



Crime and Corruption Commission
QUEENSLAND

Implementation and delivery of COI recommendations

Quarterly report number 5

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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
<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><i>Noted</i></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><i>In progress</i></p> <p>See 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 draft Corruption Investigator Capability Framework has been completed and is being reviewed by key stakeholders. 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>The Corruption Investigator Capability Framework is a key input into the CCC-QPS MOU. The CCC-QPS MOU will also be informed by the review of the Corruption functions.</p>



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>Numerous actions deliver this recommendation. 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, reflects the CCC’s view that organisational culture reflects strategy, structure, processes and people.</p> <p>The revised corruption intake and assessment operating model is delivering a more customer-centric approach and leveraging data to facilitate greater decision-making consistency. To further drive performance effectiveness of the operating model, a management dashboard, enabling timely monitoring of performance metrics, has been implemented.</p> <p>The new Complaints Monitoring operating model continues to embed the new ways of working. The new operating model provides for greater engagement with units of public administration, places more tension on investigation timelines, and focuses on both investigative quality and implications for corruption prevention. Work is underway to implement enhanced reporting of key performance indicators to increase visibility of capacity and utilisation of resources.</p> <p>Work continues in planning the implementation of a new thematic monitoring model to review and assess themes and patterns across multiple investigations subject to the CCC’s statutory monitoring function. The implementation will be guided by a proof of concept to ensure a robust model is designed; this is anticipated to commence in early 2024.</p> <p>The CCC is also assessing the feasibility of increasing the potential scale of monitoring through leveraging its data and analytics capability.</p> <p>The CCC engaged an independent consultant to examine the organisational culture of the Corruption Investigations, Corruption Legal, and Corruption Prevention and Engagement work units. The review identified several initiatives that go toward improving the culture of which many are on the CCC’s forward program of work. The Corruption Division has established a Culture Review Group to ensure alignment of culture initiatives across the division.</p> <p>The CCC review to identify recommendations to improve the efficiency and effectiveness of the Corruption Investigation function has been completed. The CCC has received the final report and is considering next steps.</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>The transition plan will be informed by the Corruption Investigator Capability Framework, the findings from the Corruption Culture assessment, and the Corruption Investigation review.</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>The Executive Director Corruption Investigations commenced 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>To date, the CCC has transitioned two police positions to civilian investigator positions in the Corruption Division.</p> <p>The CCC continues to review each police position in line with secondment end dates, or natural attrition.</p> <p>The principles considered during each review will inform the development of the 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 inter-dependencies within the Commission of Inquiry recommendations to ensure that the MOU is an effective management tool and give effect to the recommendation.</p> <p>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 functions as they impact the effectiveness of the MOU.</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 CCC's central and business unit inductions, and the ongoing mandatory and professional development training will be amended to ensure all investigators have the technical expertise, skills and knowledge required to perform effectively at the CCC, and that they acquire this knowledge at an appropriate time.</p> <p>The CCC has launched an improved orientation program to onboard new commission officers in the corruption investigation teams. This program is aimed at ensuring new starters have a consistent on-boarding experience in corruption and supports leaders in delivering an effective learning experience. The CCC is piloting the program and will continue to refine the program over time in response to feedback provided by new commission officers.</p> <p>An improved induction checklist to support managers to effectively on-board new team members has been published. An updated induction guide, providing additional core information to new starters will be issued with all new offers of employment from December 2023.</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 in October 2022, and the 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>A Corruption Investigator Capability Framework has been endorsed. The framework identifies knowledge, skills and experience that Corruption Investigators require to perform their roles including strategic corruption risks in the current context, and technical skills aligned to the Australian Government Investigations Standards (AGIS).</p> <p>Initial assessments have been undertaken across the corruption investigation teams, prioritising training for the following 12 months. Planning and procurement processes are underway to establish a 12-month training plan, including external and in-house delivery, commencing February 2024.</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>Completed</i></p> <p>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.</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 structural separation of the Corruption Legal and Strategy and Prevention business units occurred in August 2022.</p> <p>The Executive Director Corruption Legal commenced in February 2023.</p> <p>The Executive Director Corruption Strategy and Prevention 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>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>The CCC secured funding in the 2023-24 Budget to establish a new Corruption Prevention and Engagement unit to enable the CCC to enhance and embed a corruption prevention and policy focus for all UPAs. The CCC continues to define the operating framework and service delivery models for the new unit, and recruitment to roles within the new Corruption Prevention and Engagement unit is nearing completion with most roles now filled.</p> <p>The new unit is led by the Executive Director Corruption Prevention and Engagement and will enable the CCC to embed a corruption prevention and policy focus. The Corruption Prevention and Engagement unit’s key priorities are outlined in the Corruption Strategy 2023-2027 and include:</p> <ul style="list-style-type: none"> • developing and implementing a Data and Insight Plan to guide how we collect, analyse, and use corruption related data and share our insights. • implementing and embedding an integrated serious and systemic operating model across the division. • implementing improved stakeholder engagement and communication practices to support greater collaboration and sharing of information with the public sector. • increasing stakeholder awareness of corruption prevention material, including Corruption in Focus and the Corruption Allegations Data Dashboard. • supporting the implementation of a new complaint monitoring model to support better oversight and management of public sector complaints. • maturing and expanding the scale of monitoring through leveraging the CCC’s data and analytics capability.



Recommendation	Commentary
<p>Recommendation 16 (cont.)</p>	<p>The corruption complaints database (COMPASS) has been successfully ingested into the Analytics Data Warehouse (ADW) production environment. Maintaining COMPASS in the ADW not only delivers significant reporting efficiencies to the CCC but is also an essential step toward delivering Queensland's corruption data asset.</p> <p>This is an essential step for the CCC to enable rapid production of corruption-related insights to inform CCC strategic and operational decisions, and to inform UPAs about corruption risks relative to their environment.</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 CCC has implemented this recommendation.</p> <p>The Executive Director, Corruption Strategy and Prevention commenced in February 2023.</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>Completed</p> <p>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.</p> <p>The CCC received funding in the 2023-24 budget to resource the Corruption Strategy and Prevention function.</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 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>The CCC will regularly assess CIGC performance and the Terms of Reference to ensure the committee remains responsive and contemporary to our changing conditions.</p>
<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 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 currently 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). <p>The CCC will regularly assess CIPG performance and the Terms of Reference to ensure the group remains responsive and contemporary to our changing conditions.</p>



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 continues to review operational policies and procedures in response to legislative or operational changes, or according to the established review schedule.</p> <p>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.</p> <p>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.</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 Director Policy, Risk and Compliance commenced in March 2023.</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>See update under Recommendation 22.</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 and has conducted an internal mock Post Prosecution Review. The CCC has commenced consultation with the Office of the Director of Public Prosecutions regarding the proposed process.</p> <p>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.</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 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.</p> <p>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 reviews.</p> <p>The CCC anticipates the Bill will be introduced in early 2024.</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>Completed</i></p> <p>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.</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>In progress</i></p> <p>Reporting on the effectiveness of the MoU is the sole responsibility of the CCC and is prescribed in the proposed draft legislation.</p> <p>The CCC continues to engage with representatives from the Department of Justice and Attorney General regarding amendments to the CC Act.</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>In progress</i></p> <p>Reporting on the effectiveness of the MoU is the sole responsibility of the CCC and is prescribed in the proposed draft legislation.</p> <p>The CCC continues to engage with representatives from the Department of Justice and Attorney General regarding amendments to the CC Act.</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>





Crime and Corruption Commission

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