



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 CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF PROCEEDINGS

MONDAY, 13 OCTOBER 2014

Brisbane

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Committee met at 10.36 am

BOOTH, Mr Paxton, Acting Executive Director Corruption

FLORIAN, Ms Kathleen, Executive Director, Crime

FOX, Mr George, Acting Ordinary Commissioner

LEVY, Dr Ken Acting Chairman

MCFARLANE, Ms Dianne, Acting Chief Executive Officer

MCMENIMAN, Professor Marilyn, Acting Ordinary Commissioner

PYKE, Ms Angela, Director, Financial Investigations

WILLIAMS, Mr Sydney, Acting Deputy Chairman

CHAIR: Good morning everyone. Dr Levy, would you like to make a five-minute opening statement?

Dr Levy: Good morning, ladies and gentlemen of the committee. My name is Ken Levy and I am the acting chairman of the Crime and Corruption Commission. As you are all aware, my term as the acting chairman will complete on or before 31 this month, so this will be my final attendance at a public meeting of the committee. It has been an honour to serve in the CCC's acting chairman role for the past 18 months. I came to the role at a challenging time. I have led the agency through the transition to the now Crime and Corruption Commission. I believe the CCC is a crucial institution in Queensland and I am pleased to be leaving it a strong and effective crime-fighting body.

I would like to acknowledge that this is the first time we have appeared as the CCC rather than the CMC. The change to the CCC's jurisdiction from official misconduct to corrupt conduct raised the threshold of what matters should be referred to the CCC and sets out a new framework for how the public sector shall deal with allegations of corruption. The CCC will only investigate the most serious or systemic allegation of corrupt conduct. The rest of the allegations will rightly be managed by public sector agencies. No longer can public sector agencies merely refer matters to the CCC; they have a legislative responsibility to deal with those matters. And no longer can the CCC be swamped by matters that departments perhaps should deal with and may, in fact, be better placed to deal with. After all, it is those agencies that employ the people who are alleged to have committed wrongdoing and it is those agencies that should be ensuring their own policies and procedures are complied with.

On the topic of the revised jurisdiction, between 1 July and 12 September this year, the CCC's corruption division received 464 complaints, which is a 44 per cent decrease in the number of complaints of official misconduct received for the same period last year. The CCC is also considering an additional 95 complaints that have been made by way of statutory declaration. It is still a little early to determine whether that decrease will continue, but probably by the next meeting or the following one a pattern will have emerged.

Turning now to the work over the reporting period, the crime division started four new major crime investigations. The organisation crime team was involved in five ongoing investigations into criminal networks and they have held 83 days of coercive hearings. The proceeds of crime team froze nearly \$750,000 worth of assets and obtained court orders to return more than \$1.6 million of assets to the state. During the reporting period, the corruption investigation team started eight new investigations. They also finalised 12 investigations and 14 criminal charges have been considered against two public sector officers. They have also made recommendations for disciplinary action to the Queensland Police Service. Finally, the witness protection program continued to keep all witnesses safe and ensured that, where necessary, they were able to give their evidence in court.

Finally, I take the opportunity to publicly thank the CCC staff for their hard work and dedication. The past 18 months has been a time that has not been without its challenges and controversies, but I have been struck by the professionalism, focus and resilience of the staff at all levels shown during that period. I would particularly like to thank the senior staff who have stepped into acting roles and have worked tirelessly in those roles. The acting chief executive, Dianne McFarlane, has been a crucial part of the implementation process and has helped steer the agency through recent changes. Kathleen Florian spent 12 months acting as assistant commissioner misconduct in the former CMC. In that role she introduced a range of improvements, including strategies to successfully reduce the time frames for misconduct investigations. Kathleen has since returned to a substantive role as executive director crime where she is leading the CCC's fight against organised and major crime. In respect of the corruption division, Mr Paxton Booth is currently acting as the executive director corruption. I thank him, too, for his extraordinary hard work in steering the corruption division through the biggest changes since the agency's inception in 2002. Michael Scott, who is now back in his substantive role as the director of crime, spent 12 months acting as assistant commissioner crime and was instrumental in implementing the coercive hearings program following the Broadbeach bikie brawl in September of last year.

