



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 (via teleconference)

Staff present:

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

PUBLIC HEARING—MEETING WITH THE CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF PROCEEDINGS

MONDAY, 4 AUGUST 2014

Brisbane

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Committee met at 10.30 am

BOOTH, Mr Paxton, Acting Senior Executive Officer (Corruption), Crime and Corruption Commission

FLORIAN, Ms Kathleen, Senior Executive Officer (Crime), Crime and Corruption Commission

FOX, Mr George, Acting Ordinary Commissioner, Crime and Corruption Commission

LEVY, Dr Ken, Acting Chairman, Crime and Corruption Commission

McFARLANE, Ms Dianne, Acting Chief Executive Officer, Crime and Corruption Commission

McMENIMAN, Professor Marilyn, Acting Ordinary Commissioner, Crime and Corruption Commission

WILLIAMS, Mr Sydney, Acting Deputy Chairman, Crime and Corruption Commission

CHAIR: Good morning, ladies and gentlemen. We have one apology this morning for the moment. Jo-Ann Miller is on her way, so she will no doubt turn up some time during the meeting. Welcome to the meeting of the PCCC. We would like to open this morning with Dr Levy. Do you have an opening statement?

Dr Levy: Thank you, Mr Chairman. Good morning, members of the committee. As you would be aware, the Crime and Corruption Commission changed its name on 1 July when we commenced as the CCC. The reporting period today is from 1 April to 30 June 2014. So this will be our last public report on what was effectively the activities of the Crime and Misconduct Commission. Just for context, there may be times today when I or others will talk of the CCC, which we have become accustomed to doing, when we are retrospectively dealing only with the period for the last quarter when it was actually the CMC.

Before I provide some highlights of the work that was undertaken in that quarter, I would like to take the opportunity to thank all of the staff of the CCC for continuing to deliver results during that last reporting period when we were also transitioning to the CCC. The staff remained dedicated to their work throughout the whole period of change.

From April to the end of June, the CMC continued the fight against serious and organised crime in Queensland in relation to organised crime. Our investigation team was engaged in five organised crime investigations which were of high-risk crime networks engaged in drug trafficking or other illegal activity in Queensland. We commenced nine new major crime investigations. These included established criminal networks, weapons, murders and vulnerable victims investigations. Our hearings team held a total of 108 days of hearing involving 104 witnesses in support of 24 either CMC or Queensland Police Service investigations of organised and serious crime or in support of our intelligence function. Thirty-nine persons were called to criminal motorcycle gang related hearings including intelligence hearings which were held over 40 days and generating 103 intelligence reports.

The CMC completed two confidential intelligence reports on the infiltration of CMGs of the tattoo industry and also the changing nature of organised crime groups in Queensland. These confidential reports will assist the law enforcement bodies in their response to organised crime. We also continued to freeze and confiscate the assets of criminals. The proceeds of crime team established work which resulted in 26 restraining orders over property valued at \$5.75 million and gained forfeiture of property in seven matters, totalling \$870,000.

Turning to the work in the misconduct or what is now called the corruption portfolio of the commission, we finalised 16 misconduct investigations and substantiated a total of 32 disciplinary offences and referred them back to the QPS or public sector agencies for the purpose of disciplinary action. The offences involved unauthorised disclosure of confidential information, inappropriate relationships with members of criminal organisations, failing to comply with statutory obligations or policies, and inappropriate use of authority for the purpose of a personal benefit. The CMC also charged two public servants in that reporting period. One related to a Queensland Health employee who was facing 46 fraud charges, and a manager of a Gold Coast operated government department was charged with 59 counts of receiving secret commissions. Both of those matters are now before the courts.

Last time I advised the transition was going well. I am pleased to advise that the transition to the CCC has in fact now effectively concluded, although we still have some other matters of staffing and organisational matters to come to full conclusion. The agency is fulfilling its functions under the new legislation and our important investigations into serious crime and corruption are continuing.

