

Role of the Parliamentary Inspector of the Corruption and Crime Commission

OFFICE OF THE PARLIAMENTARY INSPECTOR OF THE CORRUPTION AND CRIME COMMISSION

The Parliamentary Inspector of the Corruption and Crime Commission (CCC) is an officer of the Western Australian Parliament. In 2003 when the Parliament was debating the establishment of the CCC, it decided to establish the office of parliamentary inspector and a joint parliamentary standing committee to help ensure an accountability framework in Western Australia. Under section 195 of the *Corruption, Crime and Misconduct Act 2003* which came into operation on 1 January 2004, the parliamentary inspector's main roles are to:

- audit the operation of the act;
- audit the operations of the commission to ensure compliance with the laws of the state, including allegations of misconduct by officers of the commission;
- audit any operation carried out under the act;
- assess the effectiveness and appropriateness of the commission's procedures;
- make recommendations to the commission, independent agencies and appropriate authorities;
- report and make recommendations to either house of Parliament and the standing committee;
- perform any other function given to the parliamentary inspector under the *CCC act* or any other act and the joint standing committee.

The audit and recommendation roles 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 from the Joint Standing Committee on the Corruption and Crime Commission.

The first parliamentary inspector, between 2004 and 2008, was Malcolm McCusker, AO, QC, who became the Governor of Western Australia on 1 July 2011. The other parliamentary inspectors have been Christopher Steytler, QC, from 2009 to 2011 and Hon Michael Murray, QC, from 2013. There have also been five acting parliamentary inspectors—namely, Graeme Scott, QC, 2005 to 2008; Ken Martin, QC, 2008 to 2010; Christopher Zelestis, QC, 2009 to 2012; and Robert Meadows, QC, from 2013.



Malcolm McCusker,
first Parliamentary Inspector



Michael Murray,
Parliamentary Inspector
from 2013



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At the commencement of each Parliament, a Joint Standing Committee on the Corruption and Crime Commission is also appointed by resolution of the Legislative Assembly and forwarded to the Legislative Council for its concurrence. Consisting of two members of the Assembly and two members of the Council, the function of the Joint Standing Committee is to:

- monitor and report to Parliament on the exercise of the functions of the CCC and the Parliamentary Inspector of the CCC;
- inquire into and report to Parliament on the means by which corruption prevention practices may be enhanced within the public sector; and
- carry out any other functions conferred on the committee under the CCC act.

Both the parliamentary inspector and the joint standing committee, regularly table reports relevant to their respective roles in addition to tabling annual reports. These reports are available on their respective websites.

Sometimes the reports focus on the alleged misconduct of individuals, while other reports concern the procedures and timeliness of Investigations. One report in 2011 was about telecommunication interceptions and legal professional privilege. One issue of public moment that required resolution, which arose early in the history of the parliamentary inspector and the CCC, was linked to a difference of opinion between the inspector and the commission about the audit role of the inspector. The meaning of the term 'audit' was not defined in the CCC act.

Members of the public can provide information that they think may be useful to the parliamentary inspector. If the matter raised is not something that the inspector normally handles, a member of the public may be advised to take alternative action. It is not necessary for a person to supply their name in submitting a complaint, but anonymous information is often difficult to verify and it may not be possible to advise a person of the outcome of the investigation. The parliamentary inspector's website should be consulted when submitting a complaint as it is necessary to undertake the task in a careful and considered manner.

