basic level, there are some things already built in to the normal structure, which is the periodic reviews and those types of things. Simply denying rights to employees who are the subject of corruption investigations is already putting them on a lower playing field than the rest in terms of managing those matters.

**Mr Raguse:** I think the bare minimum is flicking a member to EAP, which is an external counselling provider, but that external counselling provider will have no insight into what is happening with the agency, the progression of the case management or any interaction with the CCC or the investigator through that process. I do not want to completely denigrate everyone within these departments. There are some good managers and some good HR practitioners and there are some who are not. Our view is that you would want to have a genuine welfare check of these members and these workers and how they are progressing and that there would be some interaction with the PCBU, the person in control of the workplace, and ideally there would be some risk assessments of how to manage employees who are subject to this psychosocial risk. Again, how many times can a manager genuinely ring up their worker and say, 'I have nothing for you. I have nothing for you. I have not heard anything'? I think that reference needs to be made.

To add to that, I think a lot of the ethical standards units these departments have are understaffed. They are not staffed to account for the number of referrals made and how they are going through that process as well. That would help with the timeliness. A lot of these investigations are sent to external parties. Notwithstanding what the Public Service Act says, they are being sent to lawyers or external consultants, and I am not sure that the follow-up on that is adequate either.

The last thing I would say is that in some situations—I would agree with what ASMOFQ has said—this process is used as a reprisal or as a punitive administrative process where you might be able to make an allegation, that person is put on suspension, their mental health deteriorates over a period of time and then it is hard for that person potentially to come back to work. A contract of employment requires you to be able to perform your role. If you have sustained an injury while you have been suspended then you are off to an independent medical examination to see whether you can actually come back and perform the role, and then you cannot. Not on every occasion is that the case, but certainly I have seen it in the past.

**CHAIR:** Taking on board that the definition under the Workers' Compensation Act for stress related illness has changed, have there been circumstances where someone, as a result of an investigation, has been able to access workers compensation under the provisions to get assistance in that respect, or is that outside of scope?

**Mr Tosh:** Generally, departments will furiously advocate for that to be captured by the reasonable management action exclusion and the insurer is more than willing to oblige with that. These workers then, after going through what Mr Raguse has explained, have to go through a review or an appeal to get the claim accepted, and that is on the basis that the reasonable management action was not done in a reasonable way. I say it is not reasonable for these things to be managed in a way that is not compliant with the work health and safety framework.

**Mr STEVENS:** Mr Raguse, are you aware that there is a legislated five-year review of the CCC coming up for July 2026 and that these matters you raise in your submission today may well be worth putting forward to that particular review?

**Mr Raguse:** I am sorry to say that I was not aware of that, but now that I am aware of it I will certainly be considering that.

**Mr McDONALD:** Thank you very much for being here and for your case studies. I appreciate the recommendations. I am conflicted in the statements that competent investigations and administrative processes would have alleviated many of these cases. I want to go back to the start. Is there something we can do in terms of the reporting obligations for officers in terms of corrupt conduct? Is there something in that space that could alleviate these matters from getting there? Also, when it gets referred back from the CCC, articulating more clearly the level of consideration they have had may also assist; would I be correct in that?

**Ms Harvey:** That is consistent with ASMOFQ's recommendations. We do not think the solution lies in the referral to the CCC itself for reasonable suspicion of corrupt conduct. That is a necessary process because we are trying to monitor potential corrupt conduct and then ensure it gets investigated. The gap is in the two categories we have just discussed out of the four categories. The CCC will identify where it thinks there is an indication for corrupt conduct, and it does have its own guidelines about how an investigation is to be undertaken. They are comprehensive and very thorough, and they discharge procedural fairness obligations. The first two categories do not require

compliance with that process. If the two did, or if it defaulted back to the PSC protocol, which also has a competent investigation process, that would be a solution to the problem—that and a prohibition on the use of the common law dismissal power in the absence of any completed investigation.

**CHAIR:** There being no further questions, I thank you for your appearance, your evidence here today and your submissions. We would appreciate the responses to any questions on notice being provided no later than close of business on Friday, 14 November 2025. Thank you very much.

PROOF

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

**CAPPER, Mr Craig, Senior Executive Office (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:** Good morning. Thank you for joining us. Mr Barbour, I invite you to make an opening statement, after which committee members will ask you questions.

**Mr Barbour:** Good morning, Chair and committee members. Thank you very much for your invitation to appear at today's hearing. I propose to make only a very brief opening statement. As the committee is aware, we have made a detailed submission which is responsive to the terms of reference for this five-year review. We have provided a significant amount of performance and activity related data on both operational and corporate service delivery in that submission. We hope the committee has found that useful in terms of its important task of the five-year review, and my colleagues and I are happy to answer any questions that you may have for us.

**CHAIR:** Thank you, Mr Barbour. It was advantageous you were present in the room when we had before us representatives from the Queensland Council of Unions and ASMOFQ. I will start by asking some questions around some of their considerations of issues related to the Crime and Corruption Act with regard to section 15 in respect of a person who it is claimed has allegedly engaged in corrupt conduct. Given your appearance in the room here today, how would you see that applying in terms of consideration under the five-year review?

**Mr Barbour:** Are you asking questions about our view of the definition of corrupt conduct or its application more broadly?

**CHAIR:** Its application on the basis of the concerns raised by the previous witnesses.

**Mr Barbour:** We came in at the tail end, to some extent, of the previous submitters and their evidence. What I understand to be at the core of their concerns relates to the way in which employing agencies are actually handling matters once they are referred back to those agencies by the CCC. As the committee is well aware, we have a very significantly detailed assessment process that we go through for matters that come to us. Matters that come to us from employing agencies or from individuals are appropriately assessed and determined as easily, as quickly and as efficiently as we can the best way for handling those matters. A large number of matters—the vast majority of matters—are referred back to agencies, and they are referred back either for no further action or, alternatively, for a specific provision to report back to us about what they have done in relation to the matter.

What the agencies do in relation to matters that are referred back is entirely a matter for the agencies. We will from time to time give guidance to the agencies, but we do not, with those matters, compel agencies to investigate every matter because investigation may not necessarily be the most appropriate way for those matters to be dealt with. They invariably are matters that are, on their face, unlikely to raise criminal allegations or conduct, so they are going to at their highest level raise disciplinary issues, and in our view disciplinary issues are a matter for the employing agency and they should follow appropriate processes in relation to requirements for their staff.

The issues that have been raised have not directly been raised with the CCC over the past five years, as far as I am aware—certainly from the Council of Unions. We did have one issue raised by ASMOF, and I do not want to go into the details of that matter because it relates to a specific issue. However, we have only had one issue raised.

I am not clear—I do not have any data about how widespread these concerns are and how well they are founded. However, obviously in any discipline investigation that is undertaken there are laws which apply and they can be the subject of appropriate review, but they would not necessarily be matters that we would get involved with in those categories that the submitters have been referring to.

**CHAIR:** Thank you, Mr Barbour. I think you have concurred that the majority of cases are referred back on the basis of them being disciplinary matters, not criminal in nature, which are the two aspects of section 15 of the act. On that basis, how would the QCU's recommendation 1—requesting some written advice back to the agency prior to referral of that matter—operate, in your opinion?

**Mr Barbour:** I think, as identified by the deputy chair in her questions of the submitters, it would require significantly more resources and a great deal more work. The reality is that we try to run that assessment process as quickly and as efficiently as we can. For us to actually determine to any degree whether or not there is potential corrupt conduct from, at times, matters that are referred to us which are quite bald in terms of detail—they do not provide a great deal of information, and it is for that reason that when we assess them and we do not identify that, even at their highest, they are going to raise issues of criminality, it is appropriate to send it back to the agency. Were we to have to assess every matter that came in to a standard where we could confidently direct agencies about whether, in our view, there is sufficient there to warrant concerns around the definitions of corrupt conduct, that would be quite onerous and it would require a great deal more work.