The CCC was advised last week that the appointment of Mr Syd Williams QC, who was the Acting Deputy Chairman, was extended to 31 October. This means that all five acting commissioners are now appointed to 31 October or until permanent appointments are made and the appointees commence duty. To that end, the CCC is represented today by myself and Mr Williams, as Acting Deputy Chairman; Mr George Fox; Professor Marilyn McMeniman; Dianne McFarlane, who is the Acting Chief Executive Officer; Kathleen Florian, who is the Senior Executive Officer (Crime); and Mr Paxton Booth, who is the Acting Senior Executive Officer (Corruption). I am happy to take any questions, Mr Chairman.

CHAIR: Thank you, Dr Levy.

Ms TRAD: Good morning, Dr Levy. Mick Keelty—where has he gone?

Dr Levy: Mr Keelty's appointment finished on 30 June and he did not seek reappointment.

Ms TRAD: He did not seek reappointment.

Dr Levy: No.

Ms TRAD: Was there an issue internally in terms of his reappointment?

Dr Levy: Not as far as I am aware. My understanding is that he only ever committed for six months because he had many other commitments and he never intended extending beyond that period. That is all he originally committed to and he said he could not commit beyond that.

Ms TRAD: What is the status of his review of the CMC?

Dr Levy: In terms of his review of the CMC, most of those matters I think progressed satisfactorily. They are not all finalised. Some of those relate of course to the police establishment. We are still working through that with the QPS. By and large, there are no major outstanding matters. There are a couple of other matters with the QPS we are still to run to a conclusion but they would be matters of policy.

Mr RICKUSS: I was interested to note in the report the focus on criminal organisations and organised crime. You focus on them as two different groups. Are they two different groups or would they really be one and the same?

Dr Levy: Ms Florian might like to answer that. It comes under her division.

Ms Florian: Thank you, member for Lockyer, for your question. No, they are not two different groups. They are one and the same. We have an area which focuses on organised crime within the agency. The work reported under criminal organisations is purely to reflect the narrower focus on work in relation to criminal motorcycle gangs which is being undertaken according to tied funding.

Mr RICKUSS: There was a graph on one of the pages about the confiscation of proceeds of crime. It is set up as a target and an actual figure. In theory, in terms of getting rid of organised crime and reducing organised motorcycle gangs, wouldn't we be targeting a lower figure? It is more set up like a business graph where it is on the climb all the time where you want to see business turnovers increase. Wouldn't the best result here be virtually going down to zero?

Ms Florian: I suppose it is a question of what you are measuring on the graph at any given time. In this instance what we are measuring is the value of restraints and the value of forfeitures, so we want them to be as high as possible given what we are required and allowed to do under the act. Overall I do see the point that you are making.

Mr RICKUSS: You want it heading down. You do not want it heading up really. Do you know what I mean?

Ms Florian: Again, it depends on what you are measuring.

Mr RICKUSS: It is just something that stood out.

Mr PUCCI: Dr Levy, we understand that the last meeting was the first meeting after the change and we did not have all the statistics and everything ready from the change in the act, changing from the PCMC to the PCCC. Can you tell us now how many complaints were referred by the commission to agencies at the commencement of the new act?

Dr Levy: I can if you just give me a moment. As at last Friday, 1 August, there have been 144 complaints alleging corruption since 1 July. That compares with 339 complaints of official misconduct for the same period in 2013. That figure is a little higher than the reduction estimated by the commission. When we made a submission to the implementation committee, if my memory serves me correctly, it was more like about 50 per cent. This is a reduction of 58 per cent, but we have still only been going four weeks so that is probably not a completely representative time frame in which to make a comparison. It is reasonably comparable. Of the 144 new matters that have come in, 83 were from the public sector, 16 came in with statutory declarations, and 31 came in with no statutory declarations and those matters are waiting an outcome. There were 11 anonymous complaints and three internally generated matters which have been generated within the commission.

Mr PUCCI: And those are all complaints that were referred to other agencies?

Dr Levy: No. One is a crime matter, one is intelligence and one is from the Queensland Police Service.

