

COMMITTEE REPORTS AND MINISTERIAL STATEMENTS - CONSIDERATION

Committee

The Deputy Chairman of Committees (Hon Louise Pratt) in the chair.

*Joint Standing Committee on the Corruption and Crime Commission - Fifth Report - Examination of the
2004-2005 Annual Report of the Corruption and Crime Commission - Motion*

Resumed from 27 September on the following motion moved by Hon Ray Halligan -

That the report be noted.

Hon RAY HALLIGAN: I had started to give an explanation to members of the fifth report of the Joint Standing Committee on the Corruption and Crime Commission, which is headed "Examination of the 2004-2005 Annual Report of the Corruption and Crime Commission". I will reiterate some of the things that I mentioned and go into some more detail on the more important aspects of the CCC, as it is known.

The major function of the Corruption and Crime Commission, of course, is the misconduct function. Within the annual report of the CCC, Commissioner Hammond is quoted as making mention of the fact that any number of government agencies are still somewhat unsure of their notification responsibilities. Paragraph 1.1(c) on page 1 of the fifth report of the committee that was tabled in this place states -

Despite the overall increase in agencies' awareness of their notification responsibilities, Commissioner Hammond gave evidence to the Committee at the public hearing on 19 October 2005 that there are still areas of considerable under-reporting:

According to the report, the commissioner said -

The Commission's present perception is that many government agencies are generally not well equipped to detect and manage misconduct and its consequences, and that many of the Commission's more serious cases have developed, in fact, as a consequence of accidental discovery, or a third-party report, or as the result of proactive investigations based upon intelligence. I am happy to say that there are now some early indicators of very positive changes in this respect because we are now noting that public sector agencies are frequently seeking advice or assistance from the Commission on matters that they are suspicious of or unsure as to whether it constitutes misconduct, and the Commission is only too happy to assist in what I would call these over-the-counter inquiries.

The report went on to say that during 2004-05, the CCC conducted 10 integrity tests pursuant to section 123 of the Corruption and Crime Commission Act in conjunction with the WA Police. The report states -

As explained in the Annual Report, integrity tests enable officers of the CCC to create realistic scenarios which test the integrity of public officers. According to the CCC, integrity tests have a deterrent effect across the public sector as public officers become aware of the existence of integrity tests and consequently decide not to engage in misconduct when an opportunity arises due to a fear that their actions may be monitored as part of an integrity test. The Committee agrees that integrity testing has enormous potential as a deterrent factor, and suggests that the CCC conduct further research to measure the deterrent value and examine ways to maximise the benefits of integrity testing programmes. This may be done as a collaborative project with other jurisdictions such as New South Wales and Queensland that also conduct integrity testing under their respective legislation.

The report continues -

During the reporting period, the CCC conducted four public hearings and 12 private hearings. Under normal circumstances, examinations of witnesses must be conducted in private. Section 140 of the Act provides that the CCC may open an examination to the public if, having weighed the benefits of public exposure and public awareness against the potential for prejudice or privacy infringements, it considers that it is in the public interest to do so. At the public hearing on 19 October 2005, Commissioner Hammond stated that public hearings have the benefit of allowing the broader community and the public sector to see and examine the work of the CCC. However, -

The commissioner said -

[a]s a black-letter lawyer, I go back to section 140 and very carefully weigh my responsibilities in this connection because, as I see it, the decision to go public, as it were, is one that I must make and live with.

The committee supports the commissioner's cautious approach on this matter.

Further aspects of the commission's work encompass stakeholder partnership and liaison. The commission has gone about that work with some gusto. It has visited a number of centres within Western Australia, advising government agencies of their responsibilities and providing an opportunity to develop an understanding between agencies and the CCC of those responsibilities. The Joint Standing Committee on the Corruption and Crime Commission went to Geraldton - it seems a long time ago; I think it was earlier this year - to look into some of the work that the CCC had done in that area. It would be right to say that we were pleasantly surprised at the response we received from members of the general public about how they accepted the staff of the CCC in Geraldton and taking the agencies through the issues that the CCC believed they needed to know.

