



Crime and Corruption Commission
QUEENSLAND

Implementation and delivery of COI recommendations

Quarterly report number 2

8 March 2023



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About this report

On 9 August 2022, in accordance with the *Commissions of Inquiry Order (No.1) 2022*, the Honourable Gerald Edward (Tony) Fitzgerald AC QC and the Honourable Alan Wilson QC provided their report on the *Commission of Inquiry relating to the Crime and Corruption Commission* (CCC) to the Queensland Premier and to the Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence (the Minister). The report included 32 recommendations.

The Commission of Inquiry recommendations provide a five-year blueprint for the reform of the CCC. This program of reform will ensure the CCC remains independent, fair and impartial. We have committed to implementing the recommendations.

Where we could, we acted quickly. We have implemented some actions where we had sole responsibility. Many recommendations require more detailed planning, coordination with key stakeholders and additional resources. In December 2022, we received funding to commence planning and to manage the delivery of the Commission of Inquiry program of work.

We recognise the significant public interest in the implementation and delivery of the Commission of Inquiry's recommendations. This report summarises progress since the release of the Commission of Inquiry report in August 2022. Moving forward, we will publicly release quarterly progress reports.

This public report supplements the reports on the implementation and delivery of recommendations provided each month by the CCC to the Minister, Parliamentary Crime and Corruption Committee, and Parliamentary Crime and Corruption Commissioner (in accordance with Recommendations 31 and 32).



Implementation of Recommendations 1 to 32

Seconded police and their powers

Recommendation	Commentary
<p>Recommendation 1</p> <p>The use of seconded police officers by the Crime and Corruption Commission is appropriate and should continue (subject to recommendations below).</p>	<p>Noted</p> <p>Specific recommendations that address the skills, experience, capability and composition of police officers seconded to the CCC are addressed in the status updates that follow.</p>
<p>Recommendation 2</p> <p>Police officers who are seconded to the Crime and Corruption Commission retain their police powers as per section 174 and 255 of the <i>Crime and Corruption Act 2001</i>.</p>	<p>In progress</p> <p>The proposed legislative amendment specified in recommendation 25 raises complex issues given the retention of powers in accordance with section 174 and 255 of the <i>Crime and Corruption Act 2001</i> (CC Act).</p> <p>See also response to recommendation 25.</p>



Improved flexibility of police secondment arrangements

Recommendation	Commentary
<p>Recommendation 3</p> <p>The current secondment arrangements between the Queensland Police Service and the Crime and Corruption Commission be amended to provide the Crime and Corruption Commission with adequate and appropriate flexibility over the mix of job positions, skills and experience within the 'Crime and Corruption Commission Police Group'.</p>	<p><i>In progress</i></p> <p>The CCC continues to review each position, and the requirements of each role, working to give effect to the recommendation.</p> <p>The secondment policy will be reviewed in response to this recommendation and will be informed by the work being completed in response to Recommendation 5.</p>
<p>Recommendation 4</p> <p>The Crime and Corruption Commission and the Queensland Police Service jointly review the mix of job positions, skills and experience within the Crime and Corruption Commission Police Group at least once every two years with a view to ensuring the composition of the Crime and Corruption Commission Police Group reflects the Crime and Corruption Commission's operational needs and priorities.</p>	<p><i>Noted but not yet commenced</i></p>
<p>Recommendation 5</p> <p>The Memorandum of Understanding between the Crime and Corruption Commission and the Queensland Police Service be amended to reflect the need for the Crime and Corruption Commission to have adequate and appropriate flexibility over the mix of job positions, skills and experience within the Crime and Corruption Commission Police Group.</p>	<p><i>In progress</i></p> <p>The Human Capital Capability Director has undertaken a desktop review and completed consultation to inform the Corruption Investigator Competency Framework. The framework will reflect contemporary practice to position the CCC to deliver the CCC's strategic priorities, reflect best practice and investigation standards, and be responsive to new demands and challenges for investigators.</p> <p>This framework will inform the CCC-QPS MOU.</p>



The forthcoming review of the Crime and Corruption Commission's organisational culture