**Mr STEVENS:** Thank you, Mr Barbour, in terms of your explaining a matter that I had as a question in terms of examples of retaliation or retribution when you refer your investigation back to an agency, finding no corrupt conduct or misconduct that they need to deal with. You found only one example of that particular retaliation, if you like, or referral back. I hark back to an investigation by the CCC into the Gold Coast City council where there was no misconduct found and no corruption found and there were staffing issues that became very public in a public report. I take it, under the new legislation under this government, that those matters will not become a public report; they will be referred back to the agency concerned for their disciplinary matters in terms of staffing agencies. Is that your new methodology in terms of not making a public report on a matter which ruins a reputation in terms of when the CCC says something is terribly bad? Obviously, those matters have major implications for a person's professional life.

**Mr Barbour:** I think perhaps we may be conflating a number of issues here. I will unpack them as best I can. The matter that I referred to before was a single matter where concerns about the manner in which the agency was investigating the matter were brought to our attention by the union. In terms of matters that we refer back to agencies, we do not investigate those so we would not be issuing a public report in relation to any matter that we have not investigated. We, as the act requires us to do, focus on the most serious and systemic matters. It is only those matters that we investigate and, to a lesser degree, we might monitor investigations that are undertaken by agencies. It is only in the matters that we would investigate or where we are doing specific prevention work that we would move to consider preparing a public report. The vast majority of matters which go back to an agency would have no correlation with a public report from us, unless we were going to issue a public report which related to data analysis or intelligence work that we have done which identified that there were particular prevention messages that we wanted to communicate publicly.

**Mr STEVENS:** It is fairly close to my heart. I have had three investigations of the Gold Coast City council from the CCC. What is the threshold of conduct now that you would need to investigate—as we saw with Logan City and we saw with Gold Coast City—that you would consider appropriate to have a corruption misconduct investigation that you would need to make a report on?

**Mr Barbour:** As the committee would be aware, the act was amended recently to set out a framework which we need to follow in terms of considering whether or not we would issue a public report. In our submission to the committee for the five-year review, we set out the assessment process and the factors that must be looked at and reviewed as matters progress through to being referred to our investigations area for formal investigation. Those investigations, importantly, do not always identify corrupt conduct as such. They may well, as a result of the investigation, demonstrate that there was no corrupt conduct. The benefit of a public report is going to be in those cases just as significant, potentially, as one where there has been corrupt conduct.

I cannot really comment on the previous Gold Coast council matters. They were well before my time and, of course, they were before the recent amendments in relation to our act about reporting. We basically average between 25 and 40 formal investigations by the CCC into matters each year. It would be only out of those matters that we would likely see a report made that was a public report, unless it was a prevention issue. Similarly, in those investigations, if there is criminality identified and the Director of Public Prosecutions authorises charges to be made then we potentially would not issue a public report because it would prejudice the hearing of those matters.

**Mr BUTCHER:** You say that you take on a very small amount, compared to the amount of cases that get referred to you. Do you have any stats of how many you have taken on year to date and how many have been referred back to other agencies?

**Mr Barbour:** We do, and those are provided regularly in our reports to this committee. In the last financial year there were 5,567 complaints that came in the door: 33 were retained for formal investigation by the CCC; 39 were made the subject of monitoring and, as a result, there was formal oversight by the CCC of the investigations undertaken by the agencies; 274 were referred to the Brisbane

agencies seeking outcome advice at the end of that process, and they receive a lot more detail about how they need to manage those matters; 3,387 were referred back to agencies without outcome advice; and 1,834 were assessed as requiring no further action, so they may be ranging from outside of jurisdiction to simply so bald on the information that we cannot make any decisions.

**Mr BUTCHER:** We have heard today about the ones you review and work on. Can you explain to the committee, when someone is being investigated, the support mechanisms that they have as an individual when this process is going on? We have heard a lot today about people ringing their employer to say, 'What's happening?' It could be anywhere up to, as we have heard this morning, 2½ years that things are being investigated. What mechanisms are in place to give people, who potentially have been stood down by their employer while the CCC investigation is going on, support for their mental health and their health during that time?

**Mr Barbour:** My understanding was that the references to timelines and those issues related to agency investigations. Can I clarify: were they relating to CCC investigations?

**Mr BUTCHER:** I think we are talking a bit about both today, but I am interested in what the CCC is doing with those people they are investigating during that time—the welfare of the person and their mental health particularly.

**Mr Barbour:** In our submission we set out in detail our trauma informed practice. As the committee knows, we have spoken about this before and we are concerned, in a multifaceted way, about ensuring we have the best systems in place to support people. That is not only people who are complainants who come to us or who might be the subject of investigation but also our own staff and employees within the organisation who are often under stress and who are treated quite badly by people as well. We have introduced a detailed practice and we are training staff in relation to that practice. We set out all of the details in our submission on page 71 and 72. The framework has been developed over a period of time. We have had full staff awareness around that and we have ongoing training. It aims to increase awareness and understanding of trauma and the issues people experience across those different categories to reduce the risk of individuals engaging with or working for the CCC experiencing trauma or retraumatisation, promote respectful, inclusive and accessible ways, and promote the safety and wellbeing of people.

The reason I ask the question about whether it is our investigations or employer investigations is that we obviously cannot control when a matter is under investigation by the employer. I heard you mention previously that some matters, particularly if they are allocated to external investigators, can take some time, and that is correct. There are a whole range of reasons—some good, some not so good—matters take a long period of time. It is absolutely, in my view, incumbent upon the agency to regularly inform people who are involved in the matter what is happening and what is progressing. Certainly in the matters that we monitor, where agencies are investigating, that is one of the elements we engage with the agency on. We ask for regular updates about what they are doing, how they are advising people and how they are keeping people appropriately informed.

When we are investigating a matter there are other issues at play. Sometimes the subjects of that investigation are not even aware there is an investigation underway and it is imperative that we keep it that way. Where they are aware, they are often kept up to date with things. They are often the subject of interview requests and/or formal hearing processes. It depends on the particular investigation as to what degree of engagement there will be with those people.

**Mrs STOKER:** Thank you, Mr Barbour and your team, for being with us today. In light of your report and some of the submissions that have come from others, do you see a need for reform perhaps to section 48 to provide a greater role for the CCC to monitor and report upon the outcome of investigations that have been referred back to agencies?

**Mr Barbour:** Section 48 of course only deals with when we monitor matters. It does not refer to matters that are referred back to agencies with no outcome advice required.

**Mrs STOKER:** Correct.

**Mr Barbour:** In terms of section 48, I think there is adequate provision within that section for us to be able to do those things to effectively monitor exactly what is going on. The engagement level that we have with agencies during the monitoring process is quite significant. We individualise the monitoring process for each matter. We seek regular reports. If we do not get satisfactory reports, we follow that up. We assess what information is coming in. We look at factors like timeliness and appropriate information being given to people who are involved and so forth, so I am not sure there is a need for further amendment in relation to section 48.

**Mrs STOKER:** Okay. On a related question and thinking about the operation of section 46(2)(b)—that is, for situations where a complaint against a public official is referred back to that public official for investigation with some oversight from the CCC—how well do you think that is working and what information do you have about the outcomes of referrals and investigations that are being conducted under that provision?

**Mr Barbour:** This is a really interesting policy debate and issue I guess, if I can put it that way. Our act is premised on a very clear understanding and direction that we should focus our attention only on the most serious and systemic of matters. It sets out principles in section 34 which must guide our work in relation to that, and one of those, of course, is devolution. I think this comes from quite a sound policy basis, which is that it is not simply the CCC's role to ensure the entire public sector manages these issues effectively, is live to them, has appropriate risk mitigation measures and has appropriate investigative systems in place. We may get a referral of a matter and that referral might deal with a specific issue and it may not reach, on the basis of our assessment, a threshold where we believe we should be exercising our very limited resources in investigating the matter or indeed monitoring the matter, so we do rely on agencies to look at these issues when they get them and to take whatever measures they believe are appropriate, and one of those might be to investigate.

To assist agencies in our corruption prevention area and also with our *Corruption in focus*, we provide a great deal of information about what a good investigation looks like and how they should in fact conduct an appropriate investigation, but, importantly, we do not direct them around that in the sense that it is their responsibility because it is largely an employment related issue to consider the best way of approaching this in the circumstances. They may have information available to them—considerably more information available to them—than we have, which means that they are better placed to determine what they think is the most appropriate way of proceeding.