I turn now to the prevention and education function, for which the CCC has a separate directorate. The commission is not taking its responsibilities lightly. It is putting resources into these areas that it and the Joint Standing Committee on the Corruption and Crime Commission understand need to be there so that it can provide in a proactive way information to these agencies that might otherwise have been led down the wrong path and be subjected to litigation at some stage. One can only hope that that continues in light of the current issue concerning the Department of Education and Training. Although I am not suggesting that there was any misconduct involved, the department might well have taken heed of what members of the CCC might have been able to provide to it.

Other areas of the operation of an organisation of this state needed to be brought to the attention of the Parliament via the annual report. One of these is the legislative provisions. The commission has continually brought to the attention of the committee and the minister any issues that it has with the legislation and has recommended the amendments it believes are required. Much work has been done within the commission's organisational structure to ensure that there are sufficient directorates and branches to undertake the roles that the legislation expects of the commission. I am aware that the commission is continually looking at ways and means of improving that situation, even if it means going back to the minister to ask for a further budget allocation. There is still some considerable work to be done in the area of performance measurement. The parliamentary inspector, Hon Malcolm McCusker, also mentioned some of his concerns in that area to the joint standing committee. They will come up in a later report.

As far as accommodation is concerned, the CCC started off in premises that were not all that conducive to the work that needed to be undertaken. In May 2006 it relocated its premises to 186 St Georges Terrace. Members of the joint standing committee have had the opportunity to visit those premises. They certainly seemed to be well suited to the special needs of an organisation such as the CCC, with the security, public and media access and educational facilities that surround an organisation of this type. We also found that the premises were entirely suitable for access by witnesses and members of the public. As at the date of this report, the CCC had a number of staff at different levels. Page 5 of the joint standing committee's report to Parliament states -

At level 6, there are 12.4 female compared to 20 male employees. At level 7, there are 9.8 female and 21 males; at level 8 there is only one female and 14 males; at level 9 there is one female and four males; and at Class 1 level, there are three female and seven male employees.

There is some gender bias there. Members of this chamber may well feel that there is a need for greater participation by female employees.

Hon Bruce Donaldson: I am sure Hon Helen Morton would think so.

Hon RAY HALLIGAN: I am sure that Hon Helen Morton would, had she not been outside the chamber on urgent parliamentary business, have given me some advice on that matter for me to pass on to the CCC. Level 6 to class 1 positions are not subordinate-type positions. They are well paid. They have a responsible position to uphold and they are paid accordingly.

Hon Jon Ford: Perhaps the shortage of women could be attributed to the resources sector.

Hon RAY HALLIGAN: That is a distinct possibility. I was going to suggest it might be because of the Labor Party's affirmative action policy. They might all want to become parliamentarians, in which case we would end up with more females than the CCC.

Another area of importance within the CCC is information technology. The CCC has to obtain and maintain a great deal of information and communicate a lot of that information via a secure link with any number of other people. The CCC is looking at that area very, very closely. One would expect that it would have to keep up with the technology issues of the day and tomorrow and try to be in front of anything that might happen. Within the area of information technology, there are two areas in particular that the CCC is empowered to look into. One is telephone intercepts and the other is listening devices. The CCC would consider these to be all run-of-the-mill instruments that it would use on a daily basis. I am not suggesting that telephone intercepts take place all the time and that everyone is under scrutiny. I hasten to add that members of the Joint Standing Committee

on the Corruption and Crime Commission have no idea about operational matters. We are not privy to that information. Only the parliamentary inspector is privy to that information. The number of telephone intercepts made at the commonwealth level is made public. However, people never know exactly who is the subject of those intercepts.