The new structure is transitioning well, although some senior positions and some accommodation rearrangements will be necessary in the financial year. Practices and procedures will always need to be subject to scrutiny where necessary and vigilance will be necessary for a continuation of those improvements. Three of our four commissioners may also finish with the CCC either this month or somewhere in the foreseeable future. I wish to thank Mr George Fox, Professor McMeniman and Mr Williams for their service. They may like to make a few remarks at the closing of today's meeting. I am hopeful a staged replacement might be helpful where new laws and requirements are being implemented so that the CCC will continue the work that has been done in the past 18 months. Thank you, Mr Chairman.

CHAIR: Thank you, Dr Levy. Before we go to questions, I welcome Mr Minnikin. Mr Rickuss was unable to make it today, so he is standing in very capably. Mrs Miller?

Mrs MILLER: Thank you very much. Dr Levy, you said that your term will expire under the current legislation on 31 October. Have you had any discussions with the Premier, the minister, ministerial staff or anyone within the Department of Justice and Attorney-General about the possibility of that term being extended beyond 31 October?

Dr Levy: No.

Mrs MILLER: Has there been any discussion about you taking on any other position in government at all, such as the Public Trustee or any other position in government?

CHAIR: I do not know if that is relevant.

Dr Levy: No.

Mrs MILLER: That is okay. As far as you are concerned, you will definitely be finishing on 31 October?

Dr Levy: I will finish on 31 October and I look forward to a break, I might say.

Mrs MILLER: A well-deserved one.

Miss BARTON: Dr Levy, I was wondering if you could talk about some of the meetings that you had with directors-general and other departmental officials, particularly with regard to the transition after the jurisdictional change, and also your confidence in their ability to self investigate and self adjudicate?

Dr Levy: I had a number of discussions, together with Dianne McFarlane. We briefed them on the essential changes to the legislation and the content of what is known as a section 40 direction. Those have now been issued. All of our discussions were very positive. I did not get any sense from the department heads we spoke to that there was any reticence or perhaps any lack of capacity to take on those roles. Whether that is true of other non-government organisations or statutory bodies, we did not speak to all of them. Ms McFarlane might have a comment to make about those. She might be closer to those. In answer to your question, I did not find any reticence or any reason to have any lack of confidence in the agencies that take on that extra jurisdiction.

Ms TRAD: Good morning, Dr Levy. Dr Levy, it was reported widely in the media last week, about Dr Bruce Flegg in relation to the investigation undertaken by the CCC and a referral of the brief to the Director of Public Prosecutions, that the Premier had been advised that the brief or the charges were not going to be followed through with the DPP. Can you advise whether or not you did advise the Premier before the media statement was made last week?

Dr Levy: I did.

Ms TRAD: Was that in writing?

Dr Levy: It was in writing.

Ms TRAD: Can you table a copy of the letter, for the benefit of the committee?

Dr Levy: I do not think I have a copy here, but we can certainly table a copy for you. Perhaps I should give you a context about that.

Ms TRAD: Or an explanation of why you think it was appropriate.

Dr Levy: The letter went at the same time as the letter went to Dr Flegg's solicitors.

Ms TRAD: What was the date of that, Dr Levy?

Dr Levy: It would have been Thursday, so it would have been 9 October. There is nothing unusual about it. Whenever we advise other people who have been subject officers in a similar situation, we always write to those who are relevant.

For example, if it were a Public Service officer we would have written to the director-general and the lawyers, if any, for those parties. The Premier had a number of queries on the way through because, as you know, there were other witnesses and potentially relevant people. When it came to Dr Flegg, while the Premier is not a director-general in that sense there is the same sort of relationship. He is the head of the group of people which Dr Flegg is a part of. There was nothing unusual about it.

Ms TRAD: Dr Levy, when did the DPP advise that they were not going to be proceeding with the charges?

Dr Levy: The night before; about five o'clock the night before.

Ms TRAD: So, on the eighth?

Dr Levy: The eighth, yes.

Ms TRAD: Had there been any other communications between you and the Premier or any other LNP government member in relation to this matter prior to the letter?

Dr Levy: There had been no discussion between me and the Premier or any other government member or the DPP or any of his staff about the matter?

