



**CRIME AND CORRUPTION COMMISSION**  
**Attendance Notice (Corruption Investigation)**

*Crime and Corruption Act 2001*  
*Section 82(1)(a)*

**TO: Mr Phil Clarke**  
**Level 18**  
**53 Albert Street**  
**Brisbane QLD 4000**

**You are hereby required to attend, until excused, at a Crime and Corruption Commission hearing in relation to a corruption investigation—**

**Time:** 10:00 am

**Date:** Monday 14 May 2018

**Place:** Level 2, North Tower, Green Square, 515 St Pauls Terrace, Fortitude Valley, Queensland

**Purpose:** To give evidence about the matters specified generally in the Schedule to this Notice.

Dated this ~~9th~~ day of May 2018.

A handwritten signature in black ink, appearing to read 'A. MacSporran'.

**ALAN JOHN MACSPORRAN QC**  
**Chairperson**

**IMPORTANT**

**You must read the information on the following pages carefully.**  
**If you have any trouble understanding it you should get legal advice as soon as possible.**

Notice: ATO-18-0049

The Contact Officer is Amanda Bridgeman, Senior Lawyer

Level 2, North Tower, Green Square  
515 St Pauls Terrace  
Fortitude Valley QLD 4006

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**SCHEDULE**

To give evidence in relation to:

A. The terms of reference for the public hearing in relation to Taskforce Flaxton, which is examining:

- 1) Corruption and risks of corruption in Queensland corrective services facilities (including 14 prisons (two managed under private contracts), and work camps);
- 2) Features of the legislative, policy and operational environment that may enable corrupt conduct to occur or are vulnerable to corrupt conduct; and
- 3) Reforms to better prevent, detect and deal with corrupt conduct within Queensland corrective services facilities.

B. Also, but not limited to, the following particulars:

- 1) Issues raised in the Taskforce Flaxton Issues Paper;
- 2) Issues raised in the Queensland Ombudsman's submission to the Crime and Corruption Commission in relation to Taskforce Flaxton.

## YOU MUST COMPLY WITH THIS NOTICE

- Failure to attend without reasonable excuse is an offence (maximum penalty 200 penalty units or 5 years imprisonment). **If you fail to attend, a warrant may be issued for your arrest.**

## BEFORE YOU ATTEND THE HEARING

- **Legal representation.** You may be legally represented at the hearing. Whether or not you have legal representation is entirely a matter for you. If you wish to engage legal representation you should do so by **immediately** by contacting a lawyer.
- **Financial help for legal assistance is available in certain circumstances.** If you wish to apply to the Attorney-General for financial help for legal assistance you should do so immediately. For further information, and to download the application form, visit <http://www.legalaid.qld.gov.au/About-us/Policies-and-procedures/Grants-Handbook/What-do-we-fund/Criminal-law/CCC-or-ACC-criminal-investigations-hearings>. A lawyer must sign the application form to certify that the application has legal merit. Return the completed application form to [legal.services@justice.qld.gov.au](mailto:legal.services@justice.qld.gov.au). Should you have any questions about this process, Legal Aid Queensland can be contacted on ☎ 1300 651 188.
- **The hearing may last some time.** You should make any personal arrangements that are necessary to enable an extended period of absence from your home and/or workplace.
- **Contacting the CCC.** Should you wish to contact the CCC in relation to any administrative, travel or accommodation arrangements, the Contact Officer's details are on the first page of this Attendance Notice.

## ATTENDING THE HEARING

- **If this notice requires you to produce something, you must bring it to the hearing.** You must produce the document/s or thing/s at the hearing.
- **The CCC is located at North Tower, Green Square, 515 St Pauls Terrace, Fortitude Valley.** Upon arrival you should report to the Reception area on the second floor and show this Attendance Notice to the security officer on duty. You will then be directed to an area from which you will be called into the hearing room to give your evidence. You will be called to give evidence at the time, or shortly after the time, stipulated in the Notice. You should therefore arrive at the CCC a short time beforehand.
- **Security.** Personal items such as handbags, mobile phones, etc, are not permitted into the hearing room. Secure lockers are available to store your belongings whilst in the hearing.
- **Witness allowances and expenses.** A witness is entitled to be paid the allowances and expenses payable to a witness appearing in a Magistrates Court. On your arrival at the hearing you will be given a witness expenses claim form to complete. Arrangements for payment of the amount to which you are entitled will be made at the time you attend the hearing. You should keep receipts for any expenses incurred in the course of your journey to the hearing.

## AT THE HEARING

- **Below is an overview of the procedures and rules that apply during the hearing. If you have any questions about them, speak to your legal representative or to counsel assisting the hearing.**



- **This hearing will be a public hearing.** The procedures that are to be followed during the hearing may be the subject of Practice Guidelines. Any such Practice Guidelines will be published in advance of the hearing on the CCC website.
- **The presiding officer** is responsible for conducting the hearing, and is supported in this task by **counsel assisting**. The presiding officer oversees the hearing and ensures that it proceeds fairly and according to law. Counsel assisting's role is to ask most of the questions and to otherwise assist the presiding officer.
- **The process.** At the start of the hearing, and before the questioning begins, you will be required to take either an oath or an affirmation. An oath is a verbal promise to tell the truth, and is made on a religious text such as the Bible. An affirmation is also a verbal promise to tell the truth, and has the same effect as an oath. A person may choose to make an affirmation if they are not religious. You will be asked to indicate your preference during the hearing.
- **The questioning.** Most of the questions are asked by counsel assisting. Often the presiding officer will ask questions too. If you have engaged a legal representative, they will be permitted to ask any questions they consider necessary to represent your interests.
- **What will I be questioned about?** The general nature of the matters about which you will be asked questions is set out in the Schedule to this Attendance Notice. The questioning is not limited to the Schedule, however, and you may be asked questions about any matter the presiding officer considers relevant to the investigation.
- **You must answer the questions.** The right to silence does not apply during a hearing. A witness in a corruption investigative hearing can only avoid answering relevant questions on the grounds of legal professional privilege, public interest immunity or parliamentary privilege. If you think you may have grounds not to answer questions, speak to your legal representative or to the presiding officer at the hearing. A witness who refuses to answer questions commits an offence, and can also be punished for contempt.
- **You must be truthful.** It is an offence to make a false or misleading statement in a hearing. It is also an offence (perjury) to knowingly give false evidence about a material subject.
- **You must continue to attend until excused.** Hearings may sometimes continue into another day, or may adjourn to be continued at a later time. You must continue to attend any reconvened hearing until such time as you ha