CHAIR: Dr Levy, just to be clear, all of the other ones are referred back to agencies?

Dr Levy: Apart from that 144—I think they are still under assessment at the moment.

Mr RICKUSS: I read in the chairman's report about the transition. On 16 June you had a meeting with the DNR acting general manager and with the Director-General of the Department of Natural Resources and Mines to discuss changes to the CMC jurisdictions of the department. Then on 17 June you had a meeting with senior management of IT Services and Queensland Rail. On 18 June you had a meeting with the Department of Local Government and then the Director-General of Transport and Main Roads. Are you looking at having a briefing with all of the cabinet ministers? I would imagine the transition needs to be discussed about how it affects nearly every piece of legislation which covers most of the portfolios?

Dr Levy: The cabinet ministers or the director-generals?

Mr RICKUSS: Sorry, the director-generals of the departments.

Dr Levy: Yes. Those director-generals that Ms McFarlane and I have been to see already are probably the largest departments. So we have endeavoured to get to them first because, having very significant numbers, they will have a greater degree of interaction with us. So we have got to them first including, for example, the chief executive of the Brisbane City Council and also Queensland Rail. They are some of the biggest agencies. So it is not only departments but also some units of public administration in local government. We intend to have a liaison meeting with the remainder, but we would do some of them in perhaps smaller groups rather than on a one-to-one basis. But we are hoping to do those over the next month or so.

Mr RICKUSS: Will that include the Local Government Association? You have talked to the Brisbane City Council. Will you talk to the association so that information can filter back through the Local Government Association?

Dr Levy: In this first tranche we will really only be dealing with the chief executives, but we will certainly be getting to professional bodies and oversight bodies as well.

Mrs MILLER: Chair, given that the Premier has admitted it was a mistake to abolish the requirement for the chair of the CCC to have bipartisan support of the committee, I was just wondering has either the Premier or the Attorney-General spoken with you about the possibility of standing down?

Dr Levy: No, they have not.

Mrs MILLER: No?

Dr Levy: No.

Mrs MILLER: Do you think that you should now stand down, given that they have said that they believe it was—

CHAIR: I think that is an inappropriate question.

Mrs MILLER: No, it is not. It is an appropriate question.

Mr RICKUSS: It is hypothetical.

Mrs MILLER: No.

CHAIR: I rule it out of order.

Mrs MILLER: It is not out of order.

CHAIR: It is out of order.

Mrs MILLER: It is not an opinion. I would like to know whether Dr Levy thinks that he should answer it in any way.

CHAIR: If you want to discuss it we can go into a private session.

Mrs MILLER: Yes, let us go.

CHAIR: We will suspend the hearing until further notice.

Proceedings suspended from 10.45 am to 10.54 am

CHAIR: We are going to resume the hearing. The question that was asked was found to be an opinion. So I will ask Mrs Miller to reframe the question and she is going to now do that. Thank you, Mrs Miller.

Mrs MILLER: Thank you, chair. Dr Levy, given that the Premier has admitted that it was a mistake to abolish the requirement for the chair of the CCC to have the bipartisan support of the committee, will you stand down prior to 31 October this year?

Dr Levy: I will certainly stand down if the government indicates that they are going to appoint another person. Most certainly.

CHAIR: Thank you. Do you have a follow-up question?

Mrs MILLER: Yes. Dr Levy, you would have heard public reports about Tony Fitzgerald alleging that he had been threatened by government members over his forthright public statements. Are you investigating this matter?

Dr Levy: No, there has been no complaint made to the CCC about that.

Miss BARTON: This is a question for Ms Florian in line with Mr Rickuss's question about the restraint of assets. With regard to the restraint of assets where there has been a drug conviction, at the last public briefing that we had with the CMC you spoke about the increased powers that the organisation had after legislative change towards the end of 2012 and how that had started to come into effect. I just wondered if you could talk about how that is impacting the 2013-14 numbers in terms of the restraint of assets from convictions.

