

***JOINT STANDING COMMITTEE ON
THE CORRUPTION AND CRIME
COMMISSION***

ANNUAL REPORT 2004-2005

Report No. 1

in the 37th Parliament

2005

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Joint Standing Committee on the Corruption and Crime Commission

Annual Report 2004-2005

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JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

ANNUAL REPORT 2004-2005

Report No. 1

Presented by:

Mr John Hyde, MLA

Laid on the Table of the Legislative Council and the Legislative Assembly
on 25 August 2005

COMMITTEE MEMBERS

Chairman	Mr John Hyde, MLA
Deputy Chairman	Hon. Ray Halligan, MLC
Members	Ms Margaret Quirk, MLA Hon. Margaret Rowe, MLC

COMMITTEE STAFF

Principal Research Officer	Ms Andrea McCallum, BA, B Juris, LL B, LL M
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COMMITTEE'S FUNCTIONS AND POWERS

On 31 May 2005 the Legislative Council concurred with a resolution of the Legislative Assembly to establish the Joint Standing Committee on the Corruption and Crime Commission.

The Joint Standing Committee's functions and powers are defined in the Legislative Assembly's Standing Orders 289-293 and other Assembly Standing Orders relating to standing and select committees, as far as they can be applied. Certain standing orders of the Legislative Council also apply.

It is the function of the Joint Standing Committee to -

- (a) monitor and report to Parliament on the exercise of the functions of the Corruption and Crime Commission and the Parliamentary Inspector of the Corruption and Crime Commission;
- (b) inquire into, and report to Parliament on the means by which corruption prevention practices may be enhanced within the public sector; and
- (c) carry out any other functions conferred on the Committee under the *Corruption and Crime Commission Act, 2003*.

The Committee consists of four members, two from the Legislative Assembly and two from the Legislative Council.

CHAIRMAN'S FOREWORD

The Joint Standing Committee on the Corruption and Crime Commission of the 37th Parliament was established on 31 May 2005. This annual report is very brief, as it relates only to a four week period, during which time the new Committee met just twice.

Having been a Member of the previous Joint Standing Committee on the Corruption and Crime Commission, I am delighted to bring my experience to the newly established Committee as its Chairman. I am also pleased to welcome the other Committee members:

Hon. Ray Halligan MLC, North Metropolitan Region (Deputy Chairman);
Ms Margaret Quirk MLA, Member for Girrawheen; and
Hon. Margaret Rowe MLC, Agricultural Region.

All other Legislative Assembly standing committees comprise five members, but the *Corruption and Crime Commission Act, 2003* stipulates that the Joint Standing Committee on the Corruption and Crime Commission consist of only four members; two from the Legislative Assembly and two from the Legislative Council. With an even number of members, it is therefore essential that the Committee work cooperatively to achieve consensus outcomes. I am confident that the new Committee will be successful in this regard.

The Committee has already held informal meetings with the two bodies that it is required to oversee; namely the Corruption and Crime Commission and the Parliamentary Inspector of the Corruption and Crime Commission. In addition to receiving regular informal briefings, the Committee has resolved to hold formal public hearings with each of these bodies on a quarterly basis to ensure that they are operating effectively and efficiently.

The Corruption and Crime Commission was established on 1 January 2004, and has had to recruit staff and undertake a range of important administrative tasks in its infancy, as well as performing its core functions of investigating allegations of misconduct and implementing corruption prevention strategies in the public sector.

I am impressed with the performance of the Corruption and Crime Commission to date. Mr Kevin Hammond brings enormous experience and expertise to the organisation as its inaugural Commissioner. The Commission's independence and transparency are illustrated by the fact that in February 2005, it dealt one of its own officers who was charged with two serious traffic offences and providing a false report to Police. Upon conviction, the officer resigned voluntarily from the Corruption and Crime Commission, but the Commissioner had already correctly reported the matter to the Parliamentary Inspector.

The Commission has also developed a good working relationship with the media, and conducted several successful public hearings in 2005. I also note that the Commission is operating successfully within its annual budget.

Another recent positive development is the collaboration between the Corruption and Crime Commission, Ombudsman, Office of the Public Sector Standards Commissioner and Edith Cowan University to conduct a three-year national study of “whistleblowers” in Australia.

I look forward to the Corruption and Crime Commission and the Parliamentary Inspector tabling their annual reports for 2004-2005 in the near future, whereupon the Committee will hold public hearings and table reports in both Houses reviewing their respective performance.

JOHN HYDE, MLA
CHAIRMAN

CHAPTER 1 COMMITTEE ACTIVITIES

1.1 Introduction

During the course of this reporting period (Table 1.1), the Committee:

- Held two deliberative meetings;
- Was briefed by two people;

Table 1.1

Summary of activities of the Joint Standing Committee on the Corruption and Crime Commission, 31 May 2005 - 30 June 2005

Description	Activity
Briefings	2
Deliberative meetings	2

1.2 Briefings

The Committee received two informal briefings (Table 1.2).

Table 1.2

Briefings provided to the Joint Standing Committee on the Corruption and Crime Commission, 31 May 2005 - 30 June 2005

Date	Name	Position	Organisation
29/06/05	Mr Malcolm McCusker, QC	Parliamentary Inspector	Parliamentary Inspector of the Corruption and Crime Commission
22/06/05	Mr Kevin Hammond	Commissioner	Corruption and Crime Commission of Western Australia

1.3 Work in Progress

As the Committee was only established on 31 May 2005, it held just two deliberative meetings before Parliament went into recess on 30 June 2005.

The Committee has resolved to hold quarterly formal hearings with both the Corruption and Crime Commission and the Parliamentary Inspector. At least one public hearing will be held annually to examine the Corruption and Crime Commissioner and the Parliamentary Inspector in relation to their annual reports. The Committee will also continue to meet regularly with both the Corruption and Crime Commission and the Parliamentary Inspector on an informal basis to obtain briefings as to their current activities.

The Committee has requested the Parliamentary Inspector to provide the Committee with a brief written report setting out his findings on each complaint received about the Corruption and Crime Commission and/or its officers.

The Committee will table reports in the Legislative Assembly and Legislative Council reviewing the annual reports of both the Corruption and Crime Commission and the Parliamentary Inspector, and other reports from time to time, to examine the performance of the Corruption and Crime Commission and the Parliamentary Inspector.

1.4 Work of the Former Committee

The Joint Standing Committee on the Corruption and Crime Commission of the 36th Parliament was established on 13 May 2004. During the relevant reporting period, from 1 July 2004 to 23 January 2005, when Parliament was prorogued, the previous Committee:

- Tabled in the Legislative Assembly and the Legislative Council on 26 August 2004 the *Report on the Hearing with the Corruption and Crime Commission on 5 July 2004*;
- Tabled in the Legislative Assembly and the Legislative Council on 12 November 2004 the *Examination of the 2003-2004 Annual Report of the Corruption and Crime Commission*; and
- Held a number of formal hearings, briefings and informal meetings with the Corruption and Crime Commission and the Parliamentary Inspector.

CHAPTER 2 FINANCIAL STATEMENT

The Joint Standing Committee on the Corruption and Crime Commission does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditures is required on a case-by-case basis and is entirely at the discretion of the Speaker.

The Committee incurred no expenditure from 31 May 2005 - 30 June 2005, with the exception of the salary of committee staff and the costs of shared administrative expenses, including lease costs for committee accommodation. These items are not included in the Annual Report of individual committees.