As far as security clearances are concerned, it is particularly important that every employee of the Corruption and Crime Commission have a security clearance - and a high security clearance at that. Page 5 of the report reads -

Although not addressed in the CCC's Annual Report 2004-2005, the Committee queried Commissioner Hammond about the CCC's security vetting procedures for staff at the public hearing on 19 October 2005. Commissioner Hammond confirmed that the CCC has adopted the Commonwealth Government's procedures, whereby all new staff must obtain security clearance prior to commencing employment with the CCC. The Committee is satisfied that the security vetting procedure is appropriately stringent. In respect of all prospective CCC staff, a full examination is conducted of their bank accounts, trips overseas and the reasons for same, a description of all organisations to which they belong, have belonged and why they left. More stringent procedures apply to those staff who have ever lived overseas. Furthermore, senior officers of the CCC must also undergo psychological profiling to obtain the status of "highly protected" officer.

Hopefully, members feel comfortable about the fact that CCC employees have to prove that they are worthy of their position. The information that they obtain remains confidential and everyone associated with the commission does everything we expect of them. This is something that the Joint Standing Committee on the Corruption and Crime Commission is always looking at. Members can rest assured that if there were a hint of a problem, the committee would report such a problem to this place as quickly as possible to seek a solution.

Report number 5 also includes the parliamentary inspector's observations of the annual report. A public hearing was held with Malcolm McCusker, the parliamentary inspector, on 19 October 2005. As stated in the report, under questioning -

Mr McCusker reported to the Committee that:

- He was satisfied that the CCC is performing its functions properly;
- In his dealings with the CCC from the Commissioner level down, he had nothing but the utmost cooperation from it;
- Complaints against the CCC or one of its officers have all been immediately referred to him by the Commissioner himself and have been accompanied by all the relevant material, with an invitation to question any officer on the subject matter of the complaints;
- With one exception, the nature of the complaints referred to the Parliamentary Inspector have been either that the CCC has not fully investigated a complaint or has not accepted that the complaint comes within the jurisdiction of the CCC;
- On no occasion so far has he as Parliamentary Inspector had a direct referral from the CCC or from a complainant in which he has concluded that the CCC has not dealt with it in terms of procedure in a proper manner;
- Commissioner Hammond is an excellent head who keeps fully in touch with what is happening and keeps him informed as Parliamentary Inspector . . .

Only a very small number of referrals made to him as parliamentary inspector comprise complaints about the CCC. So far, he has not found any cause for complaint against the CCC's operations or procedures as such.

That concludes my summation of the fifth report of the Joint Standing Committee on the Corruption and Crime Commission. I hope members feel satisfied that, at that time, all was well with the Corruption and Crime Commission and its operations, that the watchdog was doing things in accordance with the act that was passed by this Parliament, and that the Joint Standing Committee on the Corruption and Crime Commission has been able to provide solace to the chamber that the Corruption and Crime Commission has operated in accordance with the provisions in the CCC act.

Question put and passed.

Metropolitan Region Scheme Amendment 1089/33 - Statement by Parliamentary Secretary

Resumed from 15 November 2005.

Motion

Hon GEORGE CASH: I move -

That the statement be noted.

This matter deals with amendment 1089/33 to the metropolitan region scheme and involves an area of land known as East Landsdale precinct 64, which is in the North Metropolitan Region electorate. The area of land in question is 225 hectares. The land was previously zoned rural; it will now be zoned urban. I am speaking on this matter because of the location of the land, which has Gnangara Road to the north, Alexander Road to the east, Hepburn Avenue to the south and the existing Landsdale residential area to the west. Some years ago a number of landowners from this area approached me and other members of Parliament, both state and federal, to protest against the fact that they could not get their land rezoned on the basis that the Perth International Telecommunications Centre was located opposite on the corner of Alexander Drive and Gnangara Road in Cullacabardee. For years the Perth International Telecommunications Centre, formerly known as the Overseas Telecommunications Centre, maintained that there should be a one-kilometre buffer surrounding its land, with no residential development within that one-kilometre buffer. Notwithstanding the protestations of both state and federal members of Parliament over a long period on behalf of those who owned land in the East Landsdale precinct, we were never able to convince the commonwealth that it should release or cancel that buffer.