Ms Florian: Thank you Ms Barton, the member for Broadwater. I can indicate that, since the last report, we achieved the following results: 26 restraining orders were obtained over property valued in excess of \$5.7 million and the state was the recipient of seven forfeitures of property totalling \$870,000. Dettlement negotiations were being undertaken in relation to 39 matters. During the same period, seven serious drug order/confiscation order restraints occurred, totalling \$1.5 million. That is part of the new legislation that was introduced as of September last year. The proceeds of crime team continues to look for opportunities to restrain either under the serious drug confiscation orders or under unexplained wealth, both of which are the arms of the new aspects of the legislation.

Miss BARTON: Thank you.

Mr WELLINGTON: Chairman, can I put a question to Dr Levy?

CHAIR: I was just going to ask you if you had a question. So, yes.

Mr WELLINGTON: Dr Levy, I note in your report for the period of 1 April to 30 June you have listed a whole range of activities. I assume they were taken straight from your diary. I note that you indicated that you attended the anticorruption commission forum in Adelaide. My question is: has there been any monitoring of the ICAC investigation hearings during this period of April to June, because I did not see any note in this report?

Dr Levy: Good among, Mr Wellington. Yes, that report is taken directly from my diary. In relation to the ICAC matter, I think there is a general watching brief on it, but there is nothing that has been referred to us from ICAC as far as I am aware. The senior executive officer of the corruption division is indicating in the affirmative that we have nothing further.

Mr WELLINGTON: Thank you.

Mr RICKUSS: I have two questions here about the oversight of the Queensland Police Service. One is about the number of complaints containing allegations against police. Under the new legislation, do you expect that to modify a bit? This is on page 16, the oversight of the Queensland Police Service. There were 438 complaints containing 937 allegations. Do you feel that more of that will be done in-house? You may refer to whatever you want to.

Dr Levy: We would expect that there will probably be some decrease. The policy and the arrangements of the oversight system, we are still having some negotiations with the QPS about that. That has changed, but some detailed discussion is still going to have to take place before we perhaps draw that to a conclusion. I am not quite sure if Mr Booth might like to add anything further.

Mr Booth: In relation to our oversight of the Queensland police, there are two jurisdictional issues we have. One is in relation to corrupt conduct, like we have with every other public sector, and the other one is police misconduct. There has been no change in our monitoring roles in terms of police misconduct. So we have no basis to expect that to change.

In terms of our monitoring of corrupt conduct, consistent with the general decrease that we have seen in the first four weeks, we would expect there to be an equal decrease across the Queensland Police Service as well in terms of what would amount to corrupt conduct as opposed to official misconduct.

Mr RICKUSS: And just a bit further on you have the oversight of police related deaths and significant events and it goes on about police involvement in incidents. Does the suicide of serving police or the suicide of recently serving police come into the review of some of these events as well? Is that looked at as well?

Mr Booth: It would depend on the circumstances. It would not necessarily fall within police misconduct or corrupt conduct if it was a suicide.

Mr RICKUSS: No, this is just the oversight of police related deaths—that is what the heading is—and significant events. Wouldn't you class a suicide of a serving police officer as a significant event?

Mr Booth: Certainly it is a significant event, but probably not in terms of the way in which we use that term in that report. 'Significant event' usually requires the involvement of police officers in an official police matter; for example, the police shooting at a vehicle or a police chase. Other matters would include where there is a death during a police operation, so the death of a person the police are engaging with.

Ms TRAD: Dr Levy, just in relation to the response you gave the member for Bundamba in relation to comments made by Tony Fitzgerald in relation to threats being made against him, why is it that you are waiting for a complaint? The CCC has the capacity to generate its own assessment of the matter and to progress it if there has been an intimidation performed against a past judicial officer.

Dr Levy: It clearly would be a high profile matter. There has been a lot about this in the press. I think our view would be at the moment that unless a matter was referred to us or unless there was some clear evidence, just the basis of a newspaper report alone would not necessarily raise the suspicion of corrupt conduct which would satisfy that term as in the act.