Certainly I am concerned about some of the examples I heard earlier and, as I say, those examples have not been, with the exception of one, provided to us to have a look at to see whether we could have done anything differently, but at the end of the day there are practices and procedures in place for the handling of employee disciplinary matters. They should, of course, be followed. They should be exercised appropriately, fairly and reasonably and if they are not or if an agency is acting contrary to law or contrary to appropriate direction then there are mechanisms for that to be challenged, and that is probably the most appropriate way. I do not think the CCC, no matter what we did, could fix that problem if that problem exists. As I said earlier, I am not sure how widespread the issue is. We send back thousands and thousands of matters each year and we do not get lots of complaints about how these matters are being handled within agencies, so there is either a disconnect in terms of people letting us know that or, alternatively, the vast majority of matters are being dealt with appropriately.

**CHAIR:** Mr Barbour, I take you back to the answer you provided the deputy chair with regard to section 48. What are the mandatory requirements in terms of having an oversight over those referrals?

**Mr Barbour:** There is no mandatory scheme, if you like; it is up to the CCC to determine how best to monitor and utilise its resources that assist the agency with the matter. The provisions in that are certainly significant and must be followed, but there is a broader scheme, if you like, which sits around that.

**CHAIR:** I am a former minister—and many of us on this committee have been in that position. We are privy to the relevant departments doing an annual report on the basis of satisfaction of the public servants covered by those departments. Does the CCC have purview over those results out of the annual reports on the satisfaction of the employees of the relevant departments?

**Mr Barbour:** Not specifically, no.

**CHAIR:** Is there any reason why not?

**Mr Barbour:** Because I am not sure whether or not they are focused on corrupt conduct.

**CHAIR:** I think it is a bit of a litmus test to give an understanding of the satisfaction of those relevant employees of the department and, on the basis of the evidence we have heard this morning, there is one example where a public servant suicided as a result of being under investigation. Is that something that would be appropriate in consideration of the five-year review?

**Mr Barbour:** I would need to consider that, to be honest, Chair. As you know, we conducted recently a perceptions survey, and the survey was very well responded to. We had responses from over 10,000 people—3,000 people not in the public sector and 7,000 in the public sector. It has provided us with very good information about their current perceptions about our core work which

relates to corrupt conduct. We also regularly engage with agencies, with liaison officers within agencies and also with stakeholder groups, and those engagements and liaison have helped us to design our corruption strategy and also our corruption prevention strategy so that we are trying to respond as effectively as we can to what we are getting back from stakeholders.

I think the challenge is that we have a very limited mandate, it seems to me, and I think there is a really significant risk to go outside your lane, so to speak, and to involve yourself in areas that are not strictly areas that you are obligated to look at under the act. Were there to be an extension of these responsibilities, I think great care would need to be given to that, and obviously there would be a whole range of ongoing elements such as resourcing and appropriate amendments to legislation that would allow us to do it. As part of our prevention work we utilise as much data and information as we possibly can, and it may be that in that prevention work we can look at some of the data you are talking about to see whether it assists in that work. It would just be dependent, I think, on what it is actually directed to communicating in terms of those particular criteria.

**CHAIR:** Sure, and I take on board that the CCC is not a court of law with regard to a determination of an outcome of alleged corrupt conduct, but if there was a test of beyond reasonable doubt I am sure that would lead in some respects to a limitation on the number of complaints coming to you in the initial phase.

**Mr Barbour:** I would be concerned with such a suggestion, to be honest. I do not think that would have a place in the definition of corrupt conduct and I think it would be extremely difficult to administer.

**Ms PUGH:** We have heard quite a bit this morning about the welfare of the subject of an investigation and we have spoken in previous hearings about witness welfare as well. Job loss is consistently considered by mental health professionals in public online resources to be one of the most traumatic life events that an individual can experience. I want to go to the comment you made around the trauma practice guidelines that you have worked up. Would you be able to share who was involved with the development of that resource?

**Mr Barbour:** Sure. Do you want to speak to that?

**Ms O'Farrell:** I am happy to speak to that. We worked, obviously, with our internal team. We had experts from EY, psychologists and the like who assisted us with adapting what is an acceptable model in a health clinical space to the CCC space. We do not provide clinical advice or expertise; our model is based on what is known as the five Rs, and I will just go to that to provide you with a bit more information. The Queensland Mental Health Commission's Queensland Trauma Strategy was used as background briefing information for the development of our model, which is called the five R model: realising the impact that trauma can have on people; recognising the signs or indicators of trauma and how we at the CCC can minimise distress; responding appropriately and effectively by building our own capabilities and applying the framework; relationships in terms of ensuring the relationships we have with people who interact with the CCC are more effective in terms of engagement, experience and outcomes; and resisting retraumatisation of people by understanding how our operations, policies and practices may inadvertently cause a traumatic experience.

There was a wealth of experience in terms of the people we engaged to assist us with the Queensland Mental Health Commission, our own staff experiences and that of others. There was some liaison and engagement with various people who had liaised with the commission and what their experience was. That has all gone into developing this particular model that we are in the process of executing within the commission.

**Ms PUGH:** Thank you. To be clear, that is something you are applying to your staff and also in how your staff interact with both witnesses and potential subjects of inquiries, which is great to hear.

**Ms O'Farrell:** As well as people who ring and make complaints, over the phone particularly.

**Ms PUGH:** Yes. I will include them in the broad shroud of, say, witness—anybody who is maybe making a report or might otherwise have to engage with you to report information. Can I just clarify: with regard to somebody who has been referred as a subject of an investigation or a matter before the CCC, is that person allowed to engage with their own mental health professionals or other medical professionals? What are they allowed to access under the current rules?

**Ms O'Farrell:** If they are a subject of an investigation, whether that investigation is undertaken by the CCC or otherwise, of course they are able to. They are not precluded by the CCC and we have specific carve-outs in terms of the exercise of our coercive powers, for example. If we are going to do a closed hearing, we have to do that under a notice. That notice is a confidential notice but it will have

a specific carve-out to allow a person to consult with their medical practitioner and to provide the information that is needed to assist them clinically. We do not preclude anyone from accessing medical assistance.

**Mr HUNT:** I had some questions around the devolution process and a lot of them have been answered under the deputy chair's question. I did want to explore some of the other things that were brought to us by the groups earlier, specifically in relation to what they see as over-referring—that is, the definition of corrupt conduct being misinterpreted, I guess. That obviously impacts your resources in terms of the thousands of things that are referred to you that perhaps do not need to be. That impacts on them as well, as they told the committee. I wonder if there is some sort of role with the CCC in terms of training agencies about the definition. Obviously, for them to refer that they would need to have a prima facie reasonable suspicion, and under your evidence advice is not provided back whether that reasonable suspicion threshold has been reached. Is there a disconnect in terms of communication and training to stop those over-referrals out of the abundance of caution that agencies are obviously feeling to make sure their oversight exists and they are covered, if you know what I mean? That is creating more work for you. Is there a way forward in terms of the CCC having a role in training to address their concerns of this over-referring?

**Mr Barbour:** As pointed out by one of the representatives who were submitting, the requirement to report I think is critical. As it is currently drafted, there is a sufficient nexus, in my view, to corrupt conduct; the section requires that a complaint or informational matter involves or may involve corrupt conduct. I think it is extremely important that we have a system in place that deals with those issues. Having said that, I am sure there are examples—we could find some and other agencies could find some—where, out of an abundance of caution, they have referred matters to us where they might be in a grey area, and I can understand why they would do that. It may well be that many of those matters go back then for the agency to deal with appropriately as it sees fit. I think changing the input to us becomes problematic. That input obviously provides us with a lot of data and a lot of intelligence which allows us to then refer back, in terms of our prevention functions, to agencies about what they need to do.