When I met with officers of the Perth International Telecommunications Centre - in fact they were Telstra representatives - I put the argument that if the PITC wanted to maintain the one-kilometre buffer, it had an obligation to pay compensation to the affected landowners; or, if the PITC could not find the money to pay compensation, it should consider finding the money to buy the land from those people so that there would be no dispute. Some of the private landowners in the area opposite PITC had purchased their land many years ago to put towards their retirement income. Some of the landowners who approached me were well past retirement age. They were very concerned about the effect of the one-kilometre buffer that was being maintained by the PITC. When the Western Australian Planning Commission considered the local authority's request to have this land rezoned, many of us in the area were sceptical about whether the PITC would ever consent to urbanisation of the western side of Alexander Drive between Gnangara Road and Hepburn Avenue. I must say that the Western Australian Planning Commission has done a good job in assessing the submissions that were made with regard to precinct 64. Of the 76 submissions that were made, 66 were in favour of the rezoning, and nine were from government departments or agencies, indicating that the urbanisation of this area would not affect the department or agency concerned. The only submission in opposition was from the PITC. In that submission the PITC's solicitors provided significant information on why this precinct should not be rezoned and urbanised. They argued in the main that the cost of relocation was significant, and that if it was found that the urbanisation was affecting the working of the PITC's telecommunications equipment, the cost of relocation should not be required to be borne by the PITC.

The WAPC has considered the various submissions. It has agreed to the rezoning of the land to urban. That will now occur. It will be interesting to see the final outcome once the land opposite the PITC site is developed, which I think will occur in the next five years or so. On a number of occasions I have received complaints from people in Landsdale that the PITC's equipment is interfering with their household appliances. My colleague Hon Ray Halligan has received similar complaints. He has also had representations made to him over a number of years about the rezoning of this land. It will be interesting to see what happens when the land is zoned urban and houses are located directly opposite the PITC site. Anyone who has been to that site will be aware of the significant telecommunications equipment that is located on that site. The site was originally designed as a radio site. Equipment was then brought down from the Carnarvon tracking station and located on the Cullacabardee site. Equipment was also brought across from South Australia and located on the site. I have always questioned why Telstra did not look ahead and either buy the land that it needed to maintain its one-kilometre buffer, or buy land in another location, perhaps in the Gingin or Muchea area, and over a period of time relocate the equipment. The land on which the equipment is located is 290 hectares in area. It is a sizeable lot. It is worth a considerable amount of money. It is true that the urbanisation of lot 1, which is the PITC site, may have caused some contamination of the underground water supply. However, that is a matter that would have had to be investigated over a period of time. Contamination of the water supply was one of the arguments that was used at one stage in respect of the failure to urbanise the East Landsdale area, precinct 64 in particular. Those issues have now been overcome. The WAPC believes the zoning of this area to urban is an important step forward in the provision of additional housing lots in this area.

I support the rezoning. I have seen the reports. I have some knowledge of the workings of the WAPC in this area, and I support the work it has done. The Environmental Protection Authority has provided a submission to the WAPC on this matter. It does not believe that any environmental issues will arise from the rezoning. However, as I have said, it will be interesting to see whether in five, 10 or 15 years a significant number of complaints are received from people living in this newly urbanised area as a result of the continued activities on lot 1 of the PITC radio communication and satellite tracking equipment. I think that in due course the PITC will

need to move that equipment. As I have said, it is a great pity that Telstra, and its forebears, did not have the foresight to relocate some years ago, or at least prepare for that move.

