

Division 44: Parliamentary Inspector of the Corruption and Crime Commission, \$726 000 —

Mr I.C. Blayney, Chairman.

Mrs L.M. Harvey, Minister for Police representing the Attorney General.

Mr M.C. Alder, Assistant to the Parliamentary Inspector of the Corruption and Crime Commission.

[Witness introduced.]

The CHAIRMAN: This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day.

It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. It will greatly assist Hansard if members can give these details in preface to their question.

The minister may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the minister to clearly indicate what supplementary information she agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the minister's cooperation in ensuring that it is delivered to the principal clerk by Friday, 3 June 2016. I caution members that if a minister asks that a matter be put on notice, it is up to the member to lodge the question on notice with the Clerk's office.

I give the call to the member for Mirrabooka.

Ms J.M. FREEMAN: I refer to page 500 and the tables under "Service Summary" and "Outcomes and Key Effectiveness Indicators". The key effectiveness indicator is to table one report in Parliament within the target time frame. That was the case in 2014–15 and 2015–16 and continues in 2016–17, but the total cost of services has increased over the same period in terms of evaluation, and will increase in the forward estimates. What are the additional needs, other than the key effectiveness indicators, that have resulted in an increased budgetary need?

Mrs L.M. HARVEY: Mr Alder.

Mr M.C. Alder: With regard to the outcomes and key effectiveness indicators, the figure 1 in that line item relates to the only statutory requirement the Parliamentary Inspector of the Corruption and Crime Commission has under the Corruption and Crime Commission Act, and that is the annual report. The increase in costs of the office relate to the costs of moving accommodation from the Department of the Attorney General in Westralia Square to new accommodation in the BGC Centre.

Ms J.M. FREEMAN: There we go; that answers the question! There is reference on page 501 to the office fit-out at the BGC Centre. I am just checking with the minister that that has been an effective and efficient way to spend taxpayers' money.

Mrs L.M. HARVEY: Indeed. I am not sure whether the actual driver behind the shift to the BGC Centre was a shift away from a potential conflict or was part of the government's accommodation strategy. Perhaps Mr Alder can elaborate.

Mr M.C. Alder: No, the situation we had prior to August last year was that we were physically placed in the Department of the Attorney General, which caused practical problems of privacy for complainants coming to us and a lack of facilities for conducting interviews and so on. It was never the fault of the Department of the Attorney General; that is how the office evolved over the years. The move was prompted by the current parliamentary inspector to have the proper facilities for his functions to be fulfilled in private.

Mr P. PAPALIA: I refer to page 499 and the second point under "Significant Issues Impacting the Agency". I note that two new acting parliamentary inspectors have been appointed. This is not a reflection on Mr Murray's tenure or a suggestion that it might be coming to an end, but I am wondering whether there is a succession plan for the office of Parliamentary Inspector of the Corruption and Crime Commission. Historically, it is a difficult position that can be quite challenging and the role requires a degree of acquired expertise. I am wondering whether there is any plan to eventually ensure that there is a good succession in place. As I say, that is no reflection on the parliamentary inspector in any way.

Mrs L.M. HARVEY: The member is quite right; it is a difficult position to fill and I think that has been reflected in the past.

Mr M.C. Alder: There is no succession plan as such. The parliamentary inspector is bound by the terms of the act; section 193 prescribes who can be a parliamentary inspector and, indeed, an acting parliamentary inspector. Even at the completion of the first term of a particular parliamentary inspector, if they are to be reappointed, the

appointment process must begin afresh, so there is no right of placement in the positions of either parliamentary inspector or acting parliamentary inspector.