Ms TRAD: Dr Levy, are you saying it is because it is high profile that you would not want to assess it?

Dr Levy: No.

Ms TRAD: Because you have not been averse to inserting yourself in high profile public debate, have you? So I am not sure why the hesitation on this matter.

Dr Levy: Well, certainly on one matter I may have been, but just merely because that appears in the paper does not mean that the resources of the CCC will be activated on every one of those occasions merely because something appears in the press.

Ms TRAD: Well, matters appeared in relation to the member for Mudgeeraba in the press and the CCC followed it up, as was the case with Gordon Nuttall, so I am just putting it on the radar. Going on to my previous question about Mick Keelty, whose sudden disappearance is noted, Dr Levy—

Mr RICKUSS: That's a cheap shot, isn't it?

Ms TRAD:—where is the progress report in relation to his 15 recommendations in our papers? I will save you the time: it is not there. Can I ask you to take on notice my request to have a progress report in relation to Mr Keelty's review of the CMC furnished to the parliamentary committee with the terms of reference for his original appointment?

Dr Levy: Yes, we can do that.

Miss BARTON: I noticed both in the report and in your opening statement, Dr Levy, that you spoke about not only the new organised crime investigations but also the new major crime investigations. I was particularly interested in the organised crime investigations and particularly the comments you made with regard to CMGs and links to tattoo parlours. I was wondering if you—or perhaps it might be more appropriate for Ms Florian—could expand on that, particularly with regard to CMG links with tattoo parlours.

Ms Florian: The intelligence paper which has been produced in relation to CMG links with tattoo parlours is a paper which has been produced for law enforcement only and government only. As such, it is not appropriate for me to comment in a public forum on that.

CHAIR: I have a question regarding complaints that are older than 12 months. I am just wondering if there are any updates of the unresolved complaints and how you are dealing with those now that it is the CCC and getting them off the books, as it were.

Dr Levy: Are these the complaints that come from the committee or allegations of corruption, for example?

CHAIR: Allegations.

Dr Levy: In the last financial year there has been an increased rate of output to try and finalise a number of those, and Mr Booth might have something to say about this as well, but in addition we are looking at the pattern over the last few years about the length of time to undertake investigations and how we may be able to perhaps set benchmarks to try and improve those. But we are still in the analysis stage of that. Perhaps Mr Booth might wish to make a more detailed comment.

Mr Booth: Were you talking about the investigations that we were conducting, or investigations being conducted by the public sector?

CHAIR: No, that you are—

Mr Booth: That we are conducting. We have taken a number of steps to reduce the number of investigations that are exceeding 12 months. Those steps have been successful. We currently at this point in time only have two matters which exceed 12 months for investigation. This same time at the end of the financial year last year I think we had seven that were exceeding 12 months. So we have certainly reduced the number of matters that we have that exceeded 12 months with those actions that we took.

CHAIR: Is that regarding the QPS matters referred back to the QPS too? How many matters are over 12 months with the QPS?

Mr Booth: In terms of matters that we have referred back to the QPS where the QPS are now investigating, I would probably have to take that question on notice. I am not sure exactly how many of theirs would be exceeding 12 months. What we have done as part of our transition phase from the CMC to the CCC is written to all agencies including the QPS asking them to consider whether or not their matters still fall within the definition of corrupt conduct, and they are to get back to us. For matters which are outcome advice only, the lower level of matters that we were monitoring, we have asked for a response within one month from 1 July, so we expect to start getting some replies now for those matters. We have also written to agencies in relation to the matters where we are conducting a high level of oversight. Those matters are subject to our review powers, and we have given agencies two months to respond to us in terms of those matters. So again within the next month we will start seeing numbers of how many of those still fall within the definition of corrupt conduct.

Mrs MILLER: Dr Levy, the government has indicated that they are going to amend the CCC bill, and I was just wondering has any consultation begun with you or the commissioners or any staff of the CCC?