Having said that, we also provide a lot of guidance. We work closely with agencies. We have a lot of material on our website and we have a lot of stakeholder engagement. Our corruption prevention and engagement team is fully engaged in trying to assist agencies as best as possible. We often get inquiries from agencies about whether they should refer something and we try to provide advice to them as well. We try to do as much as we can to make that process work as effectively as possible. I think were you to change the requirements under 38 that would certainly lead to less informed decision-making about what issues are live, what kinds of matters are happening in agencies, because we would not get the full picture.

**Mr HUNT:** I guess you would prefer over-referral to under-referral.

**Mr Barbour:** I think that is right, and I think the state of Queensland and the general public would prefer that as well. There is too great a risk if you try to water that down.

**Mr McDONALD:** My question goes on from those good questions from the member for Nicklin and of course the member for Mermaid Beach, who was very astute in his observations. My question is around those 5,500 that you refer back to the agencies. I note there were 1,800 where you recommended no investigation whatsoever. How many over the last five years have gone back to the agency, had further investigation made and have then come back to the CCC because something more serious was uncovered? Do you have data about that?

**Mr Barbour:** No, I do not have data about that, but that is certainly one of the issues that we flag in our correspondence back to agencies. There are a number of different things to take into account, but we often say to agencies—particularly for matters where we are seeking outcome advice and we have said we believe the matter warrants investigation—that should their investigation identify any criminal conduct then they should refer that to us and/or the police, depending on the nature of the conduct. I do not have that specific data and that is partly because we do not require agencies to conduct investigations. There are a number of different ways that matters which are the subject of referring back can be handled by agencies. We do not believe it is appropriate, on the limited information we have at times, to try to curtail those options. Investigation is definitely one but, as I said before, we provide guidance around investigations and we would expect that agencies conduct investigations fairly and appropriately consistently.

**Mr McDONALD:** With regard to those 5,000 in your five-year performance data, is there any data available in terms of timeframes for referring back?

**Mr Barbour:** For us referring matters back, yes, that is actually included in the submission that we have made. It is broken down to public sector and local government and also separately for police. We have also compared that to the two agencies that have like jurisdictions to us—IBAC and the Western Australian Corruption and Crime Commission.

**Mr McDONALD:** With regard to timeframes, in the submission on page 15 at the top is a very good set of data on average days to finalisation, with 95 per cent being finalised under six months with an average of 98 days. Going back to CCC crime investigations and intelligence, the average days for finalisation is 345. Could you explain to the committee the differences in those two areas? It seems very high standards for the 95 per cent and 95 days, but then you have 345 days.

**Mr Barbour:** In terms of the first reference you made to page 15, that table is in relation to crime matters, not corruption matters. The reference you are making to finalisation is to finalise crime investigations and intelligence operations. It is not clear to me what you are referring to there. One is referred; the 95 per cent is referred investigations. They are referred investigations from QPS and they will provide a slightly different one to ones that are initiated by the CCC, which are in the table on page 13.

**Mr McDONALD:** The question is around resourcing. You have a very high achievement with one at 95 per cent and 95 days, and then there is 345 days. Is it simply a matter of the complexity of the investigation, or is it a resourcing issue that could fix that?

**Mr Barbour:** It is often relating to complexity, but I will get Ms Loder to clarify. One of the challenges with crime matters is that they are apples and apples in one sense but they are often apples and oranges as well, depending on whether or not they are referred and whether or not they go to formal hearings.

**Ms Loder:** The first table you have referred to is in fact matters referred to us from the QPS specifically for us to undertake hearings to assist their investigation. That is why, as you would imagine, they would have a much shorter timeframe, because they are very focused. Our involvement is focused and we are not the lead agency for that investigation. The second table you referred to is our very complex, protracted, CCC-led or initiated investigations. You will see that we undertake a fewer number of those and they are very complex. They are referred to in our reporting to you as those major investigations; they are often multi-agency, multijurisdictional. They are often organised crime with a focus on money laundering and drug trafficking.

**CHAIR:** Out of the 1,800 referrals back that do not require further investigation, are there any investigations conducted by the CCC where they are vexatious or frivolous?

**Mr Barbour:** I am not aware of us conducting any investigations in relation to that. However, of that number, many of those would be matters that come in under section 36 from individuals, as distinct from referrals from the department. That would be because they are effectively bald or they are not within jurisdiction so there is no further action. That 1,800 comprises those matters as well as some matters that go back to agencies. Once again, we would need to make a lot more inquiries in relation to a matter to be able to determine whether or not something was vexatious. It is not something we think we ought to be devoting our resources to at this point.

**Ms PUGH:** My question follows on from the member for Lockyer around resourcing. Just to go back to the work you have done around the trauma informed practices, I am curious to know if that is more time consuming for your staff to carry out, or is it too early to be able to tell because you are still in the process of implementing it? Similar to the member for Lockyer, I am curious to understand whether, more broadly, you feel we need an uplift in your human resources because of the growth we have seen in our public sector.

**Ms O'Farrell:** I think it is a bit early to tell, but I would say that, particularly when we have people coming in for hearings, we have always conducted a risk assessment on the person both for protection for our staff but also for them. We have always been responsive to their needs as well. There have been medical episodes and we have been responsive to that. The investigation outcome is not the be-all and end-all that we have as a focus for us. We do not want to do any harm to any person who is engaging with us, so we have always conducted risk assessments.

This is a much more focused program on really recognising the different types of trauma that can present across the commission. Even though we only get about 10 phone calls a day, for example, we get a lot of online complaints but they can exhibit some trauma as well. Oftentimes we will need to liaise with the person, and we will do that generally in writing but that can then move towards a telephone interaction. It is about giving our people the tools to recognise when someone might have suffered trauma or might be in a trauma episode, for example, and what we can do to not

add to that trauma but also what information we can provide at that point in time when we are dealing with them that may assist them. We will quite often get people who present to us on the phone who are telling us that they are about to commit suicide or that they are thinking of committing suicide. That is a traumatic experience for our staff but it is clearly a person in trauma as well. We are consuming resources in terms of taking our team offline to attend training, education and awareness sessions. We have taken a lot of investment to develop the strategy. We will continue to invest as much as we possibly can. Like anything, there will come a time possibly when additional resources may be required.

We have not taken the approach that other states have taken—the straight anti-corruption commissions—whereby they have employed witness liaison officers, specific social workers, but that is in those organisations where generally there are public hearings occurring. There is a very big difference in the structure in Queensland under our legislation. Our capacity to conduct a public hearing is very restricted and there is a lot more risk associated with someone appearing before a public hearing than there generally would be otherwise. There are some structural differences that have led us down the path of not engaging social workers on our teams, but that is not to say that in the future that may not be a requirement.

**Ms PUGH:** I take your point about public hearings and the risk associated with those. That is, you might say, an actual risk. In terms of the perceived risk to the person—whether it is a public or a private hearing—I would be curious to know how big the difference is in their mind. If they are feeling that their job is under threat or that they are under threat, whether it is public or private the end result may still be the same.

**Ms O'Farrell:** I understand. If you look at the data we have reported over the last five years in terms of the amount of private hearings we conduct in the corruption space, it is not our main methodology that is used, as opposed to crime investigations. In our crime investigations you are generally dealing with a different type of subject officer than you would be in corruption. I think you are right: I think their perception would probably be the same. As I said, we do the risk assessment, we are engaging with our staff to uplift their capabilities to recognise trauma and then, within the bounds of our responsibilities, we seek to adequately address that trauma and guide a person to appropriate support services or, in the case of threats of self-harm, to the Police Service for welfare checks.

**Mrs STOKER:** Mr Barbour, we could not have you before the committee without seizing the opportunity to ask for an update on the timing we can expect in the matter of Thompson. As a committee, we are eager to make sure the electorate is as well informed as possible. Is there any update on the timing of the release of final information?

**Mr Barbour:** There is but not that I can give in a public session, unfortunately. If I can refer to my previous evidence to the committee, both in public and private sessions, about the process, I can indicate that process is proceeding but we have no guarantee at this stage that that will not be interrupted by processes prior to the relevant time period.

