

# Implementation and delivery of COI recommendations

Quarterly report number 6

7 March 2024



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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. In the 2023-24 budget, the Government allocated \$20.849 million over four years to the CCC to develop and manage the program.

We recognise the significant public interest in the implementation and delivery of the Commission of Inquiry's recommendations. We publicly release quarterly progress reports and this report summarises progress since the release of the Commission of Inquiry report in August 2022.

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
<b>Recommendation 1</b> The use of seconded police officers by the Crime and Corruption Commission is appropriate and should continue (subject to recommendations below).	<b>Noted</b> 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.
<b>Recommendation 2</b> 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</i> <i>Act 2001</i> .	<i>In progress</i> See response to recommendation 25.



## Improved flexibility of police secondment arrangements

Recommendation	Commentary
<b>Recommendation 3</b> 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'.	In progress The CCC continues to review each position, and the requirements of each role, working to give effect to the recommendation. 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.
<b>Recommendation 4</b> 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.	Noted but not yet commenced
<b>Recommendation 5</b> 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.	<b>In progress</b> The Corruption Investigator Capability Framework, which was developed in September 2023, is a key input into the CCC-QPS MOU. The CCC-QPS MOU will also be informed by the review of the Corruption Investigation functions.



## Review of the Crime and Corruption Commission's organisational culture

Recommendation 6In progressThe adequacy of the Crime and Corruption 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.The CCC has progressed a significant amount of work to ensure its organisational culture supports the delivery of the recommendations. The nature of this work, outlined below, illustrates the CCC's view that organisational culture reflects strategy, structure, processes, and people. The revised corruption intake and assessment operating model continues to deliver a more customer-centric approach and is leveraging data to facilitate greater decision-making consistency. An improved management dashboard, enabling timely monitoring of performance metrics, is in use.The new Complaints Monitoring operating model continues to embed the new ways of working. The new operating model corruption prevention. Work is underway to implement enhanced provides for greater engagement with units of public administration, places more tension on investigation timelines, and focuses on both investigation of resources.The CCC has developed an approach for a new thematic monitoring model that will review and assess themes or patterns across multiple investigations conducted by UPAs. A proof of concept has been developed and is undergoing implementation planning. The CCC expects to complete an evaluation on the proof of concept in the second half of 2024. The CCC is also assessing the feasibility of increasing the potential scale of monitoring through leveraging its data and analytics capability.The review of the organisational culture within the Corruption Division identified several initiatives which have either been <b< th=""></b<>
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The CCC review to identify recommendations to improve the efficiency and effectiveness of the Corruption Investigation function has been completed. Three themes, incorporating nine initiatives, have been identified to address current opportunities and support the transition of the corruption investigation function to a strategically-aligned future state as outlined in the Corruption Strategy 2023-2027.
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Recommendation	Commentary
Recommendation 6 (Cont'd)	<ol> <li>These themes are:         <ol> <li>Consistent and supportive processes: policies and processes facilitate operational efficiency, compliance, and consistency in decision making at every level.</li> <li>Assured by enhanced governance: the strong governance architecture is well understood and supports operational effectiveness.</li> <li>Leaders in investigation: effective communication and capable leaders ensures everyone knows how their work helps deliver to successful outcomes.</li> </ol> </li> <li>Some of this work is already underway, including developing a guideline specific to the investigation feasibility process to ensure investigators understand the objectives of the process, reviewing the CIGC and CIPG charters (see recommendations 19 and 20), and developing the Corruption Investigator Capability Framework (see recommendation 13).</li> </ol>