Ms TRAD: Only on 9 October in the letter that you discharged to the Premier?

Dr Levy: There was no other discussion that day with anybody else.

Mr PUCCI: I notice in your report under proceeds of crime that during the financial year you had 111 referrals that were made to the CCC in relation to proceeds of crime compared to 66 referrals for the previous financial year. I was wondering if you could tell me how the team is managing now with the new legislation and the increase in matters being referred from the QPS?

Dr Levy: If you do not mind, I might refer that to Ms Angela Pyke, who is making her first appearance today as the director of financial investigations.

Ms Pyke: We are getting a lot more referrals. A lot more referrals are actually being accepted—that is, they meet the assessment criteria. That is mainly due to the changes in the legislation. A number of referrals that we receive are not referrals that we can act on immediately due to covert investigations and various other reasons—those matters are not necessarily kicked off straight away. There is a priority system that we put in place. The most urgent matters we will obtain restraining orders for and have a priority system going.

Mr PUCCI: So the commission is managing okay with the increase in numbers?

Ms Pyke: We do have a very large workload. There is certainly no down time in our area of work. We are working on a priority system.

CHAIR: Thank you very much, Ms Pyke.

Mr WELLINGTON: Dr Levy, I listened to your answer earlier in relation to discussions with the government in relation to your replacement, and I ask: have you or your leadership team had any discussions or concerns about the lack of appointment of a person to replace you at this late stage in October?

Dr Levy: I do not know about any member of the staff, but—

Mr WELLINGTON: No, your leadership team. We have had all this transition and change and we have had people acting in acting positions. We have had all the anxiety and concern about acting and no permanent appointment and the use of the legislation to get around the temporary

appointment position and you are still here. My question is: have you of your leadership team had any discussions about this, bearing in mind that we are now into October and there has been no announcement from the government about a proposed replacement?

Dr Levy: Your question is: have we discussed this?

Mr WELLINGTON: Yes, have you discussed this? I believe that would be a matter of significant importance to your leadership team—rebuilding the confidence of Queenslanders in your commission?

Dr Levy: Certainly we have had some informal discussions. We have made comment about it amongst ourselves. I have more recently raised with the minister my concern that if all the commissioners change at once—I certainly go—all the intellectual capital goes. I think there should at least be a staged, as I indicated in my opening remarks, change. Apart from that, it is a matter for the minister.

Mr WELLINGTON: Can I do a follow-on question. With respect, I do not think an informal conversation is appropriate when you need to ensure that your authority has the respect of Queenslanders. I would have thought it would have been important for you and your leadership team to have discussions and formalise that for the government and say, 'We believe it is time to move on trying to have a permanent person appointed to replace me to provide that important—

CHAIR: Is that a comment or a question, Peter?

Mr WELLINGTON: I can lead into a question. You have said that all you have had is informal discussions. Are you prepared, perhaps after this meeting, to call a meeting with your leadership team and discuss this matter further?

Dr Levy: We have discussed the matter. It is a matter obviously for the government. We have no say in it. It has been advertised twice. I am not quite sure we have any say in it.

Mr WELLINGTON: You may have no say, but you can certainly make recommendations because you are the leadership of the Crime and Corruption Commission and you need the confidence of Queenslanders. I have had people come to see me and say, 'They want to make—

CHAIR: Mr Wellington, it is ultimately a question for the government.

Mr WELLINGTON: I realise that, but the Attorney-General, the Premier and government respond to significant submissions.

Mr MINNIKIN: They are not present.

CHAIR: That is a question for tomorrow morning, I think.

Mr WELLINGTON: No, it is a question for here. I would have thought that our peak leadership team at the Crime and Corruption Commission would be saying, 'This is something we need to see resolved.'

CHAIR: Dr Levy has answered and I am happy with that answer. I think you are badgering him.

Mrs MILLER: Do you want to comment further?

Dr Levy: I am happy to make another comment. I cannot really take it much further. As I said, we have had some discussion amongst ourselves. I have seen the Attorney and given a view, which perhaps might not have been considered, that if all commissioners change at once that would be a significant oversight. As for the timing and the rest of the process, it is one of those things, as an independent agency, that I do not think we really have any say in. There is no reason to have any concern that somehow the wheels have ground to a halt.

