



# Attorney General; Minister for Electoral Affairs

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Our Ref: 67-28316

Mr Matthew Hughes MLA  
Chair  
Joint Standing Committee on the Corruption and Crime Commission  
Parliament House  
4 Harvest Terrace  
WEST PERTH WA 6005

Dear Mr Hughes

## GOVERNMENT RESPONSE TO THE JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION REPORTS

On behalf of the Government, I thank the Joint Standing Committee on the Corruption and Crime Commission (the Committee) for its work on *Report 3 – ‘A good year’ – The work of the Parliamentary Inspector of the Corruption and Crime Commission* (Report 3) and *Report 4 – The definition of ‘public officer’ in the Corruption, Crime and Misconduct Act 2003* (Report 4) (collectively, the Reports).

### Report 3

This report, tabled on 24 February 2022, sets out the work of the Parliamentary Inspector of the Corruption and Crime Commission (Parliamentary Inspector), his concerns about the potential need for legislative change to enable the Corruption and Crime Commission (CCC) to provide information to complainants sufficient to indicate that their complaints have been appropriately considered, and the use of body worn cameras by the Western Australia Police Force.

Report 3 contains a single recommendation set out below:

#### Recommendation 1

That the Attorney General direct the Department of Justice in its review of the *Corruption, Crime and Misconduct Act 2003* to review if legislative change is required to prescribe or clarify whether the commission is authorised to disclose information which demonstrates that the complaint has been dealt with in an appropriate way.

### Report 4

This report was tabled on 24 March 2022, and relates to concerns about flaws in the definition of ‘public officer’ in the *Corruption, Crime and Misconduct Act 2003* (CCM Act) raised by the Parliamentary Inspector. The Committee also contacted the Commissioner of the CCC, who expressed similar concerns about the need to amend the definition for the purposes of the CCM Act to “recognise the increasing use within the public sector of varying employment arrangements that are outside the traditional employment arrangements in the public sector”.

Report 4 notes that the Department of Justice is undertaking a project to modernise the CCM Act, and makes the following recommendation:

#### Recommendation 1

That the Attorney General direct the Department of Justice to examine the definition of 'public officer' and matters raised in the attached report of the Parliamentary Inspector of the Corruption and Crime Commission as part of its project to modernise the *Corruption, Crime and Misconduct Act 2003*.


#### **Government response**

Since the Reports recommend that the Attorney General direct the Department of Justice to consider particular aspects of the CCM Act for amendment, it is convenient to address both recommendations together.

The Government accepts the Recommendations set out in the Reports.

As you are aware, I previously asked the Department of Justice to develop proposals for the modernisation of the CCM Act for my consideration. In line with the Recommendations, I have instructed the Department to include consideration of both of the Reports in its research and determine what changes are required to support the appropriate provision of feedback to complainants, and ensure the definition of 'public officer' is fit for purpose and relevant to contemporary public sector practices.

Yours sincerely

A handwritten signature in blue ink, reading "John Quigley".

Hon. John Quigley MLA

**ATTORNEY GENERAL; MINISTER FOR ELECTORAL AFFAIRS**