




Speech By
Melissa McMahon

MEMBER FOR MACALISTER

Record of Proceedings, 28 October 2021

PARLIAMENTARY CRIME AND CORRUPTION COMMITTEE

Report, Motion to Take Note

 **Mrs McMAHON** (Macalister—ALP) (3.58 pm): I rise to make my contribution to the Parliamentary Crime and Corruption Committee report No. 106—*Review of the Crime and Corruption Commission's activities*. A five-year review of the Crime and Corruption Commission by the PCCC is a requirement of the Crime and Corruption Act 2001. Given that the last report was tabled on 30 June 2016, five years brings us to this year and the 57th Parliament. It should be noted that the review process commenced during the 56th Parliament when I was a member of the PCCC, and for my sins I find myself here again.

The PCCC called for submissions in June 2020 and received 32. At the time this review commenced last term, the PCCC was also conducting an inquiry into the CCC's assessment and reporting processes. The committee resolved to incorporate that inquiry into this review. Public hearings for this review were held in March and May this year. I can advise the House that the terms of reference for the review are outlined in the committee report and that the committee has made 30 recommendations as part of this review. Due to the significant number of recommendations made in this report, I will not go into them in great detail, but I urge all members of the House to have a look at the scope of the recommendations for some light reading.

Today I will draw members' attention to some of the more salient recommendations that may be of interest to them. The first is recommendation 1. This recommendation surrounded the criteria for the appointment of ordinary commissioners to the CCC. The 2019-20 annual report of the CCC showed that four of the five commissioners were qualified lawyers, and it was commented that the CCC is dominated by lawyers. The original formation of this vital oversight body envisaged that at least three of the commissioners would have demonstrated interest and ability in community affairs. Given that the CCC has oversight of units of public administration, an understanding and interest in public and community administration is a valuable skill set for the organisation. Therefore, the review recommends that at least two of the three ordinary commissioners have a demonstrated interest and ability in community affairs, public administration or organisational leadership.

The second recommendation revolves around the appointment of commissioners to the CCC, including the chairperson, deputy chairperson and ordinary commissioners. Currently, the CCC Act requires bipartisan support of the commissioner appointments. Bipartisan support is defined within the act and I believe was subject to some scrutiny during a previous appointment when substitutions were made to fit within the bipartisan definition. It was submitters' concerns that that definition be amended to specifically address the issue of submissions, and it is a recommendation of the review that the definition in schedule 2 be amended.

Recommendation 4 addresses the tenure of senior officers of the CCC. The original recommendation of the Fitzgerald report required that the chairperson's appointment be not less than two years or more than five years. In 2014 it was amended to put a limit of no more than 10 years.

Currently, the limit for all commissioners, the CEO and senior officers is that they may not be appointed or employed for more than 10 years. The CCC's submission recommended that this 10-year limit be lifted, whilst others expressed concern about the decade-long tenure.

I note the CCC's concern about long-term planning and corporate knowledge and the lack of tenure limits in other public sector agencies, and I do note the progression pathways within the organisation, specifically from SES level 2 to level 4, but the committee makes its recommendation of the appointment of chairperson and ordinary commissioners of not more than seven years. I note that the CCC is not like other public sector agencies and the need to manage corruption risk and issues of culture in this organisation trump corporate knowledge in this instance.

Recommendation 6 relates to public notification of investigations undertaken by the CCC, particularly those involving police officers. The concerns raised by submitters were twofold: firstly, that anonymity is generally sought when these investigations are announced—however, due to the small number of officers seconded to the CCC, particularly of certain ranks, much of that anonymity is lost by merely stating the rank of the subject officer; and, secondly, that the public reporting of the commencement of an investigation is not matched by the reporting of the outcome of that investigation, particularly when the officer or subject person is cleared. There are many other recommendations that I recommend members avail themselves of. Other than that, I commend this report to the House.