

41ST PARLIAMENT



Joint Standing Committee on the
Corruption and Crime Commission

Report 1

ANNUAL REPORT 2020–21

Presented by
Mr M. Hughes, MLA and Hon Dr S.C. Thomas, MLC
September 2021

Committee Members in the 41st Parliament

Chair	Mr M. Hughes, MLA Member for Kalamunda
Deputy Chair	Hon Dr S.C. Thomas, MLC Member for South West Region
Members	Mr R.S. Love, MLA Member for Moore
	Hon K. Andric, MLC Member for South Metropolitan Region

Committee Members in the 40th Parliament

Chair	Ms M.M. Quirk, MLA Member for Girrawheen
Deputy Chair	Hon J.E. Chown, MLC Member for Agricultural Region
Members	Mr M. Hughes, MLA Member for Kalamunda
	Hon A.M. Xamon, MLC Member for North Metropolitan Region

Committee Staff in the 41st Parliament

Principal Research Officer	Ms Suzanne Veletta
Research Officer	Ms Jovita Hogan

Committee Staff in the 40th Parliament

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

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Report No. 1

Presented by

Mr M. Hughes, MLA and Hon Dr S.C. Thomas, MLC

Laid on the Table of the Legislative Assembly and Legislative Council
on 9 September 2021

Chair's foreword

This report summarises the activities of the Joint Standing Committee on the Corruption and Crime Commission between 1 July 2020 and 30 June 2021.

The committee monitors and reports on the exercise of the functions of the Corruption and Crime Commission and the Parliamentary Inspector of the Corruption and Crime Commission, commences own motion inquiries relating to means by which corruption prevention practices may be enhanced within the public sector, and carries out functions under the *Corruption, Crime and Misconduct Act 2003*.

On behalf of the committee I welcome Matthew Zilko SC, the Parliamentary Inspector of the Corruption and Crime Commission, to this role. It is notable that his appointment in November 2020 was the first new appointment to this office since 2013, when the late Hon Michael Murray AM QC was appointed. His office, the Corruption and Crime Commission and its reappointed Commissioner Hon John McKechnie QC play a vital role in ensuring the integrity of the public sector for the benefit of all Western Australians.

I look forward to working with members of the committee in progressing the important work of the committee in this 41st Parliament.



MR M. HUGHES, MLA
CHAIR



The committee of the 41st Parliament
Mr Shane Love MLA, Hon Dr Steve Thomas MLC, Hon Klara Andric MLC, Mr Matthew Hughes MLA

Contents

Chair's foreword	
Introduction	1
Committee functions	1
Committee activities	1
Public hearings	2
Reports tabled	2
Financial statement	3

Annual Report 2020–21

Introduction

This report summarises the activities of the Joint Standing Committee on the Corruption and Crime Commission between 1 July 2020 and 30 June 2021 (the reporting period). The reporting period covers 2 Parliaments.

The 40th Parliament was prorogued on 7 December 2020 and the Legislative Assembly was dissolved by the Governor on 29 January 2021. This dissolution terminated the Legislative Assembly and its committees including joint committees. The Joint Standing Committee on the Corruption and Crime Commission of the 41st Parliament was established on 25 May 2021.

Consistent with the practice of the Legislative Assembly, this report includes statistics and publicly available information relating work of the committee in the 40th Parliament.

Committee functions

Under Legislative Assembly Standing Order 289 it is the function of the 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
- c) carry out any other functions conferred on the committee under the *Corruption, Crime and Misconduct Act 2003*.

Committee activities

The activities of the committee during the reporting period are summarised in table 1.

Table 1: Activities of the committee, 1 July 2020 to 30 June 2021

Description	Activity
Deliberative meetings	11
Formal inquiries	1
Formal evidence hearings	9
Witnesses appearing	26
Reports tabled	3
Report findings tabled	52
Report recommendations tabled	13

Public hearings

The committee has the power to send for persons, papers and records.

In order to undertake its functions, the committee holds public hearings when appropriate. On many occasions it is necessary to hold closed hearings due to the nature of the work of the committee.

During the reporting period the committee held 6 public hearings, taking evidence from 21 witnesses. Of these 6 hearings:

- 4 hearings related to the previous committee's formal inquiry into the Corruption and Crime Commission's oversight of police misconduct investigations, particularly allegations of excessive use of force.¹
- 2 hearings related to the annual reports of agencies undertaken as part of the committee's oversight role – a hearing with the Corruption and Crime Commission on 7 October 2020 and the Public Sector Commission on 9 November 2020.

Transcripts of public hearings are available on the committee's [website](#).

Reports tabled

The committee tabled 3 reports during the reporting period, all during the 40th Parliament. The 3 reports were:

- [*If not the CCC ... then where? – An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force*](#), Report 15, tabled in both Houses on 24 September 2020
- [*Annual Report 2019-2020*](#), Report 16, tabled in both Houses on 12 November 2020
- [*Meaningful Reform Overdue: The Corruption, Crime and Misconduct Act 2003*](#), Report 17, tabled in the Legislative Assembly on 19 November 2020 and the Legislative Council on 26 November 2020.

The government did not provide a response in the 40th Parliament to the committee's Report 15, *If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force*, due to the timing of the prorogation of Parliament. The committee will table a follow up report requesting a government response to the recommendations in this report.

Report 17, *Meaningful Reform Overdue: The Corruption, Crime and Misconduct Act 2003*, called on the government to undertake a comprehensive review the *Corruption, Crime and Misconduct Act 2003* (CCMA). It noted that '[o]ver the course of the 40th Parliament, this

¹ Details of these hearings are noted at appendix 3 of Joint Standing Committee on the Corruption and Crime Commission, Report 15, *If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of the force allegations against members of the WA Police Force*, September 2020.

committee has observed a range of areas where the *Corruption, Crime and Misconduct Act 2003* (CCMA) is either deficient, obsolete or unclear', and '[w]hat is made abundantly clear through the collation of feedback from stakeholders, is that a comprehensive review is necessary to support much needed reform of the CCM Act.'² Report 15, *If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force*, included a recommendation that the Attorney General ensure that the CCMA is redrafted as a matter of priority and consideration should be given to prioritise police oversight in the legislation.

In June 2021 the government advised the Legislative Council that 'The Department of Justice is currently undertaking a major review of the Act'.³ Although at the time of adopting this report the committee is not aware of details of the review, it is encouraged by this announcement.

Financial statement

The 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 during the reporting period is set out in table 2.

Table 2: Expenditure of the committee, 1 July 2020 to 30 June 2021

Expenditure item	Amount
Printing	\$1,549
Couriers	\$283
Miscellaneous	\$76
TOTAL	\$1,908
Note: Salaries of committee staff and costs of shared administrative expenses, including lease costs for committee accommodation, are not included.	



MR M. HUGHES, MLA
CHAIR

² Joint Standing Committee on the Corruption and Crime Commission, *Meaningful reform overdue: The Corruption, Crime and Misconduct Act 2003*, Report 17, 19 November 2020, p iii.

³ Hon Matthew Swinbourn, Parliamentary Secretary to the Attorney General, Legislative Council, *Hansard*, 17 June 2021, p 1659.



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