Dr Levy: Well, they have not had any consultation with me. I am not aware that they have had consultation with anybody else, but any of the other commissioners might care to offer a comment if necessary.

Mrs MILLER: Have they indicated when they are going to consult with you or anyone at the CCC? We are now in August and they are obviously going to have to get their skates on if they are going to amend the act. Has any timing been indicated to you?

Dr Levy: Well, it has not been mentioned to me, but I guess it is a matter of policy for the minister concerned. I was not necessarily expecting he might consult with the staff there.

Mrs MILLER: Just a question in relation to the research function as well. Have you done much work in preparing the documentation on the research program that the Attorney-General, I understand, has to approve?

Dr Levy: Actually, we have wrestled with that quite a bit—for quite a while, in fact—and the commission itself at not the meeting last Friday but the previous meeting, and also spent some time devising the commission's priorities and the factors and the principles upon which we would devise a research program. We met last Friday with a draft program, and I think that has been advanced fairly significantly. We would hope to have that done somewhere in the next couple of weeks. So that should be with the Attorney-General and then he would consult with the committee.

Mr WELLINGTON: Dr Levy, during this reporting period has the CCC conducted any new own-initiative investigations? I am happy for you to take that on notice and report to the next committee if you are not able to answer it now.

Dr Levy: I am sorry for the silence; I am just checking with Mr Booth if he has a more direct answer to give you.

Mr Booth: The information I have is that we have conducted three matters that we have generated internally.

Mr PUCCI: Dr Levy, with the new CMC going to the CCC, can you tell us how many agencies have reported back to the commission on how they are going to deal with the complaints they have on foot now?

Mr Booth: I will take the question. Thank you for the question, Mr Pucci. I cannot tell you the exact numbers of agencies that have reported back already. I know we have got a report back from the QPS last week, I believe it was, in relation to the outstanding advice matters. I might have to take that on notice in terms of how many other agencies have already reported back to us. In terms of how they will deal with those existing complaints, they can still deal with them. They would presumably fall under the Public Service Commission under their CaPE model. Just because they no longer fall under our jurisdiction in terms of corrupt conduct does not mean that the department still would not deal with it as a disciplinary matter.

Ms TRAD: Dr Levy, on page 4 of the public report there are a number of meetings in relation to the witness protection program.

Dr Levy: Yes.

Ms TRAD: What are the changes being advanced in the witness protection program?

Dr Levy: There are some policy matters about witness protection, not in the CCC or not in the justice portfolio, but the government has a potential policy change which then would have just a flow-on effect. I am happy to talk about that in the private meeting.

Ms TRAD: Is it a significant policy change, Dr Levy?

Dr Levy: Not really. From the government's point of view it is an efficiency measure, as I understand it, but from our point of view it is just ensuring that we can adjust to the government's policy but still be able to satisfy the requirements of the act in terms of safety of—

Ms TRAD: Will the witness protection program continue to reside within the CCC?

Dr Levy: Absolutely. Yes, yes. There is no proposal to change any of that.

Ms TRAD: Through you, Dr Levy, to Mr Booth: just in relation to some of those lower level misconduct complaints, is it the CCC's intention to do any auditing of those low-level complaints to see whether or not (a) they are being handled appropriately; or (b) whether or not they are actually an indice of a bigger problem, a bigger corruption issue?

Mr Booth: Certainly. Thank you for the question, Ms Trad. We certainly will be conducting an audit program to oversight those lower level complaints. As we reported on previously, we are reducing our resources, the time we spend on those types of lower level matters, so we won't be conducting as many reviews of them or getting them referred directly to us. What we are encouraging the agencies to do under the new section 40 requirements, which we will introduce shortly, will be to start dealing with those types of matters immediately themselves. What the CCC will do as part of its audit program will be to make sure that those departments and agencies are dealing with those matters appropriately and have a robust framework in place to make sure that they are being dealt with in a timely manner and in an appropriate manner. We will certainly also be looking for indicators of things that may be more systemic issues within a department or in fact across departments as part of that process as well.