Ms TRAD: I have a supplementary question, please. Dr Levy, given that you will leave the organisation in about three weeks, given that there has been no announcement of your replacement and given that the member for Nicklin, Mr Wellington, has raised some significant concerns regarding the confidence that Queenslanders can have in the CCC, can you advise what arrangements will be put in place by you and your leadership team come 1 November if the government fails to make an appointment of a chairperson to the CCC?

Dr Levy: To answer that question you also really have to know what they are going to do with the other commissioners. The other commissioners will stay on technically until an appointment is made. There is an order of precedence, if you like, approved by the Governor in Council about who would be the acting chairman. Those things are still in place.

Ms TRAD: What is your recommendation to government? What is plan B?

CHAIR: That is an opinion.

Ms TRAD: No, it is about the leadership of the organisation. What is your plan B?

Dr Levy: After 31 October my plan B is irrelevant, but the plan at the moment is the one that is put in place and has been approved by the Governor in Council. That is the legal process that will be followed. It is not that the ship will be rudderless or leaderless. If I walk out, that does not mean everything grinds to a halt.

Ms TRAD: Dr Levy, that answer does not give me much confidence and it should not give Queenslanders any confidence at all.

Dr Levy: I have to say that there is not much else one can say. It is a matter for the government and there is no reason to believe that they are not going to—

Mr WELLINGTON: And the government has failed on a whole range of appointments—dragging them out.

CHAIR: Thank you, Mr Wellington.

Mr MINNIKIN: I read with interest page 5 of the report—the performance snapshot. Could you speak briefly in your own words to the highlights during your tenure as acting chair of the CMC, with reference to the performance snapshot on page 5 of the report?

Dr Levy: I think probably the highlights have been—some of them are low lights, I might add—particularly in early stages, dealing with the organisational restructure and trying to implement the Callinan Aroney report at the same time as trying to command an organisation like this. That presents an awful lot of challenges. It was a difficult time for all of the staff. After all, they had been reviewed a number of times.

Out of that, the highlights are, I think, that the structure of the organisation is different, the functions performed by the commissioners are different and there is more interaction between the commissioners and senior staff at the commission meetings. I have tried to have the commissioners have a more active role or at least an understanding of what is going on in the organisation month by month.

The other thing that I think is an important highlight—and this is a highlight—relates to one of the major criticisms of the Callinan-Aroney and Keely reports which was that the organisation took as long as it liked to investigate matters and little output was evident. I think there was some truth in that. That is the highlight now. I think what the executive directors have done, with the commission and a whole range of other staff, is challenged the processes so we actually deal with the outcomes and the performance indicators. Specifically, not only now is there clearly a faster output in winding up corruption investigations but the other matter which I think is important is that when we look back at the criticism regarding all the matters that had been investigated and we never seemed to get an outcome for, we have been looking back at the last five years and said, 'Even with all those investigations there must be something we can tell the public or tell government organisations.'

It seemed to me all along that, given this is a government funded organisation, we should try to inform public sector organisations, either individual organisations or more globally, where there is some significant information. The review of the last five years has shown a theme of four or five major issues. Mr Paxton Booth, who is acting executive director of corruption, has been leading and driving the outcome of a report, which will be short and succinct, that will convey the message very clearly to all government organisations about what really were the major deficiencies in the last five years that they are going to target to try to improve the public sector and reduce corruption. That is not very far away, but I think that is a highlight in particular. There are undoubtedly others, but they are probably the more important ones.

Mrs MILLER: Dr Levy, I understand your concerns about three of the four commissioners being replaced, and I actually agree with you on that. It is actually quite silly for the government to replace three or four people and, as you say, that corporate knowledge go out the window. But in relation to as you call the order of precedence, if three of the four commissioners are replaced, would that mean that Mr Syd Williams would be the person who would then take over your role as acting chairman?

Dr Levy: Yes.

Mrs MILLER: So that is what we are probably looking at if three of the four people—

CHAIR: It is a hypothetical. We do not know.

Mrs MILLER: No. I am just trying to drill down to the order of precedence here—how it works, if you could explain that.