When the Court government was in office, we had some discussion - I cannot say it went any further than just discussion - about a proposal to approach the PITS owners about leasing an area of the site at the corner of Gnarara Road and Alexander Drive as a possible location for a driver training facility in the northern area of Perth. It was suggested at the time that the same sort of facility should also be made available in the southern area of Perth. That facility would be for not just A-class driving licences but also four-wheel drive training and other related driving instruction. That would have been a great facility. That did not come to pass. However, I certainly recall that the Court government had its eye on leasing a part of that site for a driver training facility.

I make those comments because this site is within the North Metropolitan Region electorate. I will be following with great interest the development and urbanisation of East Landsdale precinct 64. I suspect there will be continuing conflict between the residents of the area and the Perth International Telecommunications Centre because of the interference that the use of that equipment is causing for home owners in the immediate area.

Question put and passed.

Joint Standing Committee on the Corruption and Crime Commission - Sixth Report - Examination of the 2004-2005 Annual Report of the Parliamentary Inspector of the Corruption and Crime Commission

Resumed from 6 April.

Motion

Hon RAY HALLIGAN: I move -

That the report be noted.

This is the sixth report of the Joint Standing Committee on the Corruption and Crime Commission entitled "Examination of the 2004-2005 Annual Report of the Parliamentary Inspector of the Corruption and Crime Commission"; it is the annual report of the parliamentary inspector and not of the commission. I will read out the statutory functions of the parliamentary inspector because over time we have found that there is a total misunderstanding, not by members of Parliament but by people in the community, particularly those who have had dealings with agencies, about the functions of this role. The report states -

Under section 195 of the Act, the Parliamentary Inspector has the following functions -

- to audit the operation of the Act;
- to audit the operations of the CCC for the purpose of monitoring compliance with the laws of the State;
- to deal with matters of misconduct on the part of the CCC, officers of the CCC and officers of the Parliamentary Inspector;
- to audit any operation carried out pursuant to the powers conferred or made available by the Act;
- to assess the effectiveness and appropriateness of the CCC's procedures;
- to make recommendations to the CCC, independent agencies and appropriate authorities;
- to report and make recommendations to either House of Parliament and the Joint Standing Committee on the Corruption and Crime Commission; and
- to perform any other function given to the Parliamentary Inspector under the Act or other legislation.

Section 195 also provides that the functions of the Parliamentary Inspector may be performed -

- on the Parliamentary Inspector's own initiative;
- at the request of the Minister;
- in response to a matter reported to the Parliamentary Inspector; or
- in response to a reference by either House of Parliament, the Joint Standing Committee on the Corruption and Crime Commission, or the CCC.

The role is all-encompassing and carries with it enormous powers. The report continues -

In order to carry out these functions, the Parliamentary Inspector has extensive powers pursuant to section 196 of the Act. The Parliamentary Inspector is entitled to full access to the records of the CCC,

including operational information. However, in exercising his powers, the Parliamentary Inspector is not to interfere with, obstruct, hinder or delay any lawful operation of the CCC . . .

It sounds reasonably simple to members in this chamber but they may be surprised by the number of inquiries the joint standing committee receives from people who believe that the parliamentary inspector can reinvestigate things that the CCC has already investigated. Some people believe the joint standing committee can undertake an audit of the CCC. Of course, members know that the parliamentary inspector is the umbilical cord between the joint standing committee, which is an arm of this Parliament, and the CCC. The Parliament got it right, through the act, when it said a parliamentary inspector would be employed with those functions.

Hon Jon Ford: I thought that position was created by this chamber.

Hon RAY HALLIGAN: The minister may be right. I have not undertaken that research. Mark up another win for this chamber.

I was in Brisbane last week looking at a beautiful Legislative Council chamber that has not been used as a chamber for the past 84 years, and one can understand why we have a bicameral system.

Hon Jon Ford: A nice retirement package.

Hon RAY HALLIGAN: I have no doubt, although back in 1922 it probably was not a great deal of money.