Mr RICKUSS: Just following on from that, the CCC has conducted compliance and integrity audits in relation to complaints with Public Service officers and criminal motorcycle gangs. Could you give us a general idea of how many of these audits you have actually conducted and what the outcomes have been?

Mr Booth: Thank you for the question. Certainly I do not have off the top of my head the exact number of audits we did. I think it was in the range of about 30 investigations that we audited as part of that process. Most of those were with the Queensland Police Service. What we found was compliance in terms of the way we assess investigations against our facing the facts was very high; that the investigations were generally conducted very well. We did not have any specific concerns that were identified during the process of that audit in terms of how complaints that related to an association with a CMG person or generally were dealt with by the agencies.

Mr RICKUSS: That would include Transport and Main Roads as well as police?

Mr Booth: Certainly, if the department had a matter that fell within that audit program that could have formed part of the audit.

CHAIR: Dr Levy, with the increased focus on CMGs and workloads and so forth, how is the CCC coping with staffing levels and being able to manage the cut and thrust of these investigations?

Dr Levy: Different minds might see that differently, but I think generally speaking the resources are certainly adequate. We have finalised an establishment for the commission under the new legislation. As far as how the more serious matters are being staffed in crime and corruption, the staffing levels I don't think have changed, apart from trying to isolate a separate legal services unit which is one of your committee's recommendations going back a year and a half, two years. But by and large those resources seem to be adequate at the moment. We also have had some discussions with QPS and they have had a task force or some additional members of the QPS come to assist in a couple of respects. I am not concerned that there is lack of resources. If we need resources other than QPS then I think we have enough financial resources to be able to acquire those.

CHAIR: Training and upskilling of those staff?

Dr Levy: Most of the professional staff probably come hitting the ground running, but in relation to some of the professional areas, such as proceeds of crime in particular, when you get additional functions and additional powers, trying to recruit staff is difficult when there are demands for those people elsewhere. The specialist nature of that is such that university training does not provide all the skills they need to be fully effective at first. Ms Pyke, who runs the proceeds of crime unit, has a training program in place so those people are brought up to speed as quickly as possible. That has been a pattern for a couple of years. It is hard to get staff, but then you always have to train them. But that is the main area.

CHAIR: In a previous meeting one of the problems was the staff who you do train, because they are well trained, are poached; other agencies steal them off. What are you doing to combat that?

Dr Levy: I am not quite sure what the rate of exit is. If you can give me a moment I will try to find out. I am advised that the main problem at the moment is that many of the officers we have got are PO3, which is the lower level professional officer who comes in, but we haven't had really an exit of staff over the last six to 12 months or so.

CHAIR: When I first became the chair of the committee that was one of the issues that was identified.

Dr Levy: That aspect seems to have stabilised. There is still, of course, the problem of when you have many more junior people it takes a while for them to get some experience and a bit more expertise to perhaps be more proficient.

Mrs MILLER: Dr Levy, you may have noticed that in the last few weeks there has been some issues with crime statistics. For example, the Attorney-General said that crime across the state had reduced by between 15 and 30 per cent. The Premier agreed with the Attorney-General, but then he quoted the Police Commissioner to say that crime had dropped across the board by around 10 per cent. The people of Queensland do not really know who or what to believe. Do you think there is any role in the CCC, maybe within the research division, to make sure that these crime statistics are verified and that they are accurate?

Dr Levy: Statistical databases is one of those things that the commission actually did consider as one of those relevant factors we should take into account. As I said, we have not actually run that all the way through yet. Criminal databases for all of the criminal justice system, if we were resourced to do that we could do it, but QPS already keep databases of crime statistics, as does the Institute of Criminology on a more national level. I understand some of the other agencies, the central agencies, have statistical keeping capacity, Treasury and even Premier's. I am not quite sure of the extent of those. I guess it is probably more likely to be the primary responsibility of QPS rather than the CCC, although we have an interest in it.

