



Crime and Corruption Commission
QUEENSLAND

Implementation and delivery of COI recommendations

Quarterly report number 3

9 June 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 2023, 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
Recommendation 1 <p>The use of seconded police officers by the Crime and Corruption Commission is appropriate and should continue (subject to recommendations below).</p>	<i>Noted</i> <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>
Recommendation 2 <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>	<i>In progress</i> <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 CCC-QPS MOU will be informed by, among other things, the Corruption Investigator Capability Framework and review of the Corruption Investigation and Legal functions. The draft Corruption Investigator Capability Framework is nearing completion. 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>



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 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. The new model was implemented in February 2023, and continues to embed policy, process and cultural change while delivering a more customer-centric approach and leveraging data to facilitate greater decision-making consistency.</p> <p>In parallel, the CCC has reviewed its Investigation Monitoring function, and will implement a new operating model in June 2023. 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. Next year, the CCC will also develop and test a proof-of-concept methodology to monitor themes or patterns across multiple matters. Given the increased focus on prevention, the function will now be structurally aligned to the CCC's Corruption Strategy and Prevention unit. 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 has engaged an independent consultant to examine the organisational culture of the Corruption Investigations, Corruption Legal and Corruption Strategy and Prevention work units. This work will identify the work required that will help embed the desired ways of working.</p> <p>The CCC has also commenced a review of the operating model of the Corruption Investigation and Legal functions. This review will identify recommendations for the CCC to improve efficiency and effectiveness of these functions.</p> <p>The CCC concluded extensive consultation in February 2023 regarding the major review of the Corruption Strategy. The new strategy continues to recognise the value of the workforce and builds capability particularly in areas relating to corruption investigations, prevention and data literacy and analytics. The Corruption Strategy will be published in July 2023.</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 review of the Corruption Investigation and Legal functions.</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 one police position to a civilian investigator position in the Corruption Division.</p> <p>The CCC continues to review each police position in line with secondment end dates, or natural attrition. During the period, there have been no changes to the mix of civilian and sworn investigators in line with these factors.</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 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) and the review of the Corruption Investigation and Legal 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 police 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 continued development of an improved orientation program to onboard new commission officers in the corruption investigation teams. During the period, the CCC established a working group comprising existing civilian and police investigators to guide the co-design of this program. The working group has drafted an orientation guide, <i>Working in the Corruption Division</i> to provide a consistent on-boarding experience and offer support to leaders in delivering an effective learning experience. The pilot resource will be available from July 2023, and the CCC will continue to refine the 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 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>The draft Corruption Investigator Capability Framework will inform the Training Strategy and Plan.</p> <p>The Corruption Investigator Capability Framework recognises technical expertise, core knowledge and skills, and behavioural attributes, and maps these capabilities across foundational, intermediate, and advanced proficiency levels. The draft framework will inform, and be responsive to, the recommendations of the review of the Corruption Investigation and Legal functions.</p> <p>During the period, the CCC identified several appropriate training interventions to immediately build the capability of the existing corruption investigator cohort and engaged with a skilled training provider to deliver the training packages. The CCC continues to identify relevant opportunities to lift the capability of the investigators with appropriate training interventions.</p>



Recommendation	Commentary
<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> <p>The CCC has developed a second funding submission, as part of the 2023-24 budget process to deliver a comprehensive response to the recommendations the CCC is responsible for, including seeking permanent funding for the Training and Development Officer.</p>



Building the corruption prevention and policy capability

Recommendation	Commentary
Recommendation 15 <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>
Recommendation 16 <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>The CCC has established a link from its corruption complaints database (COMPASS) into its Analytics Data Warehouse environment. Complex work has been completed to verify filtering algorithm processes to ensure the security of the data and it is undergoing independent validation ahead of implementation. Work is commencing to create a new data structure that will enable efficient reporting of COMPASS data.</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>Following the development of the Corruption Strategy, the CCC is also defining the services and delivery models of the enhanced Corruption Strategy and Prevention function, ensuring that an intelligence and prevention perspective informs investigation activities.</p>
Recommendation 17 <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>



Recommendation	Commentary
<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><i>In progress</i></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> <p>The CCC has developed the additional funding requirements as part of the 2023-24 budget process, which focusses on the development of operating framework and service delivery models of the Corruption Strategy and Prevention unit. The focus of the unit will enable the delivery of:</p> <ul style="list-style-type: none"> • a prevention and policy perspective across all corruption division activities, particularly the lifecycle of corruption investigations • better use of our data and research to provide strategic insights that provide a comprehensive picture of the corruption landscape • targeted and high impact engagement with our stakeholders to better support their needs and prevent corruption across the sector • implementation of more accessible, high-quality prevention and intelligence products that support UPAs to prevent corruption • systems and tools to strengthen and support integrity across UPAs.



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 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).



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>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>A further three sections of the Operations Manual are being updated to support the changes that have been made to the Investigation Monitoring function ensuring effective assessment and service delivery when engaging with UPAs on oversight of devolved investigations.</p> <p>During the period, the CCC has also undertaken extensive consultation on its Risk Appetite Statement, which sets the high-level parameters for engaging with strategic, corporate, and operational risk.</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 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>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. The CCC conducted an internal mock Post Prosecution Review meeting in February 2023, and commenced consultation with the Office of the Director of Public Prosecutions regarding the proposed process.</p> <p>The CCC received feedback from the Office of the Director of Public Prosecutions on 8 May 2023 on the policies and procedures that will guide the post-prosecution review process. The feedback was positive and resulted in some minor amendments to procedures and guidance notes.</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 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. 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 CCC has engaged primarily with the Department of Justice and Attorney General, and representatives from the Queensland Police Service and Office of the Director of Public Prosecutions to reach an agreed position on how to give effect to the recommendations.</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>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 met with the Office of the Director of Public Prosecutions in March 2023 to discuss feedback on the draft Memorandum of Understanding.</p> <p>A final draft of the Memorandum of Understanding is being prepared.</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>





Crime and Corruption Commission

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