**Mrs STOKER:** Understood. Thank you.

**CHAIR:** Thank you, Mr Barbour. Thank you, representatives of the CCC, for your appearance this morning. If there are any questions on notice, responses are to be provided before Friday, 14 November 2025.

**Proceedings suspended from 11.03 am to 11.14 am.**

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

**MORGAN, Dr Daniel, Parliamentary Crime and Corruption Commissioner, Office of the Parliamentary Crime and Corruption Commissioner**

**CHAIR:** I invite you to make an opening statement, after which the committee members will have some questions for you.

**Dr Morgan:** We submitted a paper to the committee in answer to the request for a submission. By way of summary, the office and I were able to provide some comments on the work program that has happened since the last five-year review. I did not want to elaborate on any of those particular comments. There is nothing that I feel I need to highlight to you.

The interesting point that has arisen, I suppose, is this issue with respect to government owned corporations, which is a matter that is ongoing, I think. By way of assistance to the committee, my impressions are that the system here seems to be working well. You know my views about culture being as important as the letter of the law. I think it is a very positive culture that I have experienced here with respect to the various institutions and how they interact. There is a culture of cooperation and transparency and a positive engagement when questions are asked. I think that is something to be proud of in Queensland and not something that should be assumed is happening in every other jurisdiction, from what I gather. It is not a completely untutored view since my commencement in this office.

Mr Kunde has raised for your consideration one issue, which is topic 3, the surveillance device warrants in the office of a practising lawyer. It is just the contemporisation of provisions that contemplate legal practice not happening exclusively in an office anymore. It might be on the run—that is a bad choice of words for a criminal jurisdiction—in the car, on the hop, working remotely and of course working from home. It has not been a topic of burning importance that people are raising with us, but it is something that has been identified and one can see that there might be problems in the future.

We have made a separate submission with respect to the timeliness and the level of notifications from the CCC that are notified to you and to us. We are quite happy with that tempo and the level of the calibration that it is at presently so we are quite happy to continue at that setting. If there is anything that you would like to raise specifically, we are happy to take questions.

**CHAIR:** I refer to the concerns you have raised about the conflict between the Police Powers and Responsibilities Act and the Crime and Corruption Act with respect to surveillance device warrants. Can you unpack that for the committee's benefit?

**Dr Morgan:** That might be something that Mr Kunde has the detail of, which could be of assistance.

**Mr Kunde:** That was a matter that arose some time ago. It was thought at the CCC that they had power to use surveillance device warrants under the PPRA for both corruption and crime investigations. I had a recollection that when the power came in under the Police Powers and Responsibilities Act it was reserved solely for crime investigations and I was surprised to see it being used in corruption investigations. There is another power under the Crime and Corruption Act that can be used for corruption investigations, for surveillance devices, but the one under the PPRA is the one that we have inspection duties for. I think the previous committee sought some views on that, and at the last five-year review we raised it again because there appeared to be a conflict, as in our submission, between a provision in the PPRA and a provision under the Crime and Corruption Act. The committee and the government at that time recommended that that apparent conflict be resolved and it has not been yet.

I must say that the CCC have taken on board or seem to have taken on board the view of the committee's response and the government's response and are not using PPRA surveillance device warrants for corruption investigations anymore. However, the fact is that there is still a conflict between the two acts, as set out in point 2 of our submission, and it would be better if that were resolved.

**Mr HUNT:** Earlier today we heard some evidence from unions and organisations related to processes of referrals to the CCC, and probably over-referrals by agencies to the CCC, of matters that were probably under the threshold of corrupt conduct and did not require it. The evidence of Mr Barbour was that he would rather over-referrals rather than under-referrals. Is your office receiving any complaints through those agencies about the process, being the punishment et cetera, and over-referrals and the CCC's resources in terms of advice given back, training et cetera?

**Dr Morgan:** No, we are not. I do not think we have received a single referral about that or a complaint.

**Mr BUTCHER:** In respect of government owned corporations and the current practice based on legislative interpretation for requiring those complaints to be made and referred through to Treasury, you have noted that you consider definitive advice from the Solicitor-General should be obtained and have referenced an apparent conflation of the concepts of a public interest disclosure under the PID Act and the mandatory reporting regime under the CC Act. Would you suggest that perhaps a legislative solution to this issue may not be required?

**Dr Morgan:** Yes. I was hoping to provide a solution rather than add to the problems, bearing in mind that if you get six lawyers in a room you will end up with seven opinions. We have been discussing this at length. There are a couple of things. The practical problem is that, regardless of who is right and who is wrong, this view is out in the wild. There are a couple of ways. I am not anybody's lawyer; they are going to get their own legal advice and act safe, which is entirely proper. One of the ways of resolving that for everybody is to join in getting definitive advice from somebody like the Solicitor-General and agreeing to be bound by that. You could legislate again, but that is just adding to the problem, in my view.

I am conscious of keeping to my own lane in these things, but I was surprised that this issue emerged because I had not been aware that it was an issue. It appears to have been an issue and I am surprised that neither Treasury nor any of the other stakeholders escalated it. As soon as I became aware of it I asked, for information purposes, for an explanation from the CCC, which the committee has been copied in on, just to see if my working was right because I might have missed something and there was something that I was not aware of.

Candidly, and with great respect to everybody else, I still do not understand how this view has emerged. My best guess is that there has been a mixing up with this public interest disclosure and this duty that is imposed by the GOC legislation and the view has emerged that this is an inconsistency. I do not think you have to construe that as an inconsistency. I think you can construe that as an added duty on the public officials responsible for GOCs, so Treasury. I do not think it takes away from the positive duties amongst everybody else in the CC Act.

If you are looking for the intention of parliament, you can see in section 36 how to make a complaint. It is pretty much everybody that you can complain to. You can complain to you, you can complain to us, you can complain to the police—you can complain to pretty much everybody, so it does not seem to me to be an intention that you can discern from the legislation that parliament intended to restrict the way that these things can be made. Again, I think that is a conflation of the PID. I am not alone in that view. I have informally asked people who have a working knowledge of these things and I am not alone in that view. Mitchell, is there anything I should add?

**Mr Kunde:** I think that is perfectly correct.

**Mr BUTCHER:** I intended to ask this of the CCC. The Government Owned Corporations Act appears to be specific to a circumstance where a chief executive officer suspects a complaint or matter may involve corrupt conduct, and not broader circumstances of a complaint or public interest disclosure, and approaches the CCC with their concerns and that no other person can go directly to the CCC. It gets to the timeframes of when it gets referred back to, say, Treasury, as we were talking about. Is that outside of what you just said?

**Dr Morgan:** I think that is where we part company with how we read it, candidly. I think you identified the issue. That is one pathway. I do not read it as excluding the other pathways. I do not see a reason for those other pathways to be excluded. I think that is adding to the responsibilities of not just the GOC holders but also the public officeholders. Who knows—again, I am conscious of keeping to my lane but I am trying to be helpful—but I would not have thought that was how anybody intended the system to work.

**Mrs STOKER:** This is a related question. I looked at the paragraph in your submission about the concern that there was a conflating of the concepts of a public interest disclosure and mandatory reporting requirements. Is that something that you see arising just in the context of the duties in the government owned corporations establishing legislation or is it something that you have observed across the board in a way that suggests there might be a need for an examination of whether the PID regime is fit for purpose?

**Dr Morgan:** Candidly, that is something that I read because, when I was aware of the issue, I read up on not just those specific sections that affect us all the time but also the PID legislation. I am not aware of any specifics in other circumstances so I do not have an informed view about whether it

is a widespread problem. I know that in other jurisdictions our analogues look at more than just the CCC reports—they look at public interest disclosures as well—so we are not comparing apples and oranges when we look at other states and other jurisdictions. To answer your question, I am unaware of specifics and I am unaware of any factual situation, but when I read the language of how it was being described in the press they were mentioning the public interest disclosures as well as the CCC disclosures.

**Mrs STOKER:** That is interesting. I thought the same thing as I read it.

**Mr STEVENS:** The CCC has reported that their response from the DPP has been very ordinary in quite a few cases. What measures would you suggest we could use to address that? Obviously we have to have the quickest resolution possible when we have serious matters referred to the DPP by the CCC. How are we going to address that interaction?