Recommendation	Commentary
<p>Recommendation 6</p> <p>The adequacy of the Crime and Corruption Commission's current organisational culture in safeguarding against the risk of institutional capture form part of the external review planned by the Crime and Corruption Commission in response to Recommendation 4 of Report No. 108 of the Parliamentary Crime and Corruption Committee.</p>	<p><i>In progress</i></p> <p>More than one action is being taken to achieve the intent of this recommendation.</p> <p>The new committees (recommendations 19 and 20) continue to mature and provide a diverse perspective to governance and operational decision-making.</p> <p>In 2022, we engaged an external consultant to review current practices in relation to the intake and assessment of corrupt conduct complaints and we have now completed the redesign of the corrupt conduct complaint intake and assessment process.</p> <p>The revised CCC corruption intake and assessment operating model was implemented on 20 February 2023. The new process is designed to provide a more customer-centric approach, greater potential to leverage data, enhanced focus on quality and consistency of decision-making, and a stronger focus on serious and systemic corruption or matters of strategic importance to the CCC. This project has developed or refreshed over 40 work instructions and templates, and has assessed and refined operating models, organisational structures and roles, systems and technology, and performance measures. The new operating model is being closely monitored for six weeks to embed policy, process and cultural change.</p> <p>The major review of the Corruption Strategy continues, with extensive stakeholder consultation concluding in February 2023. This review will ensure the strategy is aligned with the CCC's purpose, is modern and responsive to the contemporary environment, and maintains alignment to outcomes of formal reviews.</p>



Greater civilianisation of the Corruption Division

Recommendation	Commentary
<p>Recommendation 7</p> <p>The Crime and Corruption Commission transition to a predominantly civilianised model for its Corruption Division and only retain the number of seconded police officers required at and below director-level to ensure there are effective and efficient corruption investigations.</p>	<p><i>In progress</i></p> <p>The CCC will continue to take a measured approach to ensuring there is an appropriate mix of sworn officer and civilian investigators at the conclusion of secondment arrangements where appropriate, reflecting the capabilities of the corruption investigator cohort and Corruption Investigator Capability Framework.</p> <p>During the period, the CCC CEO has approved one police position to transition to a civilian investigator position in the Corruption Division.</p>
<p>Recommendation 8</p> <p>The Executive Director Corruption Operations be transitioned to a civilian position as soon as possible.</p>	<p><i>Completed</i></p> <p>The CCC has implemented this recommendation.</p> <p>Following an extensive recruitment process, the new Executive Director commences on 20 March 2023.</p>
<p>Recommendation 9</p> <p>With a view to implementing recommendation 7 over the next five years, the Crime and Corruption Commission and the Queensland Police Service jointly review each seconded police officer position within the Corruption Division at or before the conclusion of the secondment period for each of these positions.</p>	<p><i>In progress</i></p> <p>During the period, the CCC transitioned one police position to a civilian investigator position in the Corruption Division. The opportunity to assess the role arose because the seconded officer retired from the Queensland Police Service. Following an assessment of required capabilities of the investigator cohort, the CCC Police Resource Committee determined a civilian role with a broader investigative skillset would best address a capability gap.</p> <p>The principles considered during this assessment will inform the development of a joint review process articulated in recommendations 9 and 10.</p>
<p>Recommendation 10</p> <p>The joint review process be documented in the existing Memorandum of Understanding between the Crime and Corruption Commission and the Queensland Police Service and include principles to guide the review process, including:</p> <ol style="list-style-type: none"> the need for the Crime and Corruption Commission to increase its civilian investigator capability, and the benefits of retaining a proportion of seconded police officers in the division for the purpose of exercising policing powers and contributing to investigations where criminal investigation expertise is required. 	<p><i>Noted but not yet commenced</i></p> <p>The CCC will assess all inter-dependencies within the Commission of Inquiry recommendations to ensure that the MOU is an effective management tool and to give effect to the recommendation.</p> <p>This includes assessing the capability-related initiatives, secondment arrangements, the implications of legislative amendments (recommendation 25) and the proposed CCC-DPP MOU (recommendation 26).</p>