The report goes on to talk about the role of the parliamentary inspector. It states -

The Parliamentary Inspector clarifies in his Annual Report that the Parliamentary Inspector does not perform an appellate role, reviewing the findings of the CCC.

This needs to become better known by the community -

As pointed out by the Parliamentary Inspector, in determining whether a complaint was properly assessed by the CCC, it may at times be necessary to review the subject matter of the complaint, but not for the purpose of revisiting the original findings of the CCC. At the public hearing with the Parliamentary Inspector on 19 October 2005, Mr McCusker elaborated on this issue:

In some cases it takes a great amount of time to deal with the complainant because although the primary task of the Inspector is to determine whether the Commission is performing its job correctly, which means looking at each allegation that it has not done so, nevertheless it is often necessary for that purpose to delve into the entire subject matter of the complaint. One complaint ... is a kind of bouncing ball. Each time I would say that the matter is concluded, the complainant would come back to me with something further.

The committee has found over the past 12 months that a number of people in the community have no wish to understand the functions of the CCC, the parliamentary inspector or the joint standing committee. They continually write to the committee seeking it to undertake investigations that it is not entitled to undertake. The report goes on to say that -

The Committee agrees that it is necessary to dispel this misconception about the role of the Parliamentary Inspector.

This is something that the committee has been encouraging the inspector to do. I understand that the CCC has a web site and a part of it is for the parliamentary inspector. One wonders how many people bother to go down that path, although I am sure the Minister for Education and Training would say, "Google and find out more information about the parliamentary inspector." The difficulty is that often the language used on the web sites is not conducive to helping an individual understand the functions and roles of the three bodies : the CCC, the parliamentary inspector or inspector's office, or the joint standing committee. It is something the committee is concerned about, and it will continue to do all it can to ensure that there is communication to the general public, certainly to agencies. That is the reason we are not only conscious of what the CCC is doing with the agencies, but also encouraging that action. We continually ask the CCC how much it has done to impart that knowledge to the agencies, because we believe it is a particularly important part of their work. The committee's report to this place on the parliamentary inspector states -

During the reporting period, the Parliamentary Inspector received 30 referrals, of which 14 were complaints referred by the CCC. He states in the Annual Report that they were all either complaints that the CCC had failed to investigate a matter to the satisfaction of the complainant, or had rejected a complaint that the complainant considered ought not to have been rejected.

Again, this illustrates the lack of understanding of the roles. We know that misconduct and corruption are the two important aspects that the commission has been set up to stop within agencies, and that means anyone who is paid from the public purse. We have tried to make the language simple, and the most simple way of putting it

is that anyone who is paid from the public purse, including members of Parliament, is able to be investigated by the CCC. There have been some complaints to the committee about the lack of undertaking by the CCC to proceed against people who are not considered to be public servants. Of course, the Corruption and Crime Commission Act refers only to those who are paid from the public purse. Often this is a difficult thing to get across to some of these people, so such complaints can take up an enormous amount of time, both of the committee and the parliamentary inspector. I am not so sure about the CCC; it is an operational matter, and not something to which members of the committee are privy.

Page 3 of the report discusses the analysis of the audit and other functions of the parliamentary inspector. I want to bring this to the attention of members because the use of the word “audit”, which is not defined in the act, is something with which I have a few problems. I am working through those with the parliamentary inspector to try to ensure that everyone can be comfortable that the work being undertaken is all that can be expected of the parliamentary inspector. The report states -

In Chapter 2 of the Annual Report, the Parliamentary Inspector sets out a short statement in relation to the main audit functions under the Act. In future annual reports, the Committee recommends that the Parliamentary Inspector elaborates upon these matters and set out how he reached his conclusions. For example, it would be useful to clarify the basis upon which the Parliamentary Inspector determined that during the reporting period the CCC complied with the laws of the State and that there are systems in place to ensure compliance.

