



# Supplementary Notice Paper

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## Corruption, Crime and Misconduct Amendment Bill 2021 [30-1]

SNP 30, Issue No. 2

Thursday, 24 June 2021

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When in committee on the *Corruption, Crime and Misconduct Amendment Bill 2021*:

### Clause 1

**Hon Nick Goiran:** To move —

1/1 Page 2, line 2 — To insert after “*Amendment*”:

(Reappointment of John Roderick McKechnie)

### Clause 2

**Hon Nick Goiran:** To move —

2/2 Page 2, line 6 — To delete “and 2” and insert:

to 3

### Clause 4

**Hon James Hayward:** To move —

6/4 Page 2, lines 16 to 19 — To delete the lines and insert:

reappointed as Commissioner commencing on the day on which the *Corruption, Crime and Misconduct Amendment Act 2021* section 4 comes into operation:

- (a) for a period of 5 years; or
- (b) the term of the McGowan Government,

whichever is lesser.

**Hon Nick Goiran:** To move —

3/4 Page 2, lines 17 to 19 — To delete the lines and insert:

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commencing on the day after a resolution endorsing the reappointment has been agreed to by both Houses of Parliament following delivery of a judgment in Supreme Court matter CIV 2717 of 2019, *President of the Legislative Council of Western Australia v Corruption and Crime Commission of Western Australia & Ors*.

### **New Clause 5**

**Hon Nick Goiran:** To move —

4/NC5 Page 2, after line 20 — To insert:

### **Section 204 amended**

After section 204(4) insert:

- (5) For the duration of the reappointment of John Roderick McKechnie as Commissioner, the Parliamentary Inspector is to prepare reports on the performance of the Commissioner and table those reports by no later than 30 September each year.
- (6) Without limiting what may be contained in a report prepared under subsection (5), it must include —
  - (a) the number of complaints received about the Commissioner;
  - (b) the number of claims of parliamentary privilege received by the Commissioner.

### **New Preamble**

**Hon Nick Goiran:** To move —

5/NP Page 1, the line following “An Act to amend the *Corruption, Crime and Misconduct Act 2003*.” — To insert:

### **Preamble**

Whereas:

- A. The WA Inc Royal Commission *Final Report* contained detailed proposals concerning the establishment of the Office of the Commissioner for the Investigation of Corruption and Improper Conduct so that the appointment process would not create a political appointment.
- B. In enacting the *Anti-Corruption Commission Act 1988*, Parliament established a process that would not create a political appointment.
- C. In enacting the *Corruption and Crime Commission Act 2003*, Parliament rejected an appointment process proposed by the Government that created a political appointment and established a process that would create an apolitical appointment with bipartisan support.
- D. John Roderick McKechnie was appointed Commissioner on 28 April 2015 for a five year term that ended on 27 April 2020.
- E. Premier Mark McGowan recommended the reappointment of John Roderick McKechnie in March 2020.

- F. The reappointment did not have the support of the majority of the Standing Committee and bipartisan support.
- G. Premier Mark McGowan resubmitted the reappointment recommendation in April 2020.
- H. The resubmitted reappointment did not have the support of the majority of the Standing Committee and bipartisan support.
- I. A new Standing Committee was established in May 2021.
- J. Premier Mark McGowan recommended the reappointment of John Roderick McKechnie in May 2021.
- K. The reappointment did not have the support of the majority of the new Standing Committee and bipartisan support.
- L. In enacting this legislation, Parliament recognises that it is making a political appointment.