Equipping corruption investigators

Recommendation	Commentary
<p>Recommendation 11</p> <p>The Crime and Corruption Commission ensure investigators assigned to corruption matters are adequately and appropriately inducted on commencement at the Crime and Corruption Commission and are provided with ongoing training to equip them to investigate corruption effectively.</p>	<p><i>In progress</i></p> <p>The Human Capital Capability Director has concluded extensive desktop research, and internal and external consultation to inform the development of an improved induction to orient new starters in the corruption investigation teams.</p> <p>The first release of the program is expected to be ready in mid-April. This timeframe aligns with the next cohort of seconded police commencing at the CCC. The CCC will continue to enhance this program over time.</p>
<p>Recommendation 12</p> <p>A dedicated position — a Training and Development Officer — be created by the Crime and Corruption Commission to coordinate enhanced induction and ongoing training activities.</p>	<p><i>Completed</i></p> <p>The CCC has implemented this recommendation.</p> <p>The Human Capital Capability Director commenced on 17 October 2022.</p> <p>The capability-related program of work includes an improved induction program, organisational development and redesign, organisational culture redefinition and development, and ongoing training investment.</p> <p>To ensure timely delivery of this extensive program of work, the CCC established a Principal Learning Consultant position for two years. Following a recruitment process, this Principal Learning Consultant commenced in February 2023.</p>
<p>Recommendation 13</p> <p>The Crime and Corruption Commission devise and implement a Training Strategy and Plan to enhance the skills of all investigators assigned to corruption investigations which includes, where necessary, external training.</p>	<p><i>In progress</i></p> <p>The Human Capital Capability Director has concluded desktop research, and internal and external consultation to inform the development of the Corruption Investigator Capability Framework.</p> <p>The CCC has identified several in-market training interventions to immediately build the capability of the existing corruption investigator cohort. Procurement is currently underway with a view to engaging a suitable training partner this financial year.</p>
<p>Recommendation 14</p> <p>The Queensland Government adequately resource the Crime and Corruption Commission to implement the Training Strategy and Plan and to employ a Training and Development Officer on a permanent basis.</p>	<p><i>In progress</i></p> <p>The CCC received funding from the Queensland Government for the Human Capital Capability Director position in the 2022-23 Budget Update.</p>



Building the corruption prevention and policy capability

Recommendation	Commentary
<p>Recommendation 15</p> <p>The current Corruption Strategy, Prevention and Legal unit of the Corruption Division be split into two separate units — Corruption Legal; and Corruption Strategy and Prevention — and each unit be led by an Executive Director.</p>	<p>Completed</p> <p>The CCC has implemented this recommendation.</p> <p>The CCC established a new role—the Executive Director Corruption Legal—in August 2022. Following an extensive recruitment process, the new Executive Director commenced in February 2023.</p>
<p>Recommendation 16</p> <p>The new Corruption Strategy and Prevention unit is to ensure a corruption prevention and policy perspective informs all corruption investigations.</p>	<p>In progress</p> <p>More than one action is being taken to achieve the intent of this recommendation.</p> <p>The new committees (see recommendations 19 and 20) continue to mature and provide a diverse perspective to operational decision making.</p> <p>The CCC requires new and augmented capabilities to ensure a corruption prevention and policy perspective informs all corruption investigations. In particular, the CCC requires an enhanced analytics capability to grow its data holdings and deliver data insights to inform intake, assessment and investigation decisions.</p>
<p>Recommendation 17</p> <p>The Executive Director of the Corruption Strategy and Prevention unit have the appropriate skills and experience to deliver the functions of the new unit including proven experience or expertise in the public sector, particularly in public administration and integrity.</p>	<p>Completed</p> <p>The Executive Director Corruption Strategy and Prevention role description was reviewed in August 2022. Responsibility for Corruption Legal was removed from the role and additional emphasis on public sector experience was included.</p> <p>Following an extensive recruitment process, the new Executive Director commenced in February 2023, with an immediate focus on delivering a revised Corruption Strategy that will deliver on the Commission of Inquiry recommendations.</p>
<p>Recommendation 18</p> <p>The Queensland Government adequately resource the Crime and Corruption Commission to establish the new Corruption Strategy and Prevention unit.</p>	<p>In progress</p> <p>The CCC’s response to the Commission of Inquiry recognises the need for greater access to high-quality information and to enhance its corruption prevention and policy capability.</p>



