



**Joint Standing Committee on the Corruption and Crime Commission**

# **Annual Report 2014-15**

**Report No. 24**  
**September 2015**

Parliament of Western Australia

## Committee Members

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Chairman	Hon. Nick Goiran, BCom, LLB, MLC Member for the South Metropolitan Region
Deputy Chairman	Mr Peter Watson, MLA Member for Albany
Members	Hon. Adele Farina, BA, LLB, MLC Member for the South West Region  Mr Nathan Morton, BSc, GradDipEd, MLA Member for Forrestfield

## Committee Staff

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**Joint Standing Committee  
on the Corruption and Crime Commission**

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Report No. 24

**Hon Nick Goiran, MLC and Mr Peter Watson, MLA**

Laid on the Table of the Legislative Assembly and the Legislative Council  
on 17 September 2015



## Chairman's Foreword

The principal role of the Joint Standing Committee on the Corruption and Crime Commission, as provided for in Standing Order 289 of the Legislative Assembly, is to “monitor and report to Parliament on the exercise of the functions of the Corruption and Crime Commission [CCC] and the Parliamentary Inspector of the Corruption and Crime Commission.”<sup>1</sup> This annual report is the third that outlines the work of the Committee in this 39<sup>th</sup> Parliament.

This past financial year the Committee has tabled a number of reports in Parliament. Much of the Committee's work this year has dealt with inquiring into, and reporting on, the tensions between the CCC and WA Police. Importantly, the Committee completed its inquiry into the working relationship between the CCC and the West Australian Police. This Inquiry's report identified a number of tensions between the Commission and WAPOL. The Committee is pleased to note that there appears to be a much healthier relationship between the two bodies than was previously the case, and looks forward to all recommendations in that report being adopted.

One of the more significant matters that created tension was the decision of the Parliamentary Inspector, Hon Michael Murray QC, to request in December 2014 that WAPOL inquire into a number of allegations of misconduct made against CCC officers. The Parliamentary Inspector's interim report on these matters was tabled on 17 June 2015 and received significant media coverage. The CCC also reported to Parliament in November 2014 on significant structural challenges that it had made since the allegations had been made about its staff.

The past year has seen the appointment of Hon John McKechnie QC to the role of Commissioner of the Corruption and Crime Commission. He commenced work on 28 April 2015 following former Commissioner Mr Roger Macknay's retirement on 14 April 2014. As the Committee pointed out in its Report 15, *Ensuring the timely appointment of a new Corruption and Crime Commissioner*, having the State's chief integrity agency without a full-time permanent Commissioner was a dire situation for the CCC to be in, given the challenges it faced during 2014-15. The Committee sincerely hopes that situation does not reoccur. The Attorney General accepted the Committee's recommendation in Report 15 to amend the *Corruption and Crime Commission Act 2003* (CCC Act) to allow the CCC Commissioner to retain any judicial pension applicable while additionally being remunerated at the rate of a Supreme Court judge. This assisted the Government to be able to appoint a suitably qualified person to the role.

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1 The complete Standing Orders of the Legislative Assembly of the Parliament of Western Australia, as amended on 18 June 2008, are available at: [www.parliament.wa.gov.au/webcms/webcms.nsf/resources/file-assembly-standing-orders/\\$file/Assembly+Standing+Orders.pdf](http://www.parliament.wa.gov.au/webcms/webcms.nsf/resources/file-assembly-standing-orders/$file/Assembly+Standing+Orders.pdf). Accessed on 23 June 2015.

I would like to take this opportunity to thank all of the people who appeared before the Committee over the past 12 months as witnesses, as well as those who made themselves and their facilities available for Committee briefings. In particular I would like to thank the two Acting CCC Commissioners, Mr Neil Douglas and Mr Christopher Shanahan SC, who shouldered a substantial load in the year-long hiatus following the resignation of the former Commissioner and the commencement of Mr McKechnie QC.

I would also like to thank the WAPOL Commissioner, Dr Karl O'Callaghan APM; and the Parliamentary Inspector, Hon Michael Murray QC, and their staff for assisting the Committee to effectively carry out its oversight role. In addition, I would like to thank the Public Sector Commissioner, Mr Mal Wauchope, and his staff for working towards the smooth transition of responsibility for oversight of minor misconduct to the Public Sector Commission as from 1 July 2015 as a result of changes to the CCC Act.