## Greater civilianisation of the Corruption Division

Recommendation	Commentary
Recommendation 7 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.	In progress The CCC recognises the criticality in ensuring that the right mix of civilian investigators is in place across the Corruption Division. The CCC has continued preliminary work to understand the key issues relevant to identifying an appropriate model. Two new AO8 senior investigator positions have been created to position the CCC for the transition. The model, and the transition plan, will also be informed by the Corruption Investigator Capability Framework, the findings from the Corruption Culture assessment, and the review of the Corruption Investigation function.
<b>Recommendation 8</b> The Executive Director Corruption Operations be transitioned to a civilian position as soon as possible.	<b>Completed</b> The Executive Director Corruption Investigations commenced on 20 March 2023.
<b>Recommendation 9</b> 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.	<ul> <li>In progress</li> <li>To date, the CCC has transitioned two police positions to civilian investigator positions in the Corruption Division.</li> <li>The CCC continues to review each police position in line with secondment end dates, or natural attrition.</li> <li>The principles considered during each review will inform the development of the joint review process articulated in recommendations 9 and 10.</li> </ul>
<ul> <li>Recommendation 10</li> <li>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:</li> <li>a. the need for the Crime and Corruption Commission to increase its civilian investigator capability, and</li> <li>b. 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.</li> </ul>	Noted but not yet commenced The CCC will assess inter-dependencies within the Commission of Inquiry recommendations to ensure that the MOU is an effective management tool and give effect to the recommendation. This includes assessing the capability-related initiatives, secondment arrangements, the implications of legislative amendments (recommendation 25) the CCC-DPP MOU (recommendation 26) and the review of the Corruption Investigation function (recommendation 6) as they impact the effectiveness of the MOU.



## Equipping corruption investigators

Recommendation	Commentary
Recommendation 11 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.	In progress A range of enhancements have been made to onboarding practices including, implementation of revised attraction and selection processes and improved pre-employment communications to attract and retain best-fit candidates. eLearning compliance modules, which reinforce the importance of accountability, governance and decision making are undergoing full redesign processes and being released incrementally, to support new starters to better understand their role, responsibilities and ways of working within the agency. New starters are further supported in the early stages of employment through updated intranet resources and division- specific induction guides. Resources to support managers to provide a consistent and comprehensive onboarding experiences at the local business unit level have been revised and are being distributed prior to new starter commencements, with additional manager conversation guides currently under development. While evaluation data on the Day 1 induction process is consistently positive, a review is currently underway to further enhance and streamline this experience for new starters.
<b>Recommendation 12</b> A dedicated position — a Training and Development Officer — be created by the Crime and Corruption Commission to coordinate enhanced induction and ongoing training activities.	<b>Completed</b> The Human Capital Capability Director commenced in October 2022, and the Principal Learning Consultant commenced in February 2023.



Recommendation	Commentary
Recommendation 13	In progress
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.	A Corruption Investigator Capability Framework has bee developed through extensive consultation. This framewor consists of three domains being, "Strategic Corruption Risks which are relevant to the CCC environment, "Professional Technical" which leverages the Australian Governmer Investigation Standards (AGIS) and "1CCC Critical Skills" which aligned with the CCC's Strategic Plan and Workforce Strategy. Th Framework also provides a structure and process to develo similar products for other roles and units in the CCC.
	A range of assessment processes aligned to the framework hav been developed to assist with the identification of learnin priorities for the current workforce. A number of new learnin solutions have been identified, and external providers sourced These programs are currently being piloted with delivery havin commenced in February. An evaluation process has bee established to assist with measuring outcomes and benefits.
	At the national level, the CCC is leading a cross-jurisdictional corruption capability working group. The original options pape presented to integrity agency Commissioners and CEOs i November was well received. The group is now tasked to further develop capability requirements for Investigative Interviewin and Report Writing to ascertain the viability of cross jurisdictional collaboration in this area.

#### **Recommendation 14**

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.

#### Completed

The CCC received funding for the Training and Development officer in the 2023-24 Budget to deliver a comprehensive response to the recommendations for which the CCC is responsible.

