

# Implementation and delivery of COI recommendations

Quarterly report number 7

7 June 2024



# **OFFICIAL**

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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  |
|---|---|
| Recommendation 1  The use of seconded police officers by the Crime and Corruption Commission is appropriate and should continue (subject to recommendations below).                           | In progress  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. |
| Recommendation 2  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> . | In progress See response to recommendation 25.  |



# Improved flexibility of police secondment arrangements

# Recommendation Commentary

# **Recommendation 3**

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 CCC has developed a Project Plan to coordinate delivery of recommendations related to CCC-QPS seconded police administrative arrangements and the joint review process (Recommendations 3, 4, 5, 9, 10). The internal consultation and review of the draft plan is underway.

# **Recommendation 4**

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.

# In progress

See commentary in relation to Recommendation 3.

# **Recommendation 5**

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.

# In progress

See commentary in relation to Recommendation 3.



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

### Recommendation

# Recommendation 6

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.

# Commentary

# In progress

The CCC continues to progress 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 operating models that have been implemented in the corruption intake and assessment function, and the complaints monitoring function, continue to be embedded. These new operating models place greater emphasis on delivering a customercentric approach, leveraging data to facilitate greater decision-making consistency, and monitoring the activity and outcomes of the work they deliver.

The Corruption Strategy 2023-27 recognises that being 'data led' builds Queenslander's confidence in the work we do. Corruption functions are using data and insights to improve our services and understand corruption across Queensland. Both the corruption intake and assessment function, and the complaints monitoring function are using newly developed management dashboards that draw data from the CCC's Analytics Data Warehouse. These business intelligence dashboards enable the active management of matters across the lifecycle of a complaint and monitored investigation.

The review of the organisational culture within the Corruption Division identified several initiatives to build a culture that supports the strategic direction of the division. The Corruption Culture Action Plan recognises that culture is never 'done' and an ongoing journey is required to maintain a high-performing culture. Many of the Corruption Culture Action Plan initiatives have been completed or are underway.

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.



| Recommendation            | Commentary   |
|---------------------------|--|
| Recommendation 6 (Cont'd) | <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> <li>Activities that support the three core themes identified in the review of the Corruption Investigation function are being implemented, including finalising a guideline specific to the feasibility phase of the investigation process to ensure investigators understand the objectives of the phase, implementing updated CIGC and CIPG charters (see recommendations 19 and 20), and developing the Corruption Investigator Capability Framework (see recommendation 13).</li> <li>The CCC has allocated two temporary positions to support business improvement activities in the Corruption Division. The immediate priority of one position will be initiatives associated with Theme 1 from the Corruption Investigations review, and the other position will focus on ongoing business improvements in relation to operating model for intake and assessment.</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 has continued to work to identify the key factors relevant to determining the right composition of civilian and seconded Queensland Police Officers in the corruption investigation function. The CCC has identified a future state model that is predominantly civilian and leverages the skills and capabilities of seconded police officers. The CCC has determined that seconded police officers should comprise 30-40% of the corruption investigator cohort. This ratio will achieve a predominance of civilian investigators in the Corruption Division but will also provide for effective and efficient investigations. A plan has been developed to transition from the current to the future state by June 2026. The CCC will consult on the secondment arrangements with the Queensland Police Service in the coming months.

# **Recommendation 8**

# The Executive Director Corruption Operations be transitioned to a civilian position as soon as possible.

# Completed

The Executive Director Corruption Investigations commenced on 20 March 2023.

# **Recommendation 9**

# 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.

# In progress

To date, the CCC has transitioned two police positions to civilian investigator positions in the Corruption Division.

The CCC continues to review each police position in line with secondment end dates, or natural attrition.

See also commentary in relation to Recommendations 3 and 7.

# **Recommendation 10**

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:

- a. 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.

# In progress

See commentary in relation to Recommendations 3 and 7.



# **Equipping corruption investigators**

# Recommendation

# **Recommendation 11**

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.

# Commentary

# In progress

The Crime and Corruption Commission ensure 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 being redesigned 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 divisionspecific induction guides.

> Resources to support managers to provide a consistent and comprehensive onboarding experience at the local business unit level have been revised and are being distributed prior to new starter commencements. Additional conversation guides continue to be developed and distributed to hiring managers for piloting.

> Recent evaluation data on the induction process has identified that 100% of respondents are satisfied with their first day induction, 100% are satisfied with the training completed so far, and 100% are satisfied with the support they are receiving from their manager. While the evaluation data is consistently positive, regular monitoring has been implemented to further enhance this experience.

# **Recommendation 12**

A dedicated position — a Training and Development Officer — be created by the Crime and Corruption Commission to coordinate enhanced induction and ongoing training activities.

# Completed

The Human Capital Capability Director commenced in October 2022, and the Principal Learning Consultant commenced in February 2023.



# Recommendation

# **Recommendation 13**

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.

# Commentary

# In progress

A Corruption Investigator Capability Framework consists of three domains being, "Strategic Corruption Risks" which are relevant to the CCC environment, "Professional / Technical" which leverages the Australian Government Investigation Standards (AGIS) and "1CCC Critical Skills" which is aligned with the CCC's Strategic Plan and Workforce Strategy. The Framework also provides a structure and process to develop similar products for other roles and units in the CCC.