I would also like to thank my fellow Committee Members whose support and professionalism I very much appreciated over the past year. The Committee's Deputy Chairman, Mr Peter Watson MLA, Member for Albany, Mr Nathan Morton MLA, Member for Forrestfield, and Hon Adele Farina MLC, Member for the South West.

The Committee members were ably supported in their work by the Committee's Secretariat, Dr David Worth and Ms Jovita Hogan, who continue to provided professional and timely support to the Committee.

A handwritten signature in blue ink, appearing to be 'N. Goiran', with a long horizontal stroke extending to the right.

**HON NICK GOIRAN, MLC**  
**CHAIRMAN**

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# Chapter 1

## Committee activities

### The Committee's activities at a glance

During the course of the reporting period the Committee:

- met for deliberative meetings on 20 occasions;
- held five public hearings attended by 15 witnesses;
- held nine closed hearings attended by 22 witnesses;
- met for seven briefings at which 17 people provided information;
- undertook investigative travel to Dublin, Belfast and London; and
- tabled seven reports in both Houses of Parliament.

### Public hearings

Pursuant to Legislative Assembly Standing Order 264, the Committee has power to send for persons, papers and records. During the period 1 July 2014 – 30 June 2015 the Committee conducted five public hearings. It took evidence from 15 witnesses to assist with its investigations.

**Table 1:** Public hearings of the Committee: 1 July 2014 – 30 June 2015

Date	Name	Role	Organisation
22 October 2014	Hon Michael Murray, QC Mr Murray Alder	Parliamentary Inspector Assistant to the Parliamentary Inspector	Office of the Parliamentary Inspector of the Corruption and Crime Commission
19 November 2014	Mr Christopher Shanahan, SC Mr Maurice Hanrahan Ms Peta Mabbs  Mr David Robinson	Acting Commissioner  Chief Financial Officer Acting Chief Executive Officer Deputy Director Assessment Monitor and Review	Corruption and Crime Commission
11 March 2015	Mr Malcolm Wauchope Mr Lindsay Warner	Public Sector Commissioner Director, Public Sector	Public Sector Commission

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	Mr Alan Barrett	Renewal Director	
25 March 2015	Mr Neil Douglas Ms Peta Mabbs  Mr Paul O'Connor	Acting Commissioner Acting Chief Executive Officer Director, Legal Services	Corruption and Crime Commission
15 April 2015	Mr Neil Douglas Ms Peta Mabbs  Mr Paul O'Connor	Acting Commissioner Acting Chief Executive Officer Director, Legal Services	Corruption and Crime Commission

### Closed hearings

Pursuant to Legislative Assembly Standing Order 271(3), the Committee may resolve to take evidence in closed session. During the period 1 July 2014 – 30 June 2015 the Committee conducted nine closed hearings. It took evidence from 22 witnesses to assist with its investigations.

**Table 2:** *Closed hearings of the Committee: 1 July 2014 – 30 June 2015*

Date	Name	Role	Organisation
17 September 2014	Dr Karl O'Callaghan, APM  Mr Gary Budge Mr Dominic Staltari  Mr Allan Adams	Commissioner  Assistant Commissioner Assistant Commissioner, (Professional Standards) Detective Superintendent, Internal Affairs Unit	WA Police
15 October 2014	Mr Neil Douglas Ms Peta Mabbs  Mr Paul O'Connor Mr David Robinson	Acting Commissioner Acting Chief Executive Officer Director, Legal Services Acting Director, Operations	Corruption and Crime Commission
22 October 2014	Hon Michael Murray, QC Mr Murray Alder	Parliamentary Inspector  Assistant to the Parliamentary Inspector	Office of the Parliamentary Inspector of the Corruption and Crime Commission
19 November 2014	Mr Christopher Shanahan, SC	Acting Commissioner	Corruption and Crime Commission