## Building the corruption prevention and policy capability

Recommendation	Commentary
Recommendation 15	Completed
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.	The structural separation of the Corruption Legal and Strategy and Prevention business units occurred in August 2022. The Executive Director Corruption Legal commenced in February 2023. The Executive Director Corruption Strategy and Prevention commenced in February 2023.
Recommendation 16	In progress
The new Corruption Strategy and Prevention unit is to ensure a corruption prevention and policy perspective informs all corruption investigations.	The CCC has established a new Corruption Prevention and Engagement unit to enable the CCC to enhance and embed a corruption prevention and policy focus for all units of public administration. Recruitment to roles within the new Corruption Prevention and Engagement unit have now been finalised.
	Work is progressing to develop the new operating framework and service delivery models, including benchmarking against other interstate and international integrity agencies. This work is on track for completion by June 2024.
	Work continues to define the data and information necessary to ensure a corruption prevention and policy perspective informs all corruption investigations. These data requirements will be documented in the Data and Insights Plan. The development of an integrated serious and systemic operating model across the division has also progressed.
	Service delivery models for the Corruption Prevention and Engagement functions are being developed to ensure a corruption prevention and policy focus is embedded into practice, both internally and externally to better support the public sector to identify, respond to, and prevent corruption. This will include establishing improved stakeholder engagement and communication practices with the public sector to improve greater collaboration and sharing of information.
	All corruption functions will be supported by a supplemented analytics capability. The CCC received funding in the 2023-24 budget process to enhance this capability and recruitment activity is nearing completion. The CCC aims to enhance its analytics capability to grow its data holdings, and deliver data insights to inform intake, assessment, and investigation decisions, and to inform the public sector about corruption risk and prevention. The CCC is undertaking a program of work to improve knowledge about the outcomes of corruption allegations investigated by UPAs. This information will help to formulate a clearer picture of the true nature and prevalence of corruption in Queensland and inform corruption prevention initiatives.
	Following the ingestion of the corruption complaints database into the CCC Analytics Data Warehouse (ADW), the CCC is now in a position to produce close to real-time business intelligence reports to support managers monitor their business areas. An Intake and Assessment report is in operation, and a similar report is under development for the monitoring function.

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Recommendation	Commentary
<b>Recommendation 17</b> 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.	<b>Completed</b> The Executive Director, Corruption Strategy and Prevention commenced in February 2023.
<b>Recommendation 18</b> The Queensland Government adequately resource the Crime and Corruption Commission to establish the new Corruption Strategy and Prevention unit.	<b>Completed</b> The CCC's response to the COI recommendations recognises the need for greater access to high-quality information and to enhance its corruption prevention and policy capability. The CCC received funding in the 2023-24 budget to resource the Corruption Strategy and Prevention function.



Recommendation	Commentary
Recommendation 19 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.	<b>Completed</b> 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. A review of the CIGC, which enacts a recommendation made in the review of the Corruption Investigation function (see CCC response to recommendation 6), will be finalised in March 2024. The CIGC is unanimously supported by corruption investigators, which indicates strong cultural alignment with enhanced governance.
<b>Recommendation 20</b> 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.	<b>Completed</b> 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 work that is occurring to design the policy and prevention function for Corruption Prevention and Engagement will look to identify opportunities to improve the effectiveness of the CIPG.