A range of assessment processes aligned to the framework have been developed to assist with the identification of learning priorities for the current workforce. Assessments across both domains are now complete. This data will inform the identification of new learning solutions and processes to support individual capability and career paths and enhanced people management practices across the leadership cohort.

New learning solutions are being identified and the CCC is codesigning other learning modules (a critical thinking learning module is currently in development).

An evaluation process has been established to assist with measuring outcomes and benefits. Across all programs delivered to date, 95% of participants reported being completely or mostly confident in being able to apply learning.

At the national level, the CCC is leading a cross-jurisdictional corruption capability community of practice. This allows for and encourages the sharing of information, training packages and learning opportunities between the CCC and other jurisdictions.

# **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. | Executive Director Corruption Legal commenced in February |



### Recommendation

# Commentary

### **Recommendation 16**

The new Corruption Strategy and Prevention unit is to ensure a corruption prevention and policy perspective informs all corruption investigations.

# In progress

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.

The future state operating model has been developed and work is progressing to develop service delivery models. The new operating model and service delivery models will ensure a 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 work is on track for completion by mid-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 and is scheduled for delivery in late 2024.

The CCC is undertaking a program of work to improve data capture and knowledge about the outcomes of corruption allegations investigated by UPAs. This involves developing an initial process to consolidate information provided in its current form, as well as a project that involves collaborating with a Unit of Public Administration to develop an innovative Proof of Concept to automate the exchange of corruption outcomes data. This dataset will build up over time and significantly improve our understanding of the prevalence of corruption in the public sector and inform the delivery of prevention initiatives.

Work is also progressing to improve stakeholder engagement and communication practices through the development of a Stakeholder Engagement Strategy and Communication Governance Framework. Once complete in late 2024, these projects will support greater collaboration and improved communication with public sector agencies.

The CCC has also commenced a trial for thematic monitoring using a new methodology that will assess themes or patterns across multiple investigations conducted by UPAs. Expanding the scale of our monitoring activity across corruption matters will assist with increasing the CCC's understanding of the corruption risk landscape, provide insight into corruption trends, and enable us to empower the Queensland public sector to detect, prevent and respond to corruption. The CCC expects to complete the trial in the second half of 2024.

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 grow its data holdings. This allows the CCC to deliver data insights for informing complaint assessments and investigation decisions, as well as to inform the public sector about corruption risks and prevention.



| Recommendation   | Commentary   |
|--|--|
| Recommendation 17  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. | Completed  The Executive Director, Corruption Strategy and Prevention commenced in February 2023.  |
| Recommendation 18  The Queensland Government adequately resource the Crime and Corruption Commission to establish the new Corruption Strategy and Prevention unit.   | Completed  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. |



# **Enhanced operational oversight of corruption investigations**

# Recommendation

# **Recommendation 19**

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.

# Commentary

# Completed

The Crime and Corruption Commission establish 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), has been finalised. The updated CIGC charter was implemented in May 2024.

### **Recommendation 20**

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 directorlevel governance group.

# **Completed**

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 identify opportunities to improve the effectiveness of the CIPG. An updated CIPG charter is anticipated to be in place by July 2024.



# 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.   | In progress  The CCC continues to review operational policies and procedures in response to legislative or operational changes, or according to the established review schedule.  The CCC developed a risk-based review approach and has completed the review of the chapter of the Operations Manual that deals with disclosure and requests for information (MM04). Consultation on MM04 with Subject Matter Experts continues. Once approved, the training requirements necessary to support the roll out of the amended policy will be determined.  The feedback relating to MM04 will inform the way the CCC develops and reviews policies, to ensure policies are clear, concise, consistent, and easy to understand. |
| Recommendation 22  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. | Completed  The Director Policy, Risk and Compliance commenced in March 2023.  |
| Recommendation 23  The Queensland Government adequately resource the Crime and Corruption Commission to employ a Policy and Procedure Officer on a permanent basis.  | Completed 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. | • •         |



# Advice about potential charges arising from corruption investigations

### Recommendation

# **Recommendation 25**

The *Crime and Corruption Act 2001* be amended as necessary to give effect to the following changes:

- 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.
- b. Notwithstanding any other law or any 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.
- 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 Commissioner about the decision made.
- 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.

# **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.

# Commentary

# In progress

Consultation was undertaken with representatives from the Department of Justice and Attorney General regarding implementation of recommendation 25 and drafting a Bill to give effect to recommendations 2 and 25, and further legislative amendments relating to the CC Act arising from other inquiries and reviews.

The Bill was introduced in early 2024 and has been reviewed by the Community Safety and Legal Affairs Committee. This Bill is before parliament awaiting the second reading speech.

# Completed

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.



### Recommendation

# Commentary

# **Recommendation 27**

# 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.

# In progress

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.

The Bill has been reviewed by the Community Safety and Legal Affairs Committee and is now before parliament awaiting the second reading speech.

# **Recommendation 28**

# 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.

# In progress

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.

The Bill has been reviewed by the Community Safety and Legal Affairs Committee and is now before parliament awaiting the second reading speech.

### **Recommendation 29**

# 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 Crime and Corruption Act 2001, 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.

# Noted but not yet commenced

# **Recommendation 30**

# 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.

# Responsibility does not lie with the CCC



# Monitoring

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





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