Mr J.R. QUIGLEY: I refer to page 500 as the anchor point for this question, and the table that has the field headings “Government Goal”, “Desired Outcome” and “Service”. Under “Service” appears “Evaluation of the Effectiveness and Appropriateness of Corruption and Crime Commission Operations”. The Joint Standing Committee on the Corruption and Crime Commission’s twenty-seventh report, released in March 2016, includes a protocol, signed by the Corruption and Crime Commissioner and the Parliamentary Inspector of the Corruption and Crime Commission, relating to the management of complaints. The first dot point at the bottom of page 499 reads “The Commission continues to experience a large volume of investigations.” However, I refer to the first paragraph of the first protocol in the standing committee’s report; I do not know whether the minister is familiar with it, but it might be helpful if I read it. It reads —

The subject of this Protocol is any matter or information received in any way by the Commission which concerns, or may concern, the conduct, by act or omission, publicly or privately, of an officer of the Commission in an adverse manner in that it may directly or indirectly, reflect adversely upon the person’s fitness for office as an officer of the Commission.

Does the minister understand this protocol to limit investigations to that issue—the unfitness for office of any employee at the commission?

Mr M.C. Alder: No, it does not.

Mr J.R. QUIGLEY: It does not?

Mr M.C. Alder: No. Section 196(4) requires the commission to notify the parliamentary inspector anytime the commission itself receives an allegation that concerns or might concern a commission officer. It does not relate to any particular conduct; it is just any allegation in whatever form. The parliamentary inspector has broader functions to investigate the conduct of commission officers, including misconduct, whether it has arrived in his office via that protocol, by his own investigation or from a complaint from another source in the community.

[5.50 pm]

Mr J.R. QUIGLEY: The second paragraph of the protocol states —

This Protocol will not operate in respect of a matter or information which is merely the expression of dissatisfaction with the determination of a matter by an officer or officers of the Commission performing the duties of their office.

If a member of the public believes that the commission has been unfair in dealing with their investigation, would this protocol prevent that person from going to the parliamentary inspector?

Mr M.C. Alder: No, it would not.

Mr J.R. QUIGLEY: Therefore, this protocol is just in relation to fitness for office or misconduct by commission staff?

Mr M.C. Alder: That is correct.

Mr J.R. QUIGLEY: I refer to page 499. The first dot point under “Significant Issues Impacting the Agency” states —

The Commission continues to experience a large volume of investigations.

I do not see set out on that page the number of complaints the parliamentary inspector receives in a particular year and how many of those complaints are investigated. Is the minister able to provide that information?

Mrs L.M. HARVEY: I will ask Mr Alder to respond if he can.

Mr M.C. Alder: Unfortunately, that is a typographical error. That is a Treasury document. It should read “Office of the Parliamentary Inspector”, not “Commission”.

In the 2013–14 reporting period, the number of complaints increased by 90 per cent on the number received in the previous reporting period; and in the 2014–15 reporting period, there was a 13 per cent increase on top of that 90 per cent. In the current reporting period, as of today we are at 89 per cent of that total.

Mr J.R. QUIGLEY: Is it possible to provide the figure for last year in terms of the number of complaints received, rather than the percentage increase?

Mr M.C. Alder: Last year, a total of 84 matters came to the office of the parliamentary inspector.

Mr J.R. QUIGLEY: How many of those matters were triaged for investigation? How many of those matters were actively investigated?

Mrs L.M. HARVEY: Mr Alder will explain the process.

Mr M.C. Alder: All complaints are assessed, and the level of investigation depends on the nature of the matter. I would say that only a minority of matters require a full investigation by the parliamentary inspector.

Mr J.R. QUIGLEY: The adviser said a “minority” of matters. How many of the 84 matters that came to the office of the parliamentary inspector last year required investigation?

Mrs L.M. HARVEY: Mr Alder does not have those figures with him, but I am prepared to provide by way of supplementary information the number of complaints received for the 2013–14 and 2014–15 financial years; and, of those, the number that resulted in investigations.

[Supplementary Information No B89.]

Mr J.R. QUIGLEY: In relation to that supplementary information, can the minister also advise how many of the complaints that were investigated were upheld in whole or in part?

Mrs L.M. HARVEY: We will provide by way of supplementary information the number of complaints in which the petitioner’s view was upheld, versus the reverse.

[Supplementary Information No B90.]

The appropriation was recommended.

Meeting suspended from 5.55 to 7.00 pm