**Dr Morgan:** Again, without knowing the specifics of that, I suspect it is going to be one of ensuring the proper resources are available, and I do not just mean money.

**Mr STEVENS:** For the DPP?

**Dr Morgan:** Indeed. When you say 'quickest', that is one thing, but it also has to be very experienced advice. I know from personal experience at the bar that the pressure is always for a quick turnaround. Sometimes you have to be of a certain experience to say, 'I just need to let this sit on my desk overnight. I know people are screaming for the advice, but I just need to make sure that I don't think of something tomorrow morning after I've sent it.' There is a balance between a quick turnaround—and I understand the requirements—and having somebody there available of sufficient experience, because it is not entry-level advice that you are seeking; it is very serious.

**Mr STEVENS:** I do not think it is an overnight response they are talking about. I think it is a severe response time involved in their investigation. It would assist a lot of these issues where we are seeing raised that the sword of Damocles is hanging over public servants et cetera if we got a good response from the DPP so the CCC could move quickly. Do we have to follow any legislative moves or talk to the department about it? It just seems incredibly wrong to me.

**Dr Morgan:** I think these pressures are everywhere. Mitchell, is there anything practically you could speak to as a former DPP employee?

**Mr Kunde:** I cannot suggest anything. It is too tricky.

**Dr Morgan:** These issues just have to be worked through. If it is accepted that this is a part of the DPP's remit then I am sure they will cooperate to the best of their ability. They are normally very obliging, in my experience.

**Ms PUGH:** We have heard from almost all of our witnesses this morning about both witness welfare, which is a topic we have previously canvassed over some length of time in other public hearings, and, as the member for Mermaid Beach alluded to, the welfare of the subjects of inquiries. The CCC have outlined some of the trauma informed practices that they have implemented but also some of the things that other states do. I am not sure if you heard the comments they made about other states hiring social workers to support people who either are coming before the inquiry or may otherwise engage with the CCC. Do you have any thoughts on that as a methodology of supporting people who are engaging in many broad ways with the CCC?

**Dr Morgan:** It is something we have discussed and it is something we have heard from other jurisdictions that have had bad experiences, to put it that way, in terms of having to learn the hard way and develop responses in terms of people who have taken their own life as a result of investigations in other jurisdictions. We do not have any specific proposals and we do not have any specific answers. As long as it is flagged as a topic for discussion, I think you would have to get best practice advice from psychologists and whether social workers are the appropriate people. I know that a lot of work was done in Victoria and in South Australia. It is not an unknown; it does not happen often, but it does happen regularly enough in the criminal justice area. There is probably a body of learning there that we are not on top of, candidly.

**Ms PUGH:** When the CCC were talking about the social workers in other states, they made the differentiation between the fact that other states often have public hearings and in Queensland that is vanishingly rare. As the member for Mermaid Beach spoke about, I would be of the view that if you are the subject of a long-term inquiry of the CCC, whether or not the hearings are public, there would nonetheless be a significant mental health concern there. Therefore I do not see that as necessarily being the be-all and end-all as to whether social workers are required. Do you have a view on that at all?

**Dr Morgan:** You raise a separate but related issue which we have spoken about and about which Mr Kunde and I heard some other views at a conference recently. I think it goes to this fundamental issue of principle about whether you make findings public. We are quite happy, quite pleased and quite comfortable with the regime here where neither the CCC nor us nor the committee can make findings, make reports or publish opinions about people, subject to the very limited circumstances that we legislated in response to the Carne case. This goes down to this idea of the court of public opinion. If you have a non-judicial body like a non-court passing an opinion—we understand the differences, that that is not a finding of guilt or innocence in a court. I do not think that is necessarily the same in the court of public opinion. People read it; friends and family read it untutored and say, 'These people whose job it is to look at these things have made an opinion.' Therefore that pall is cast. I think that is something that all of us need to be mindful of in terms of it is not just a technical exercise and it can have those very serious consequences. I do not think that means you have to shy away from vigorously and thoroughly looking at these things, but there is a way of doing it.

**CHAIR:** I appreciate your response there. If you look at history—and I use the Queensland Police Service as an example. I think it was only in 1991 that they became entitled to workers compensation under the legislation passed then. There was not a process of having social workers dealing with the extreme cases that police deal with at times. Things have evolved now and there is coverage of them under the workers compensation act and social workers are provided for them. The evidence we heard today is consistent with what the member for Mount Ommaney was questioning you about. Based on the face value of what they were providing, there seems to be a major concern with respect to the referral back to the agencies of matters that were dealt with and a lack of ability for a particular aggrieved person to have any input or feedback about where it is heading. Is there anything you could suggest that might eliminate that process to bring a more expedient understanding of what someone who is alleged to have engaged in certain conduct—to put them at peace in their mind so we do not end up in circumstances where someone takes their own life in traumatic or stressful events?

**Dr Morgan:** There is something we have discussed privately in terms of discussing ideas generally, which is what we do when we have downtime to try to pre-empt some of these issues. I know that Mitchell has a view about an ability to say that an investigation has been completed and there is no further action. Do you want to speak to that?

**Mr Kunde:** I probably will not touch upon that issue. We discussed the issue about the CCC, under the new legislation, not being able to say that they have found insufficient evidence to refer the matter under section 49. I think that would at times alleviate people's concerns, but presently they cannot say that; they can make factual statements.

In terms of the situation that I think the Salaried Medical Officers' Federation were talking about, I would have thought there is a role there for the Department of Health and for their employee assistance schemes in that area. Whether or not they are in a position to engage with the CCC is another matter. In terms of the member for Mount Ommaney's question previously, I think there is a role for the units of public administration to play in the support of persons travelling through the dealings with the CCC.

I know that the CCC have formulated and are using their trauma informed policies for witness support and that the subject officer can be involved in that process. I would have thought that, principally, the subject officer's unit of public administration would be the area that would be best served to provide some assistance to those people.

**Mr McDONALD:** Thank you for being here again with us. My issue is around the referrals, and we have had some discussion about that this morning. I would be interested if you have any explanation that I am not able to identify. In 2022-23 there were 3,900-odd referrals to the agency, that jumped to 5,000 in 2023-24—an increase of 1,100—and that has increased again this year, so there has been a 40 per cent increase over that time. Obviously there was a local government election in 2023-24 and there were 700 extra complaints associated with that. If people are meeting their reporting obligations it is a good thing that we are getting these referrals, but that seems to be an enormous jump. My concern is actually about the 90 per cent that were dealt with within 30 days back in 2021-22, which has now dropped to 55 per cent. The CCC identified that that is not meeting their expectations of timeframes and the need for additional resources. I am interested to know if you have been able to uncover why there was such a big jump.

**Dr Morgan:** We are certainly aware of the statistics and read what they had to say about it with interest. I think the first thing to say is that just because people are becoming more aware and making these reports does not necessarily mean that there is a correlation between that and corrupt conduct.

You have to unpack those figures to see whether people are being more diligent or maybe the calibration—it is hard to calibrate something that could be corrupt conduct when you have a positive reporting obligation. That again feeds into these other discussions about the timeliness of resolution and resources that are available. We have not had any specific complaints and we have not had any referrals or correspondence that would shine any light on that, candidly, but it is a noticeable increase.

**Ms PUGH:** That enlivens in my mind this question: if they have a substantial increase in the number of referrals, do they need an increase in their resourcing, particularly the number of people employed within the commission?

**Dr Morgan:** That is not something that we would express a view on. That is something for them.

**CHAIR:** There being no further questions, thank you for your appearance here this morning. We will see you in a few weeks.

PROOF

**PRENZLER, Professor Tim, Professor of Criminology, University of the Sunshine Coast (via videoconference)**

**RANSLEY, Professor Janet, Griffith Criminology Institute (via videoconference)**

**CHAIR:** Thank you for your submission. I invite you to make an opening statement, after which the committee members may have some questions of you.

