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PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

Members present:

Mr SW Davies MP (Chair)
Mrs JR Miller MP (Deputy Chair)
Miss VM Barton MP
Mr MJ Pucci MP
Mr IP Rickuss MP
Ms J Trad MP
Mr PW Wellington MP

Staff present:

Ms A Honeyman (Research Director)
Ms K Christensen (Principal Research Officer)

PUBLIC HEARING—MEETING WITH THE PARLIAMENTARY CRIME AND CORRUPTION COMMISSIONER

TRANSCRIPT OF PROCEEDINGS

MONDAY, 24 NOVEMBER 2014

Brisbane

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Committee met at 11.45 am

CHAIR: I again welcome the Parliamentary Commissioner, Mr Paul Favell, and Mr Mitchell Kunde, principal legal officer, to the public hearing of the PCCC. Would you like to make an opening statement on the public record?

Mr Favell: Thank you, Mr Chairman. As I mentioned in the private meeting, it has been a busier period for my office over the last reporting period. We have received four matters for investigation or supervision and report. We have investigated and reported on one and all the others are in hand. There have been some things that have meant that there have been some delays, but they have been attended to. As you know, I am required by the Crime and Corruption Act to conduct annual reviews of the intelligence data held by the police and by the CCC. That has been completed and it will be reported on in the very near future. I am also required to conduct an investigation and supervision of the CCC's covert human intelligence source records. That has been completed and will be reported on.

In respect of section 325, notifications, as required by the Crime and Corruption Act I have had discussions with the CCC and we have given some advice about appropriate formats for reporting. That has been adopted, as have some protocols that we have arranged with them. In our office we have set up a register of notifications and that is now up to eight. I have reported on the issues relating to some telecommunication interception matters. Two matters were referred to me during the reporting period. They are within hand and will be reported on in due course. The remainder are not appropriate for comment in the public meeting, except to say I have been approached by the Parliamentary Inspector of the Corruption and Crime Commission of Western Australia who proposes that myself and my counterparts in the other states meet at a convenient time in 2015 to discuss common and unique issues in our jurisdictions and I intend to keep the committee informed of that. Thank you, Mr Chairman.

CHAIR: Thank you, Mr Favell. Any questions in the public meeting?

Mr RICKUSS: Mr Favell, I notice in your table here that the number of complaints that the CCC finalised was one, but there were another four received in the three-month period. I note you said that most of those are in hand. Is that a timely manner, as you have only concluded one but you have received four?

Mr Favell: In my opinion, they are in a timely manner. Some are not yet a month old and some require extensive investigation. Some have been held up because there are impediments placed on us that we have had to have resolved and we have now done that. We will be reporting, as I said, on some of the matters in the next week or so. I do not think there has been a matter where we have not met a deadline yet and we intend to meet all our deadlines.

Mr PUCCI: Mr Favell, welcome. I wanted to ask about the cumulative average of 18.2 weeks for investigating and finalising complaints against the CCC. You just mentioned that some of the ones that you have now that are not finalised are less than a month old. Is 18.2 weeks within the standards? Do you believe that that is a good goal looking forward?

Mr Favell: I think that all of the reporting times are good. Different reports require different matters to be looked at and some are more intense than others and some are more time consuming than others. It depends on the nature of the beast, if I can put it that way. To answer your question, I am of the opinion that they are within appropriate time limits.

I am reminded that the 18.2 weeks is an historic figure. My principal legal officer reminds me that he doubts whether any of my investigations have taken as long or anywhere near that time.

CHAIR: That is over a five-year period?

Mr Favell: Yes, or longer than five years.

Mrs MILLER: Mr Favell, just a brief question: in relation to the parliamentary commissioners or equivalents across Australia getting together, I think that is a good idea. Would you be seeking extra budget for that?

Mr Favell: I understand so. There is no allowance in the budget for that sort of meeting. In fact, the majority of the budget for my office is through the Speaker's Office. We do not have a separate budget. We have some expenditure that we can incur, but we do not have, as such, a separate budget nor do we provide, as indeed the Parliamentary Inspector of Western Australia does, an independent report.

Mrs MILLER: Would there also be officers, such as Mitchell? Would there be a separate officers' meeting as well?

Mr Favell: I propose that. I think that is beneficial.

Mrs MILLER: Yes, I do too. I think it would be good if you did propose that.

Ms TRAD: Mr Favell, in relation to the annual intelligence data review process, I understand that the report is still forthcoming? It is yet to be completed?

Mr Favell: There are a number of reports, yes.

Ms TRAD: They are yet to be completed and presented?

Mr Favell: Yes.

Ms TRAD: In relation to that, are they on track and are meeting their timelines?

Mr Favell: Yes, absolutely.

Ms TRAD: Are there any startling findings that you want to share with the committee?

Mr Favell: No. There are no startling findings.

Mr RICKUSS: As a follow-up question, how is the intelligence between the police and the QCC working? Is that working well?

Mr Favell: As you know, part of my obligation is to determine whether or not the intelligence is appropriately shared and whether it is appropriately held. I am of the view that it is both: it is being appropriately shared and it is being appropriately held.

Mr PUCCI: Mr Favell, it is good to hear that your investigations into the CCC are close to 18.2 weeks. Any improvement is a good improvement. Do you have any data that shows what your time frames are? Is it possible to get that?

Mr Favell: We can provide that to the committee. We can either provide it in the next report or as soon as you wish it.

CHAIR: If you write back to us with those times, that would be great.

Mr Favell: Certainly. We will do.

CHAIR: We will put that back on the record, thank you. Are there any further questions? Thank you, Mr Favell and Mr Kunde, for coming today. We know you are both very busy gentlemen, so we appreciate your time. With that, I close the meeting.

Committee adjourned at 11.51 am