Dr Levy: There are a number of ways maybe that might play out. We all know Mr Williams has a very busy practice as one of the most senior silks in Brisbane, in Queensland. But that does not mean that perhaps even for a short period of time, subject to what Mr Williams might say, that perhaps direction—if the chairman can at least make decisions. After all, he has to make decisions. We now of course also have a chief executive officer. That role, as you know, has been divided. To say that perhaps for a short period of time an acting chairman could not call the shots and not necessarily be there all the time might not be beyond the realms of possibility. After all, I spoke to Mr Williams on a number of occasions in between commission meetings. He has always been available. Sometimes we have communicated with all of the commissioners via email, electronic means. We have had joint decisions or rather unanimous decisions of all of the commissioners in between meetings when we thought something needed to be done quickly. But if Mr Williams was not available, that would not prevent perhaps somebody else internally being appointed.

Mrs MILLER: Can I just ask a follow-up question? Because you are leaving on 31 October, are there any plans in place for you to actually hand over to whoever is going to take over as the chairman or the acting chairperson?

Dr Levy: I thought about that but I have not raised it. That will be a matter for the new chairman. When they appoint a new chairman I will make myself available. If the new chairman, he or she, would like the benefit of a brief, I would be more than happy to do so. But that would depend on the individual being appointed.

CHAIR: Thank you, Dr Levy. I have a bit of a nuts and bolts question, and it might be for Ms McFarlane. Page 40 of the report talks about long service leave and that 26 per cent of the staff have been there over 10 years and 35 per cent have been there over five years, which means that they are actually all up for long service leave. Having owned a business and having to manage the leave of staff, it can be quite challenging. You have quite a few there. Dr Levy, is it Ms McFarlane that I would ask this question to?

Dr Levy: She is eminently more qualified than me to answer that.

Ms McFarlane: If your question is about how we prioritise and balance that, I guess it has not turned out to be a problem at this point in time, although we do have a couple of senior people at the moment on long service leave. We would always treat that as an operational requirement. So whether we could have people avail themselves of that leave would depend upon the operational requirements at that time.

CHAIR: So if there were someone in Corruption who wanted to take long service leave and you had a lot of work, you might say to them, 'At the moment it is not appropriate. Put it off for a little while.'

Ms McFarlane: That is right. We would negotiate with them. We understand that long service leave is one of those things that people do take because they are getting fairly tired and need to regenerate, but it would be operational priority first.

Mr PUCCI: Dr Levy, maybe Ms Florian may answer this one. We know that the commission received a specific 12-month allocation to focus on criminal organisations. In this reporting period 35 witnesses were called to intelligence hearings in over 31 days. I just wondered if you could expand on how effective that has been during this period and what results were achieved.

Ms Florian: Thank you, Mr Pucci, member for Logan, for your question. The CCC received dedicated funding in order to maintain a focus on criminal motorcycle gangs over a set period of time. That funding has been directed at a number of different aspects and investigative aspects where we have focused on investigations that relate purely to CMGs and CMG associates. Those investigations are ongoing at present. The funding has also been directed towards proceeds of crime outcomes. I will leave it to my colleague to speak more about those. But you will see in the report the proceeds of crime outcomes specific to criminal motorcycle gangs which have occurred in the reporting period.

One of the key aspects of the funding, however, was to look at the use of hearings in relation to criminal motorcycle gangs. We always had power to conduct investigative hearings, but with the recent legislative amendments there was an introduction of an ability to undertake intelligence hearings. Those intelligence hearings have been undertaken purely in relation to criminal motorcycle gangs.

The focus of those hearings has been to understand what criminal motorcycle gangs have been existing in Queensland, past and present; what the nature of those gangs were in terms of hierarchy; importantly what relationship the hierarchy of those gangs have had in relation to criminal activity that has been undertaken by gang members or their associates, or in other words to what extent the hierarchies have been responsible for directing those activities or not. Of course those hearings have focused on particular motorcycle gangs who are perceived to be of greatest threat—when I say ‘perceived to be of greatest threat’, based on intelligence held by the CCC and by other agencies, the CMGs that are of greatest concern to Queensland.