Mrs MILLER: Just as a follow up, New South Wales has an independent crime and statistics bureau and I understand Victoria is going to go that way as of January next year. I think it would give Queenslanders confidence if this was within the CCC which is an independent body. If you could take that on board with regard to your research program I would be very grateful.

Dr Levy: Thank you.

Ms TRAD: I did want to follow up in terms of the value of restraints conversation that we were having earlier, Dr Levy. There is a reference in the report around the affected productivity because of the new staff coming on board. Is that the reason why the CCC has not been able to meet its target in relation to the value of restraints? It is page 10 of the report.

Dr Levy: My understanding is that that is one contributing factor, but in relation to the restraints, 13.8 as opposed to 18 million. I think I did indicate that at the meeting that we had here. I think you were away that day. But one of the other issues is that there were three other matters which were on the court list to get restraining orders and they accounted, I think, for two point something million. The court didn't get to them before 30 June. The work has been done for them but we cannot claim them until we actually have the order from the court.

Ms TRAD: But even if the courts had resolved in relation to those applications for restraining orders, you still wouldn't have met your target?

Dr Levy: As I mentioned, training is probably one of those factors that affects that, but there are a whole lot of other factors too: new legislation, new matters coming in, the volume of work, some matters actually just end up being more complex in any one year. There have been some years the statistics have far exceeded the target. In the last year it was a bit below the target.

Ms TRAD: Dr Levy, with the inundation with all the changes to the legislation you said most of the people who had come on board, the new recruits, were PO3 level. Have there been no senior forensic accountants come on board to assist with the increased workload around the proceeds of crime area?

Dr Levy: I am advised there was one additional senior forensic accountant appointed with the additional money we got for the criminal motorcycle gang work. There have been a couple of others who have been promoted to senior positions within. All the new ones though have been at the PO3 level. Some of those, of course, replaced those ones who were promoted internally.

Ms TRAD: How long does it take to train up a PO3 entrant in the area to be efficient at a level that the organisation needs to turn around the volume of complaints that is referred it?

Dr Levy: About two years is my understanding. Perhaps even 12 months.

Ms TRAD: 12 months?

Dr Levy: Perhaps even 12 months.

Ms TRAD: What level is the senior level? There is PO3.

Dr Levy: That is PO6. That is the principal. That is the most senior level.

Ms TRAD: How long does it take to advance from PO3 to PO6?

Dr Levy: It could take some years.

Mr RICKUSS: I notice there was a review undertaken and the commission engaged two contractors to undertake the task of preparing paperwork to transfer some of those files. Has that been completed?

Dr Levy: It is not completed at the moment, but it was planned that we would have had some of that material at the Archives before now. I have been advised that we have—I am not quite sure how many boxes, but we have to wait until the Archives can take them. I believe that has just been delayed a little at their request. They can take about 400 boxes a fortnight. Much of that work, preparing to get them out there, has been proceeding. It is progressing satisfactorily but we have not actually got them out there yet.

Mr RICKUSS: That is good. So the Fitzgerald document fiasco that happened is a process that cannot happen again?

Dr Levy: We certainly hope not. Part of this involved also trying to determine what is a Fitzgerald document. After meeting with the DPP and seeing how they handled Fitzgerald files or files that were around that same era as Fitzgerald, we have put a RAP on all documents up to 31 December 1996. We believe that covers all of the period that there will be any work on any file that could have been a Fitzgerald document. We have determined that, we have put 100-year RAPs on all of those files. They will go to Archives or they will stay at the commission, but those ones will not be available and should not be released at all. Anybody who is alive or even has a relative who is alive, it is probably unlikely anybody should be severely affected.

CHAIR: Mrs Miller has one short question.

Mrs MILLER: Dr Levy, could you provide us with any update on the Scott Driscoll matters, please?

Dr Levy: The matter is still in the stage of determining, I think, exactly which way it is going to proceed.

CHAIR: Thank you, Dr Levy. Thank you, ladies and gentlemen, for your attendance at the public hearing. We are now going into a private meeting. Thank you all.

Committee adjourned at 11.28 am