**Prof. Prenzler:** I think our submission speaks for itself. We kept it quite simple and said that the CCC was in urgent need of major reform to make it fit for purpose. We provided three research documents that evidenced that claim. That is, of course, in addition to the Richards inquiry report, which is the most recent overview of these issues. We support its recommendations, particularly in relation to a police integrity unit. You are probably aware that I was commissioned, along with Dr Michael Maguire, to provide a report for the Richards inquiry regarding issues of the management of complaints against police. That was triggered by the deluge of disclosures and complaints that the commission had regarding the treatment of whistleblowers and complainants.

The report that Michael Maguire and I did for the Richards commission was based on eight main sources of information about this issue. This was based on about 30 years of research that I have done looking at, for example, the results of royal commissions and other commissions of inquiry and review into police conduct issues and police accountability management. We also looked at every study that we could find on complainant experiences and their views and preferences. We referred to every study we could find on police views and police experiences of different systems. We looked at every survey or study we could find on public opinion. We also looked comparatively at Queensland and, of course, the Northern Ireland example and other agencies in terms of their complaint disposition data, transparency and accountability criteria, complaint trends, behavioural indicators and then we also looked at how these different agencies and different models stack up in terms of different criteria around procedural justice, human rights standards and restorative justice. All of these different sources really converged around this police integrity unit model as best practice, so this is what the Richards inquiry recommended. This is what Janet and I supported in our most recent submission. As a summation I will stop there and hand over to Janet.

**Prof. Ransley:** I do not have a great deal to add. I do want to point out for the committee's benefit that I did work for a predecessor to the CCC, the Criminal Justice Commission, in the late 1990s, but that was a very long time ago. I support everything that Tim has said. I should also acknowledge that I was a co-author on what we have referred to as the Mazerolle report from 2022 which recommended that the CCC have a larger role in investigating police related deaths and deaths where there had been prior police contact with domestic violence victims. There is a slight conflict there. Like Tim, I also provided advice to the Richards inquiry.

I agree with what Tim has said. I think there is a primary need for greater transparency. I see that since we wrote our jointly authored chapters, which is one of the documents that Tim has referred to, there have been some documents published on the CCC website, including a formal response report to the commission of inquiry led by Tony Fitzgerald and Alan Wilson. It would be nice to see something similar done in relation to the Richards inquiry and also to the recommendations related to the investigation of police related deaths. It is not clear to me why that is not being addressed at all. I think transparency is something that I would see as the most pressing need. I am happy to answer any questions.

**CHAIR:** I have one initial question at this stage. You mention on page 5 of your submission a relevance survey in 2021 of public sector employees identifying significant barriers in reporting suspected corruption. Can you elaborate in terms of the number of persons who responded to that survey and the fundamental findings of that particular survey, please?

**Prof. Prenzler:** What page?

**CHAIR:** Page 5 of your submission. Under the heading 'The Crime and Corruption Commission, 2014-2025'.

**Prof. Prenzler:** I would have to look that up and get back to you on that. I do not know off the top of my head, I am sorry.

**CHAIR:** We will put that on notice. Member for Mermaid Beach?

**Mr STEVENS:** Professor Prenzler, you have said that the CCC needs to be much more engaged in directly investigating and preventing a wide range of—and the important part is—unethical conduct. The CCC has specifically been engaged in corruption and criminal activity. To spread their resources quite a bit further to unethical conduct would mean obviously a lot more investigation, a lot

more resources and a lot more financial commitment. Do you see this as better handled by the CCC than other organisations or do you think there should be a separate organisation set up for unethical conduct, which is quite different from corruption and criminal activity?

**Prof. Prenzler:** I think we need a public sector integrity commission that is a one-stop shop for all these issues—not just complaints but issues that arise in the media of public sector probity. It needs to be adequately resourced. It needs to have all of the powers that are required. It needs to have regional access. It should have offices in Cairns, Townsville, probably the Gold Coast and maybe Toowoomba. It needs to set up a proper code of conduct for public officials which is enforceable and process all allegations and whistleblower reports following procedural justice principles to try to address and reduce the recurring problems of alleged and suspected public sector misconduct that we have in this state.

One of the arguments against bodies like that is that they get too many trivial complaints and they get caught up in that area. The problem is that one person's alleged trivial complaint is another person's serious matter, where they feel a grievance and they feel they have suffered an injustice. There has to be a location for the airing and the resolution of these concerns that citizens and public sector employees have. I think the best way to manage that is through this one-stop shop model.

**Mr STEVENS:** Can I be clear, following your dissertation there, that you are not suggesting the CCC widen its investigations or the issues that it should investigate; you are suggesting a separate body to be set up called the public sector integrity commission; is that correct?

**Prof. Prenzler:** Sorry, I did not make that clear. I think the CCC should be restructured so that it has the powers and resources to meet those goals. I think that is what the CCC should be, not this very limited, narrow, so-called corruption focused body.

**Ms PUGH:** That is not what I thought you were going to say. You have referenced the Fitzgerald report. One of the recommendations that has come out of that is the clearing house body. Is that something you see working in with the model that you are proposing, or under your proposal would that then not be required because of the changes you are suggesting?

**Prof. Prenzler:** The clearing house would not be required under the model that I am suggesting.

**Mrs STOKER:** Thank you very much for your submission. I wanted to ask if you could unpack a little bit what you have had to say about the importance of establishing a police integrity unit following the recommendations of the Richards inquiry report. What do you think should be the key elements of a unit of that kind and can you say something about why it matters and the deficiency that would fill in the current system, please?

**Prof. Prenzler:** I support the description that is set out in the Richards inquiry report on page 331, recommendations 68 to 75—a body that independently processes all complaints, has an executive director from a non-police body, has a support program for victims of abusers and complainants, develops a regional presence and develops its own in-house, non-police investigative capabilities. I would also strongly support the use of restorative justice options for complaints. A lot of complaints are about a grievance. We know from research that one of the best ways to deal with those kinds of matters is through mediation. An agency like this can manage that process because it is independent, so the mediators will be independent. All allegations, all disclosures and all reports are treated with respect. They are given a thorough hearing. There is a negotiation with the person who makes the allegation. There is also negotiation with the subject of the allegation about how the matter is treated. There are a lot of different options for the processing of these matters. The important point is that it is done independently of police so that there is no real or perceived bias, interference, favouritism or discrimination, including discrimination against police by these bodies. All of the evidence shows that police as well as complainants are more likely to be satisfied with this process than with the other models.

The current model, where matters are devolved back to the police, we know is completely unsatisfactory. We know that complaints are going up. Just as one example, we know from a media report from the end of last year, based on a right-to-information application that obtained access to the minutes from the working group that was in place for the police integrity unit, that everybody is unhappy. All of the stakeholders are unhappy with the process, so we need something that not only meets procedural justice criteria but also has a strong prevention orientation. Apart from procedural justice and managing complaints in a transparent, fair and accountable manner—an independent manner—there is also a focus on changing the behaviour that lies behind complaints where it can be changed, where it is valid to change it. There has to be a process for learning lessons, analysing complaints and trying to make changes, where appropriate, to police procedures to reduce complaints.

If this model of a police integrity unit is implemented effectively, there should be very large reductions in complaints and whistleblower disclosures that are clogging up the system at the moment. I would predict that if a properly resourced and empowered police integrity unit was set up there would probably initially be an increase in complaints as people are more confident about the process but there should be a very large long-term reduction in complaints and allegations and a large reduction in costs.

**Mr McDONALD:** Thank you very much, professors, for being with us and for your submission. I am interested in the police ombudsman for Northern Ireland model that you have spoken about that has been around since 1989. I read your submission in depth. Professor Prenzler, you said that if this model was adopted there would be a large reduction in the amount of PIDs. Can you explain that a bit more?

**Prof. Prenzler:** That is a good point, because one of the challenges for the police ombudsman for Northern Ireland at the moment is that it is not getting complaints now. I do not think it is adequately set up in that area to analyse complaints and work with the police force to reduce them. I have done some studies with police departments—primarily in Tasmania, the Federal Police in Australia and in Portland, Oregon, in the United States—where very large reductions in complaints have been achieved, often by police departments working with oversight agencies.