## Improved quality of, and compliance with, policies and procedures

Recommendation	Commentary
Recommendation 21 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.	<ul> <li>In progress</li> <li>The CCC continues to review operational policies and procedures in response to legislative or operational changes, or according to the established review schedule.</li> <li>In addition to these responsive or scheduled reviews, the CCC is developing a new risk-based review approach to achieve greater alignment between centralised risk management and operational policy frameworks.</li> <li>The CCC completed an extensive review of its Risk Appetite Statement, which sets the high-level parameters for engaging with strategic, corporate and operational risk, and continues to develop its risk maturity. This approach to risk management helps to prioritise the review of the Operations Manual.</li> <li>The CCC has a low tolerance for compromises to information security from the unauthorised release of information. Reflecting</li> </ul>
	this risk appetite, work will be undertaken to review the Operations Manual chapter that deals with disclosure and requests for information (MM04). This review is due to be completed by late- March. The review will examine alignment with the risk appetite thresholds, simplify language to improve understanding, identify differences between CCC and QPS policies (which may lead to confusion), achieve greater consistency across Operations Manual chapters, identify interrelationships between Operations Manual chapters, and identify potential knowledge gaps and training opportunities. This approach will inform the review of the rest of the Operations Manual. When the reviews of the corruption functions (see recommendation 6) identify new or amended policies or processes, the relevant chapters of the Operations Manuals are amended to reflect these improved operational or governance processes.
<b>Recommendation 22</b> 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.	<b>Completed</b> The Director Policy, Risk and Compliance commenced in March 2023.
<b>Recommendation 23</b> The Queensland Government adequately resource the Crime and Corruption Commission to employ a Policy and Procedure Officer on a permanent basis.	<b>Completed</b> See update under Recommendation 22.



## **Ensuring post-prosecution reviews**

Recommendation	Commentary
Recommendation 24	In progress
The Crime and Corruption Commission work with the Director of Public Prosecutions to develop a process for conducting post- prosecution reviews.	<ul> <li>developing a post-prosecution review guideline,</li> <li>conducting an internal mock post-prosecution review drawing on a historical CCC investigation,</li> <li>preparing CCC policy and procedures, and</li> <li>consulting with external stakeholders.</li> </ul> The CCC has developed policies and procedures to guide the post- prosecution review process. The CCC has consulted with the Office
	of the Director of Public Prosecutions regarding the proposed process.
	The CCC is currently awaiting the finalisation of a suitable corruption matter to host a pilot post-prosecution review. The CCC is unable to predict when such a matter will be finalised.



## Advice about potential charges arising from corruption investigations

Recommendation	Commentary
<ul> <li>Recommendation</li> <li>Recommendation 25</li> <li>The Crime and Corruption Act 2001 be amended as necessary to give effect to the following changes: <ul> <li>a. 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.</li> <li>b. Notwithstanding any other law or any</li> </ul> </li> </ul>	CommentaryIn progressThe proposed legislative amendment specified in recommendation 25 raises complex issues given the retention of powers in accordance with section 174 and 255 of the Crime and Corruption Act 2001 (CC Act).The complexity in giving effect to recommendations 2 and 25 arises from the need to ensure that ancillary police powers that are essential for operational purposes are retained while the drafting of the legislative amendments are progressed.The CCC continues to engage with representatives from the Department of Justice and Attorney General regarding implementation of recommendation 25 and further legislative amendments relating to the CC Act arising from other inquiries and
<ul> <li>other provision of the Crime and Corruption Act 2001, 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.</li> <li>c. 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 Committee and the Parliamentary Crime and Corruption Commissioner about the decision made.</li> <li>d. 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.</li> </ul>	reviews. The Bill was introduced in early 2024, and is currently before the Community Safety and Legal Affairs Committee.
Recommendation 26 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.	<b>Completed</b> The final MoU was signed by the Chairperson of the Crime and Corruption Commission on 25 July 2023. The MoU was signed by the Director of Public Prosecutions on 1 August 2023.



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Recommendation	Commentary
Recommendation 27	In progress
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.	Reporting on the effectiveness of the MoU is the sole responsibility of the CCC and is prescribed in the Crime and Corruption and Other Legislation Amendment Bill 2024 which is currently before the Community Safety and Legal Affairs Committee.
Recommendation 28	In progress
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.	Reporting on the effectiveness of the MoU is the sole responsibility of the CCC and is prescribed in the Crime and Corruption and Other Legislation Amendment Bill 2024 which is currently before the Community Safety and Legal Affairs Committee.
Recommendation 29	Noted but not yet commenced
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</i> <i>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.	
Recommendation 30	Responsibility does not lie with the CCC
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.	



## Monitoring

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





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