Another aspect that we have explored has been the response of criminal motorcycle gangs to the government intervention and how that has played out, as well as understanding in what markets and what criminal activities those CMGs have been most prevalent or in what areas have they focused. One of the benefits of doing this is that it allows us to inform government direction potentially in the future about what particular markets or what industries may be a matter that are worth monitoring. I would perhaps turn it over to my colleague in relation to proceeds of crime.

Ms Pyke: Currently nearly 31 per cent of our matters are CMG related. Those matters have not necessarily commenced since the funding kicked in. We have had a number of these matters ongoing for many years. However, they are CMG related. We have a number of matters as well that are serious drug offender matters under the new scheme and also unexplained wealth matters. So we are utilising the funding in the legislation at present.

Ms TRAD: Dr Levy, just following up on your response to my questions earlier in relation to providing advice to the Premier prior to publication, you said that the Premier had queries on the way through in relation to the Flegg investigation. Can you explain how the Premier advised you of the queries he had on the way through? Was that through a letter?

Dr Levy: Well, given that was part of an operational matter we ordinarily would not make comment publicly, but I think I have commented to you before. There was a person who was a witness in that matter. Any witness ultimately could have been a subject officer. That person was likely to be appointed to a particular role. So he asked how long it would take and I said I could not tell him.

Ms TRAD: So it was a verbal exchange.

Dr Levy: Yes.

Ms TRAD: And there was only one verbal exchange. So when you said before—

Dr Levy: No, no, no. Well, there was one verbal exchange and then he wrote me a letter subsequently—and I responded to that—about the same matter, and at that time again there was no definite time I could give him when it may have been finalised. My recollection is that they were the only communications.

Ms TRAD: Dr Levy, I had asked you if you had had contact with the LNP government in relation to this matter prior to the 9 October letter and you said no, and now you are saying you did.

Dr Levy: I thought you were talking about the finalisation of this matter that went out on 9 October.

Ms TRAD: No. I talked about the matter generally.

Dr Levy: If it was going to be as wide as possible, well there are undoubtedly a number of people who could work for an LNP minister or work in a department—but not about these operational matters generally speaking. That is the only—but that was not about Dr Flegg.

Ms TRAD: Dr Levy, can I refer you to page 4 of your public report where you say on 5 August you met with the acting deputy chairman and the Attorney-General to discuss budget and sensitive matters. The Premier in his published diary has him meeting with you on that day. He says that he met with you on that day. Where is that listed in your liaison meetings?

Dr Levy: We did meet with him also. I am not sure. It is obviously not there.

Ms TRAD: It is not there.

Dr Levy: Whether it was in my diary—well, it must have been in my diary.

Ms TRAD: Are there other meetings with LNP government members, staffers et cetera that are not in your liaison list?

Dr Levy: No. There are no other—as far as I can recall—

Ms TRAD: As far as you can recall.

Dr Levy:—the Premier or the Attorney-General. There was a time when—the implementation phase, for example, or the review of Callinan-Aroney—there were legislative proposals being considered.

Ms TRAD: Yes, I understand. I have been listening to all of your work program over the past 18 months, Dr Levy, I assure you.

Dr Levy: I certainly saw him, and then there was a long period when I did not see him. This was a matter that I initiated. I certainly did see—the acting deputy chairman and I both saw the Premier. I did not think it was on the same day, I must say.

Mr Williams: No, it was not.

Dr Levy: No.

Ms TRAD: Dr Levy, can you provide the chair—

CHAIR: Thank you—

Ms TRAD: No. Could you provide the chair—

CHAIR: No. You have had your question.

Ms TRAD: I would like to ask—

Mr WELLINGTON: I am happy to let her continue.

CHAIR: No.

Ms TRAD: Hold on. I would like to ask the chair to table for the benefit of the committee every single piece of document exchanged between him and the Premier in relation to the Flegg investigation considering he has advised the committee that the Premier sought constant updates in relation to that investigation throughout the term of its investigation.

Dr Levy: Correct that—he has not sought constant updates.

CHAIR: We will consider that in a private meeting.