Complaint reduction and the prevention of misconduct need to be built into a police integrity unit, probably more so than it is in the Northern Ireland model. The Northern Ireland model is very good for the independent processing of complaints; it is not as good with prevention. There are limits there. I know that one of the problems with the Northern Ireland model is that it does not include police complainants or police whistleblowers. I have never said that the police ombudsman model is perfect and should be adopted holus-bolus; I have advocated more for something that is called a civilian control model, which is more comprehensive in terms of managing these issues.

**Mr McDONALD:** Many of the complaints that are made and are dealt with through the existing process end up being dealt with as managerial issues or perceived poor management decisions. Have you turned your mind to the benefits that agencies may have from learning from those perceived poor management decisions at the lowest level, as opposed to setting up a separate hierarchy for dealing with that?

**Prof. Ransley:** I agree with you: there are benefits from low-level offences and low-level complaints being dealt with at the managerial level. The problem at the moment is that quite significant complaints are being dealt with in that way. Quite significant complaints repeatedly about the same person are being dealt with in that way, when that should be a flag that this person is somebody who needs a different kind of approach. Whilst the CCC says that it supervises that process, there is very little evidence of that supervision and certainly no public reporting about that supervision. In the very old days, they used to do random audits of matters that were devolved back to organisations for review, and that revealed significant problems. They have not done one of those for at least 15 years.

Those kinds of things which we know are clogging up the complaints system—rudeness, timeliness, sloppy uniform—should go to one place because otherwise that becomes too complicated for the public. There should be one complaints portal. Personally, I think it is okay for those to be referred back to the agency—subject to supervision and probably subject to some training for the people who are administering the managerial guidance. The Richards inquiry exposed that that was part of the problem: there was very little understanding by managers about what was a significant problem and what was not. Subject to those qualifications, I think that makes sense.

**Prof. Prenzler:** I emphasise that the Richards inquiry made the finding that managerial resolution was not working. It said the system was broken; it was a way for mates to have a chat and for matters to be swept under the carpet without the proper behavioural change outcomes that were planned. It has a lot of potential for conciliation, local management resolution, but it has to be managed properly and it has to really be analysed and corrected where necessary by the police integrity unit.

Again, I think this is an area where respect for complainants and consultation with complainants is very important. Some complainants will want their matter independently investigated. Some complainants will want mediation—they will want to sit down with the police officer or the police employee and have a discussion with an independent person mediating it. Other people will be happy for police conciliation to occur—they are happy just to talk to a manager or for police to deal with it themselves. The problem is that these outcomes are all forced on complainants at the moment, including internal complainants or whistleblowers.

There is a lack of procedural justice, there is a lack of consultation and there is a lack of respect, so there are a lot of very unhappy, frustrated people out there who have had adverse experiences with police and their genuine feelings are not being respected and managed. We have a conduct problem, as manifested in rising complaint numbers as a result.

Here is an example I like to use: say you are a victim of a crime, like an assault, and you go to the police and you report a suspect and you tell them who assaulted you. You would never expect the police to hand the investigation over to the friends or acquaintances of the person who assaulted you, yet this is essentially the system we have in place at the moment. We need to move away from this inherent conflict-of-interest process and move to a much more independent, productive and effective process in terms of police community relations.

**CHAIR:** I want to ask you about your proposals in two parts. Firstly with regard to your proposal for a public sector integrity commissioner and whether that would deal with the police integrity unit, is that under the umbrella of the commission or the office of the commissioner? Also, is your proposal for the police integrity unit to replace the Ethical Standards Command? Is that what you are proposing?

**Prof. Prenzler:** The model I have in mind, based on my knowledge of the evidence, is that we retain a body like the CCC, but I would prefer to see it renamed as the public sector integrity commission, with a more positive title and a broader remit. Within that there is a police integrity unit siloed, to use the Richards inquiry language, but retention of an Ethical Standards Command because, under the civilian control model, police still have primary responsibility for the primary prevention of misconduct and they are still going to have to respond to recommendations and decisions coming in from the police integrity unit. Every larger police department needs a professional standards department or an ethical command unit of some sort that is trying to reduce complaints and has its own internal investigations processes but works closely, sometimes adversarially but generally cooperatively, with a fully functioning, powerful, external integrity commission. Does that make sense or not?

**CHAIR:** I think we have that model now, but I will hold that judgement for others to consider that.

**Mr HUNT:** I just want to clarify your analogy, first of all. Because it is a public hearing, I do not want the perception to go out there that if a criminal complaint is made against a police officer it would be investigated by a friend of theirs. I would assume the situation is that if that is the case a conflict of interest would be declared and that would go to somebody else, but I get your point in terms of perception. I just wanted to clarify that.

**Prof. Prenzler:** Yes, it is the perception that is a large part of the problem.

**Mr HUNT:** In terms of your research into complaints against police, I note that you made mention before that complaints were increasing. Has there been any research in that technology, essentially, has most police interactions recorded? Police interviews are now videorecorded, tasers contain data on deployment et cetera and just about every keystroke a police officer makes on a computer is recorded. With those technology integrity oversights, have you noticed any impact in relation to complaints and resolutions?

**Prof. Prenzler:** My understanding is that the videorecording, and previously the audio recording, of formal interviews has been very successful in reducing the problem of wrongful convictions and false testimony, and that research goes back some decades. My reading of the research on particularly body cameras for police is that the results are quite mixed. Apparently, they can be subverted in some ways with police turning them off, but I am aware of some studies that showed large reductions in complaints as a result of police wearing body worn cameras. They protect police from false allegations. If people make a complaint and the evidence is shown to them that they have acted inappropriately and their complaint is false, they withdraw the complaint, so it is one of those win-win technologies. The police officer benefits, the community benefits and the people who interact with the police benefit. I have not actually seen any Australian studies similar to some in the United States that have associated the rollout of cameras with large reductions in complaints. Janet might have a different view.

**Prof. Ransley:** I think there are some in progress at the moment, Tim, but nothing that is publicly available. I think the impact of those US studies is really focused on use-of-force complaints, so there are definitely some studies which suggest that this does help to reduce use of force, which is obviously a very serious complaint against police. It has much less relevance to other types of police behaviours such as not following up on some types of complaints and on anything involving bribery or misuse of resources. I think there is also some evidence in the US around the placement

of CCTVs in police stations. The problem we have in Queensland is that we have had that for a long time and we have had quite a few instances where the footage captures what appears to an observer to be highly inappropriate police conduct and which is dealt with by the CCC without much success, so I think it is not just the technology; it is how the data captured by the technology is used, prosecuted and disciplined that is important, so you need the tech but you also need those follow-up processes.

**Mr HUNT:** Regarding your comment 'without much success', what do you mean by that? If the CCC views the footage and conducts an investigation and finds that the conduct was not inappropriate, is that what you are talking about? What do you mean by 'success'?

**Prof. Ransley:** Okay, so probably a poor choice of words. There is an incident referred to in a chapter—an incident at the Gold Coast which captured what appeared, and which the commentary in the media at the time suggested, was inappropriate use of force against a person in a police station. The outcome from that incident was that the police officer who released that footage publicly was the only person who was publicly dealt with as a result of that incident. There may have been some kind of internal process against the other police officers, but it certainly has not been, to my knowledge, publicly dealt with. When you are talking about public confidence and public perception, it is actually pretty important that there is a feeling that these things are taken seriously rather than just punishing the whistleblower.

**CHAIR:** We have run out of time, unfortunately, for today's proceedings, so I thank you for your appearance. We have given you some homework—that is, a question on notice in respect of page 5 of your submission dealing with the results of a 2021 survey of public sector employees' perceptions of corruption and the number of those surveyed and also the implications of those results. I ask you to please provide that no later than close of business on 14 November 2025. That concludes this hearing. Thank you very much to all stakeholders who participated today. Thank you also to our Hansard reporters and broadcasting team, and thank you to the committee. A transcript of these proceedings will be available on the committee's parliamentary webpage in due course. I declare this public hearing of the committee's review of the Crime and Corruption Commission's activities closed. Thank you.

**The committee adjourned at 12.20 pm.**