26 November 2014	Mr Neil Douglas	Acting Commissioner	Corruption and Crime Commission
1 December 2014	Hon Michael Murray, QC Mr Murray Alder	Parliamentary Inspector Assistant to the Parliamentary Inspector	Office of the Parliamentary Inspector of the Corruption and Crime Commission
18 March 2015	Hon Michael Murray, QC Mr Murray Alder	Parliamentary Inspector Assistant to the Parliamentary Inspector	Office of the Parliamentary Inspector of the Corruption and Crime Commission
25 March 2015	Mr Neil Douglas Ms Peta Mabbs Mr Paul O'Connor	Acting Commissioner Acting Chief Executive Officer Director, Legal Services	Corruption and Crime Commission
15 April 2015	Mr Neil Douglas Ms Peta Mabbs Mr Paul O'Connor	Acting Commissioner Acting Chief Executive Officer Director, Legal Services	Corruption and Crime Commission

## Briefings

In addition to gathering evidence during formal hearings, the Committee received seven briefings during the reporting period. The briefings were used to gain information in relation to the Committee's two inquiries, as well as other matters.

**Table 3:** Briefings received by the Committee: 1 July 2014–30 June 2015

Date	Name	Role	Organisation
4 November 2014 <b>Dublin</b>	Mr Simon O'Brien Ms Carmel Foley Mr Kieran FitzGerald	Chairman Commissioner Commissioner	Garda Síochána Ombudsman Commission
	Assistant Commissioner Dónall Ó Cualáin Chief Superintendent Anthony McLoughlin Sergeant Stephen Brady	Acting Deputy Commissioner Strategy & Change Management Internal Affairs Section	An Garda Síochána

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5 November 2014 <b>Belfast</b>	Dr Michael Maguire Mr Adrian McAllister	Ombudsman Executive Officer	Police Ombudsman of Northern Ireland
6 November 2014	Mr George Clarke	Chief Superintendent	Police Service of Northern Ireland
7 November 2014 <b>London</b>	Dame Anne Owers, DBE Mr Nick Hawkins Ms Thea Walton Mr Steve Oakley	Chair Chief Operating Officer Head of Oversight Head of Policy and Public Affairs	Independent Police Complaints Commission
	Mr Martin Hewitt	Assistant Commissioner for Professionalism	Metropolitan Police Service (New Scotland Yard)
25 February 2015	Mr Neil Douglas Ms Peta Mabbs  Ms Mia Powell	Acting Commissioner Acting Chief Executive Officer Manager Executive Services	Corruption and Crime Commission

### Investigative travel

In November 2014 the Committee travelled to Dublin, Belfast and London where it was briefed by senior staff from police and their oversight agencies (see Table 3 above) to gather evidence for its *Inquiry into improving the working relationship between the Corruption and Crime Commission and the Western Australia Police*.

### Reports tabled

The Committee tabled seven reports in Parliament during the reporting period. These were:

Report 15 – *Ensuring the timely appointment of a new Corruption and Crime Commissioner* (Tabled 14 August 2014)

Report 16 – *Corruption and Crime Commission voluntary interviews with WA police officers* (Tabled 21 August 2014)

Report 17 – *Annual Report 2013-14* (Tabled 11 September 2014)

Report 18 – *Improving the working relationship between the Corruption and Crime Commission and Western Australia Police* (Tabled 26 March 2015)

Report 19 – *Parliamentary Inspector's report on misconduct and related issues in the Corruption and Crime Commission* (Tabled 17 June 2015)

Report 20 – *The operation of section 196(4) of the Corruption and Crime Commission Act 2003* (Tabled 18 June 2015)

Report 21 – *Recent amendments to the Corruption and Crime Commission Act 2003: Some implications for Western Australia’s integrity framework* (Tabled 18 June 2015)



## Chapter 2

### Financial statement

The Joint Standing Committee 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's expenditure for the financial year 1 July 2014 – 30 June 2015 (in accordance with Standing Order 276) is detailed below:

**Table 4:** *Committee expenditure: 1 July 2014 – 30 June 2015*

Item	Amount
Postage and couriers	\$ 270
Printing	\$ 3,141
Investigative travel	\$82,663
Staff and Member amenities	\$ 454
Miscellaneous	\$ 176
<b>Total</b>	<b>\$86,704</b>

Notes:

- *Salaries of committee staff are not included.*
- *Costs of shared administrative expenses, including lease costs for committee accommodation, are not included.*



# Appendix One

## Committee's functions and powers

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On 21 May 2013 the Legislative Assembly received and read a message from the Legislative Council concurring 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.