Enhanced operational oversight of corruption investigations

Recommendation	Commentary
<p>Recommendation 19</p> <p>The Crime and Corruption Commission establish an executive director-level governance group within the Corruption Division to oversee corruption investigations. The governance group will report to the Executive Leadership Team, be chaired by the Senior Executive Officer (Corruption) and include (at a minimum) the executive directors of the four business units of the Corruption Division.</p>	<p>Completed</p> <p>The CCC has implemented this recommendation.</p> <p>The Corruption Investigations Governance Committee (CIGC), which is the executive director-level governance group established to bring together diverse views to consider issues and oversee corruption investigations, first met on 10 October 2022. The CIGC meets monthly.</p> <p>The primary objectives of the CIGC Committee are to:</p> <ul style="list-style-type: none"> • Provide an opportunity to bring together diverse views from the executive-director level within the Corruption Division to consider issues and make decisions during the feasibility, delivery, and post-delivery stages of a corruption investigation. • Ensure opportunities for improvement in investigation strategies and processes are informed, considered, and developed collaboratively within the CCC. • Investigation proposals, updates, reports, and recommendations address all relevant considerations, prior to being referred to the Executive Leadership Team or the Commission Chairperson for decision (where required).
<p>Recommendation 20</p> <p>The Crime and Corruption Commission enhance the role of the current director-level governance group within the Corruption Division in overseeing corruption investigations and ensure it reports to the executive director-level governance group.</p>	<p>Completed</p> <p>The CCC has implemented this recommendation.</p> <p>The Corruption Investigations and Prevention Group (CIPG), the director-level governance group established to bring together diverse views to consider issues and oversee corruption investigations, first met on 20 October 2022. The CIPG meets weekly.</p> <p>The primary objectives of the CIPG are to:</p> <ul style="list-style-type: none"> • Provide an opportunity to bring together diverse views at a director-level within the Corruption Division, during the feasibility, delivery, and post-delivery stages of a corruption investigation. • Ensure that opportunities for improvement in investigation operational strategies, policies, procedures, and processes are informed, considered, and implemented appropriately. • Ensure investigations address all relevant considerations, prior to being referred to the Corruption Investigations Governance Committee (CIGC) for decision (where required).



Improved quality of, and compliance with, policies and procedures

Recommendation	Commentary
<p>Recommendation 21</p> <p>The Crime and Corruption Commission continue to review and improve its operational policies and procedures to ensure they are clear, concise, consistent, and easy to understand.</p>	<p><i>In progress</i></p> <p>The CCC has continued to review operational policies and procedures, with six policies and procedures updated in response to legislative or operational changes, or according to the established review schedule.</p> <p>Extensive changes were made to relevant policy instruments to support the review of the CCC corrupt conduct intake and assessment function. In total, six sections of the Operations Manual and 42 work instructions and templates were amended.</p>
<p>Recommendation 22</p> <p>A dedicated position — a Policy and Procedure Officer — be created by the Crime and Corruption Commission to centralise, coordinate, and implement the continued review and improvement of the Crime and Corruption Commission’s operational policies and procedures.</p>	<p><i>Completed</i></p> <p>The CCC has implemented this recommendation.</p> <p>The Director Policy, Risk and Compliance is concluding recruitment, and the CCC has recently made an offer of employment.</p>
<p>Recommendation 23</p> <p>The Queensland Government adequately resource the Crime and Corruption Commission to employ a Policy and Procedure Officer on a permanent basis.</p>	<p><i>Completed</i></p> <p>The CCC has implemented this recommendation.</p> <p>The CCC has received funding approval for this position.</p>



Ensuring post-prosecution reviews

Recommendation	Commentary
<p>Recommendation 24</p> <p>The Crime and Corruption Commission work with the Director of Public Prosecutions to develop a process for conducting post-prosecution reviews.</p>	<p><i>In progress</i></p> <p>The CCC has developed the draft post-prosecution review process. The project includes:</p> <ul style="list-style-type: none"> • developing a post-prosecution review guideline, • conducting an internal mock post-prosecution review drawing on a historical CCC investigation, • preparing CCC policy and procedures, and • consulting with external stakeholders. <p>The CCC has developed draft policies and procedures to guide the post-prosecution review process. On 14 February 2023, the CCC conducted an internal mock Post Prosecution Review meeting with relevant investigators and case lawyer. The mock review tested the policies and procedures, and some minor amendments were made to improve the efficiency and effectiveness of the process.</p> <p>Consultation with the Chairperson and the Senior Executive Officer (Corruption) occurred on 28 February 2023, and the CCC will now seek to engage with the Office of the Director of Public Prosecutions regarding the proposed process.</p>



