

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

*Third Report — ‘A good year’: The work of the Parliamentary Inspector
of the Corruption and Crime Commission — Tabling*

MR M. HUGHES (Kalamunda) [10.13 am]: I present for tabling the third report of the Joint Standing Committee on the Corruption and Crime Commission titled *‘A good year’: The work of the Parliamentary Inspector of the Corruption and Crime Commission*.

[See paper [974](#).]

Mr M. HUGHES: A function of the Joint Standing Committee on the Corruption and Crime Commission is to monitor and report to Parliament on the exercise of functions of the Parliamentary Inspector of the Corruption and Crime Commission. To undertake the role, the Joint Standing Committee on the Corruption and Crime Commission conducts hearings and regularly engages with the parliamentary inspector. The committee reviews the inspector’s reports, including the annual report tabled directly in Parliament. If the parliamentary inspector presents the committee with a report that is not an annual report, the committee may retain it as closed evidence or table it in Parliament. Due to the nature of the committee’s work, most of the communications with the parliamentary inspector remain closed session evidence.

The title of this report, *‘A good year’*, which was tabled in Parliament today, is how the Parliamentary Inspector of the Corruption and Crime Commission, Matthew Zilko, SC, described the performance of his office in his first year in this role. Members will remember that Mr Zilko commenced this role in November 2020, and was the first person appointed to the role since the late Hon Michael Murray, AM, QC, was appointed in 2013.

The report reflects on matters raised in the parliamentary inspector’s *Annual report 2020–2021* and at his first public hearing with the committee in October 2021. It canvasses the work of his office in his first year, the significant increase in complaints to his office and his views on the use by police officers of body-worn cameras, which is a relatively new device in this state. This report also reflects the views of the Corruption and Crime Commission and the Western Australia Police Force on body-worn cameras.

As members may be aware, the most prominent function of the parliamentary inspector is to investigate complaints about the actions and decisions of the CCC, which in turn deals with allegations of serious misconduct by public officers. The parliamentary inspector investigated 98 new matters in 2020–21, a 72 per cent increase on the previous reporting period. There was a significant increase in public complaints, with 59 complaints from members of the public dissatisfied with the CCC’s actions and decisions. In the first half of 2021–22, the total number of complaints to the parliamentary inspector remained steady. An increase in public complaints is probably attributable to new paragraphs in CCC closing letters to complainants advising of their right to contact the parliamentary inspector if they are unhappy with the CCC’s decision. The committee commends the parliamentary inspector and the CCC for this initiative. Like his predecessor, the parliamentary inspector noted the lack of information the CCC provides in closing letters to complainants.

The committee in this report recommends that the Attorney General direct the Department of Justice to consider whether legislative change is required to prescribe or clarify whether the commission is authorised to disclose information that demonstrates that the complaint has been dealt with in an appropriate way.

Over half of the allegations of serious misconduct by public officers to the CCC relate to police misconduct. It follows that the parliamentary inspector investigates complaints about the handling of allegations of police misconduct. Between June 2019 and June 2020, over 5 000 body-worn cameras were deployed to police in this state. The committee has made inquiries about the impact of the rollout of body-worn cameras and concluded that this integrity tool has been a positive development, delivering benefits to the police and integrity agencies. According to the Western Australia Police Force, the introduction of body-worn cameras has led to a drastic change of culture. In fact, Acting Commissioner Blanch told the committee —

Police officers trust the camera on their chest to tell the story of their conduct.

This footage may immediately assist police officers when there are different versions of events. In the past, careers may have been put on hold while allegations of police misconduct were investigated without the tangible evidence provided by body-worn cameras.

From an integrity perspective, the Corruption and Crime Commissioner, Hon John McKechnie, QC, told the committee that body-worn cameras are “very, very useful” and —

... a very significant misconduct prevention measure and we are very pleased with it.

As independent evidence of what occurred during an interaction, footage assists the police, the CCC and the parliamentary inspector to investigate misconduct allegations. Although acknowledging that the WA Police Force is moving in the right direction, the parliamentary inspector is of the view that body-worn cameras should be activated at all times when officers interact with the public. The parliamentary inspector has questioned whether WA police

should amend the policy to mandate the activation of body-worn cameras in a wider range of circumstances. In Western Australia, body-worn cameras are automatically activated when a police officer draws a firearm from their holster, as are body-worn cameras in the immediate vicinity. However, they are not automatically activated when a taser is used. The WA Police Force told the committee that it is working on a technical fix, which is quite expensive, to enable this capacity.

It is clear from the investigations undertaken by the Joint Standing Committee on the Corruption and Crime Commission and contributions made by other parties that body-worn cameras are an important tool in integrity investigations. Their use should be maximised. The committee intends to continue to monitor the use of body-worn cameras and how their use affects integrity investigations and agencies.

The work of the office of the parliamentary inspector is vital to ensuring public confidence in the integrity of our public sector. On behalf of the committee, I thank Mr Zilko and his principal adviser, Sarah Burnside, for their professionalism, diligence and assistance.

In closing, I thank the members of the committee and the committee officers—the deputy chair, Hon Dr Steve Thomas, member for South West Region; Mr Shane Love, member for Moore; Hon Klara Andric, member for South Metropolitan Region; and principal research officer, Ms Suzanne Veletta, and research officer, Ms Jovita Hogan.