The Committee recommends that the Parliamentary Inspector and any future Acting Parliamentary Inspectors receive training on the CCC’s developing case management system and other aspects of its unique IT environment in order to be able to access operational records of the CCC.

As I said before, we have given the parliamentary inspector the power to walk into the CCC and look at all operational matters, provided he does not interfere with an ongoing case. To be able to do that, he needs to be able to access all the information, including that held by information technology systems. He needs some training in that regard. The report continues -

Although the audit functions set out in the Act should not only be addressed in the annual reports of the Parliamentary Inspector, it would be appropriate for a brief summary to be included at the completion of each reporting period. Future annual reports should therefore include a brief assessment as to the effectiveness and appropriateness of the CCC’s procedures, and address the issue of recommendations to the CCC, Committee and others as set out in section 195.

As an accountant, the word “audit” means certain things to me, but there are any number of different types of audit. The one we are probably all familiar with is a financial audit, when we look at company annual reports and see that the auditor has declared that all the figures stack up, or words to that effect. However, there are also performance audits, which are completely different and which have nothing to do with the monetary aspect of the operation. I will speak a little later, when addressing another report, about certain aspects of performance audits as far as the CCC is concerned, and how the joint standing committee needs to be satisfied that the parliamentary inspector or the acting parliamentary inspector - there can be more than one - has undertaken the type of audit that I and other members of the joint standing committee would expect. That is an important aspect to me. I have already been down the path of saying that it is all very well and good to say that I have looked through all the papers I have been given without asking whether I was given all the papers that I needed, or all the papers that were available, or should be available. To that extent, the audit is all-important. We need to know that the parliamentary inspectors, who have legal training, have undertaken an audit to the satisfaction of the Joint Standing Committee on the Corruption and Crime Commission, which is an arm of this chamber. As members of the committee, we need to be able to come back to this place and explain whether we are satisfied, and give members the opportunity to question us about whether we should be satisfied that the work being undertaken is being done in accordance with the act so that everyone can sleep comfortably at night knowing full well that nothing untoward is happening in the Corruption and Crime Commission.

The report goes on to say about the operation of the Corruption and Crime Commission -

Chapter Seven of the Annual Report deals with the Parliamentary Inspector’s overall views as to the operation of the CCC. Whilst his comments are helpful, the Committee recommends that in future annual reports the Parliamentary Inspector elaborate on the effectiveness and efficiency of the CCC, including specific issues such as:

- its prevention and education function;

I have mentioned some of the education functions, such as outreaching, which involves going around centres in Western Australia explaining exactly what the commission does. The list continues -

- its timeliness in investigating allegations of misconduct;

This is another important aspect -

- whether authorities have been correctly obtained;
- whether the CCC's registers are up to date;
- whether matters under investigation are appropriately being investigated by the CCC or should be investigated by another agency;
- its use of public versus private hearings; and
- its relationship with stakeholders.

This sounds elementary, but I do not believe that anyone in this chamber, least of all the members of the joint standing committee, would be comfortable in just assuming that anybody, even someone such as Malcolm McCusker, would automatically do these things. If they have not brought back something that is untoward, it is assumed that everything must be all right. No news is good news. It is particularly important that the committee, on behalf of the Parliament, ensures that the parliamentary inspector not only knows his functions and roles, but also has this audit checklist to undertake and comes back to the committee with the list ticked so that we, the members of the committee, can come into this place and explain to members that everything is as it should be.

Hon Jon Ford: Does the committee have the power of reference? I thought it had a power of reference to the parliamentary inspector.

Hon RAY HALLIGAN: Yes, that is set out in the act. I mentioned the functions of the parliamentary inspector, and they are wide and varied. Of course, the parliamentary inspector can undertake investigations of his own volition. The minister can ask him to do something, and the joint standing committee, as an arm of Parliament, can also ask him to do something.

Progress reported and leave granted to sit again, pursuant to sessional orders.

Sitting suspended from 6.00 to 7.30 pm