Advice about potential charges arising from corruption investigations

Recommendation	Commentary
<p>Recommendation 25</p> <p>The <i>Crime and Corruption Act 2001</i> be amended as necessary to give effect to the following changes:</p> <ol style="list-style-type: none"> Other than in exceptional circumstances, before a charge is laid by a seconded police officer during, or following, a corruption investigation, the Crime and Corruption Commission must seek the opinion of the Director of Public Prosecutions concerning whether a charge may properly be brought having regard to the two-tier test in the Director's Guidelines. Notwithstanding any other law or any other provision of the <i>Crime and Corruption Act 2001</i>, if the Director of Public Prosecutions advises that a charge should not be brought, the seconded police officer must not charge contrary to that advice. If the Director of Public Prosecutions advises a charge may properly be brought and a decision is made by the seconded police officer not to charge, the Crime and Corruption Commission must report to the Parliamentary Crime and Corruption Committee and the Parliamentary Crime and Corruption Commissioner about the decision made. If, because of exceptional circumstances, charges are laid without the Director of Public Prosecutions having first provided its opinion on whether charges may properly be brought, the Crime and Corruption Commission must, as soon as reasonably practicable, report to the Director of Public Prosecutions in relation to the charge laid and obtain the Director of Public Prosecutions' opinion about the soundness of the decision to charge. 	<p><i>In progress</i></p> <p>The proposed legislative amendment specified in recommendation 25 raises complex issues given the retention of powers in accordance with section 174 and 255 of the <i>Crime and Corruption Act 2001</i> (CC Act).</p> <p>The CCC continues to engage with representatives from the Department of Justice and Attorney General, Queensland Police Service and Office of the Director of Public Prosecutions regarding implementation of recommendation 25, and further legislative amendments relating to the CC Act arising from other inquiries and reviews.</p>
<p>Recommendation 26</p> <p>The Crime and Corruption Commission and the Director of Public Prosecutions develop a Memorandum of Understanding outlining the practices and procedures for the referral of matters and the provision of advice, including timeframe.</p>	<p><i>In progress</i></p> <p>The CCC provided the draft MOU to the Office of the Director of Public Prosecutions for comment on 14 November 2022. The CCC and Office of the Director of Public Prosecutions are scheduled to meet on 10 March 2023 to discuss the material issues.</p>



Recommendation	Commentary
<p>Recommendation 27</p> <p>The Crime and Corruption Commission report to the Minister regarding the arrangement for the provision of advice by the Director of Public Prosecutions to the Crime and Corruption Commission, and about the effectiveness and utility of the Memorandum of Understanding, including timeframes and timeliness of the advice provided by the Director of Public Prosecutions.</p>	<p><i>Noted but not yet commenced</i></p>
<p>Recommendation 28</p> <p>The Crime and Corruption Commission report to the Parliamentary Crime and Corruption Committee and the Parliamentary Crime and Corruption Commissioner on the effectiveness and utility of the Memorandum of Understanding, including timeframes and timeliness of the advice provided by the Director of Public Prosecutions.</p>	<p><i>Noted but not yet commenced</i></p>
<p>Recommendation 29</p> <p>The Parliamentary Crime and Corruption Committee, as part of its next five-yearly review of the activities of the Crime and Corruption Commission under section 292 of the <i>Crime and Corruption Act 2001</i>, review the arrangement for the provision of advice by the Director of Public Prosecutions to the Crime and Corruption Commission, and examine the effectiveness and utility of the Memorandum of Understanding — thereafter, the Parliamentary Crime and Corruption Committee continue to monitor the arrangement as part of its future five-yearly reviews.</p>	<p><i>Noted but not yet commenced</i></p>
<p>Recommendation 30</p> <p>The Queensland Government provide adequate additional resources to the Director of Public Prosecutions to enable it to provide its advice to the Crime and Corruption Commission in a timely manner.</p>	<p><i>Responsibility does not lie with the CCC</i></p>



Monitoring

Recommendation	Commentary
<p>Recommendation 31</p> <p>The Crime and Corruption Commission must report regularly and progressively to the Minister about the implementation and delivery of the recommendations.</p>	<p><i>In progress</i></p> <p>Reports have been provided to the Minister, commencing in September 2022.</p>
<p>Recommendation 32</p> <p>The Crime and Corruption Commission must report regularly and progressively to the Parliamentary Crime and Corruption Committee and the Parliamentary Crime and Corruption Commissioner about the implementation and delivery of the recommendations.</p>	<p><i>In progress</i></p> <p>Reports have been provided to the Parliamentary Crime and Corruption Committee and the Parliamentary Crime and Corruption Commissioner, commencing in September 2022.</p>





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