Dr Levy: Sorry, can I just correct the record? I think to say he sought constant updates would be an absolute overstatement. I indicated there was a telephone call. I was asked to go and see him about a matter. Then subsequently he wrote to me and I replied. But I am happy to provide whatever written—

Ms TRAD: Excellent. If you could, that would be great.

CHAIR: That is a request that the committee will have to make and we will make that in the private meeting.

Ms TRAD: The committee should note that the chair is agreeable.

Miss BARTON: Dr Levy, in your opening statement you talked about the fact that there are still some more structural changes that will be required in the transition from the CMC to the CCC. I just wondered if you could perhaps detail what some of the significant ones might be and how the committee might be able to aid the CCC in terms of that structural change.

Dr Levy: The new structure is transitioning well, although some senior positions and some accommodation rearrangement will be necessary. It is possible also that perhaps the structure might get tweaked in the next 12 months or so. But what I was referring to was that there are some senior positions in that structure which are vacant and some which have been vacant for some time. They will need to be advertised and filled as quickly as possible. There is also the issue of the Legal Services Unit, which dates back to the PCMC report into the Fitzgerald documents—an outcome of which was that the Legal Services Unit should be formalised and staffed appropriately.

That has been done on the organisation chart and in practice or in fact not every law is brought together in the Legal Services Unit, but the size of it is such that the accommodation changes are both time consuming and costly and we have to find some logistical way of dealing with that. So it has changed in fact but we still need to do more to make that more efficient.

Mrs MILLER: Dr Levy, in the Premier's diary it says that yourself and Commissioner Williams met with him on 5 August. Can you just tell me who requested that meeting and what was discussed at it?

Dr Levy: It is an operational matter. You will recall we gave the committee a confidential brief prior to the last meetings I think. I think no public comment should be made given it is an operational matter. I am happy to talk about it in the private session.

Mr WELLINGTON: Dr Levy, a number of times members have asked you about the research program for your commission. Have you received any advice from the government as to where that is at, what are the programs, what are the research matters that the Attorney-General or the government are happy for you to proceed with and are there any that the government have said they are not happy with you proceeding with?

Dr Levy: As far as I am aware, unless somebody else in the senior executive has seen something I have not seen, I am not aware that we have had any advice back yet. We certainly sent a draft program, but I have not received any advice back yet at this time.

Mr WELLINGTON: When was that draft program forwarded?

Dr Levy: Just give me a moment.

CHAIR: You can take that on notice, Dr Levy, if you want.

Dr Levy: 25 August. That is the date of the letter.

Mr WELLINGTON: The reason for this is that it concerns the first question I asked about the perception or the need for the community to have confidence in the independence of the commission. You have told us here that that was forwarded in August. We are now into October. We still do not know what the Attorney-General and the government have ticked off—that is what you are saying—and what he has not approved.

Mr MINNIKIN: Is that a comment or a question?

CHAIR: Yes, and the Attorney has to consult with us on that too, by the way, so it is really not a question for Dr Levy. I do not think it is appropriate. I call on Mr Pucci, and this will be our final question before we go into our private meeting.

Mr PUCCI: Dr Levy, in your report on page 7 it says that to maximise the law enforcement response CCC operations are often conducted jointly with state and Commonwealth law enforcement agencies. Can you tell us what kinds of operations you would conduct, without giving away any secrets, and some of the results that you achieved because of those joint operations?

Dr Levy: So I do not give out many secrets, perhaps we could deal with that in the private session.

CHAIR: Has anyone else got any questions?

Ms TRAD: I do.

CHAIR: I am sure you do.

Ms TRAD: Just one.

CHAIR: A short one?

Ms TRAD: Yes. I do just want to confirm that you did meet with the Attorney-General on 5 August.

Dr Levy: We met him; I cannot tell you whether it was the 5th. We met the Premier one day and the Attorney-General another. I thought we met—

CHAIR: You can send those details through of the—

Dr Levy: The dates. It was sort of, I thought, about a week apart, but I cannot here verify those dates.

CHAIR: Okay. You can send those documents to the—

Ms TRAD: It does not match up with the log, but anyway.

CHAIR: Thank you very much. The time for our public hearing has ended. Thank you all for attending. We are now going to go into a private session, so thank you very much.

Committee adjourned at 11.18 am