



## Treasurer; Attorney General

Our ref: 35-14790

Hon. Nick Goiran MLC  
Chairman  
Joint Standing Committee on the Corruption and Crime Commission  
Parliament House  
Harvest Terrace  
PERTH WA 6000

Dear Mr Goiran *Nick*

### **JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION: REPORT 10 (9 SEPTEMBER 2010) and REPORT 13 (17 FEBRUARY 2011)**

The State Government has considered the recommendations of the above Committee Reports, numbers 10 and 13 which deal with a range of matter, including the recommendations of the review of the *Corruption and Crime Commission Act 2003 (WA)* (the 'CCC Act') undertaken by Ms Gail Archer SC.

As you may be aware, the *Archer Review* was prepared in accordance with section 226 of the CCC Act. This provision requires a review of the CCC Act three (3) years after the Act's commencement. That review, completed in 2008, made a series of recommendations for amendments to the CCC Act.

One of the principal recommendations of the *Archer Review*, which continues to be supported by the WA Police and the Corruption and Crime Commission, is for the Corruption and Crime Commission to be granted an enhanced organised crime function, and a new serious crime function, with the aim of improving the CCC's capacity to achieve its statutory objective to 'combat and reduce the incidence of organised crime'. It is noted that, consistent with recommendations in the *Archer Review*, the Committee's Report Number 10 also recommended, by recommendations 1 and 2, changes to the CCC Act to improve the ability for the CCC to assist the WA Police to combat organised crime, despite the Committee recommending against any enhanced organised crime jurisdiction for the Corruption and Crime Commission.

In this regard, it is also noted that your foreword to Report 13 stated:

"The report prepared by Ms Archer contained 58 recommendations concerning potential amendments to the Act. These recommendations ranged from the maximum tenure of Corruption and Crime Commission (CCC) staff to the jurisdiction of the CCC. Since

May 2009 the Committee has steadfastly worked its way through Ms Archer's report. This process has been undertaken in consultation with the Commissioner and senior staff members of the CCC, the Parliamentary Inspector and Ms Archer herself who, subsequent to the tabling of her report, has served as an Acting Commissioner of the CCC. Accordingly, the following report is a summary of the responses of the Committee, the CCC and the Parliamentary Inspector to each of the 58 recommendations set out in Ms Archer's report. The Committee supports 26 of the recommendations, and offers qualified support for a further nine recommendations contained within the report. The Committee trusts that this report will prove to be a useful aid to Parliament, if and when the government seeks to amend the Corruption and Crime Commission Act 2003."

As a consequence of its deliberations and consideration of Reports 10 and 13, within the wider context of reforming the CCC, the Government proposes to prepare a Bill. Such a Bill would introduce amendments to the CCC Act to confer on the Corruption and Crime Commission an organised crime investigative function, enabling the Corruption and Crime Commission an increased jurisdiction to assist police investigations into organised crime. This would, if enacted, implement in full the principal recommendations of the *Archer Review*. The Government has carefully considered the cautionary view regarding such an approach expressed in the Committee's Report 10, but has decided that the benefits and cost effectiveness likely to be achieved by enhancing the State's capacity to combat organised crime through such an approach exceed the risks which the Committee sees in enabling the Corruption and Crime Commission to work collaboratively with police.

May I take this opportunity, on behalf of the State Government, to thank you as the Committee Chairman, and other Committee members as well as support staff, for the obvious time and effort which has gone into these reports.

Yours sincerely



HON C. CHRISTIAN PORTER MLA  
TREASURER; ATTORNEY GENERAL

18 MAY 2011