

Division 31: Corruption and Crime Commission, \$32 548 000 —

Mrs L.A. Munday, Chair.

Mr J.R. Quigley, Attorney General.

Ms E. Johnson, Chief Executive Officer.

Mr D. Robinson, Director, Operations.

Mr M. Squires, Chief Finance Officer.

Mr J. Lee, Principal Policy Adviser.

[Witnesses introduced.]

The CHAIR: The estimates committees will be reported by Hansard. The daily proof will be available online as soon as possible within two business days. The chair will allow as many questions as possible. Questions and answers should be short and to the point. Consideration is restricted to items for which a vote of money is proposed in the consolidated account. Questions must relate to a page number, item or amount related to the current division, and members should preface their questions with these details. Some divisions are the responsibility of more than one minister. Ministers shall be examined only in relation to their portfolio responsibilities.

A minister may agree to provide supplementary information to the committee. I will ask the minister to clearly indicate what information they agree to provide and will then allocate a reference number. Supplementary information should be provided to the principal clerk by noon on Friday, 2 June 2023. If a minister suggests that a matter be put on notice, members should use the online questions on notice system to submit their questions.

I give the call to the Leader of the Liberal Party.

Ms L. METTAM: I refer to page 469 and significant issues impacting the agency. I note there is continued pressure on the assessment process caused by, among other issues, continued high staff vacancy rates that have impacted the assessment process. Can the Attorney General advise whether there is any information that explains the continued high staff vacancy rates and what those reasons are?

Mr J.R. QUIGLEY: I will defer to the CEO, Ms Johnson.

Ms E. Johnson: The vacancy rate in the assessments area is up to around a 20 per cent vacancy rate, which is a little higher than the rest of the commission. We do not have any particular reasons for that area being at a vacancy rate of that significance. It is a challenging area to work in. It is a front-facing role. Officers in that team have a lot of dealings with members of the public; however, like most areas across the public and private sectors, recruitment and retention is difficult at this time. It is a tough market. There is nothing specific that we can point to. I will see whether David Robinson, director of operations, has anything to add to that response.

Mr J.R. QUIGLEY: I invite Mr Robinson to answer.

Mr D. Robinson: That is right; I do not think there are any specific reasons for that. Recruitment is a problem across the sector with the labour market the way it is at the moment. There is a lot of pressure, as Emma mentioned, on the assessments area in terms of being a front-facing part of the organisation, which typically means we have a higher turnover in that area. That higher turnover is exacerbated by the security clearance process that we have for everyone at the commission. The commission needs to be negative vetting level 1 cleared and that takes time. Recruitment processes are underway. We are regularly filling positions, but it is challenging in the current environment.

[5.20 pm]

Ms L. METTAM: How many roles at the CCC are currently vacant? What impact is that having on the operations of the CCC?

Mr J.R. QUIGLEY: Could I defer to the CEO, please.

Ms E. Johnson: Thank you for the question. I would have to take that on notice. I do not have that exact figure with me today.

Ms L. METTAM: Okay. Could we have that by way of supplementary information?

Mr J.R. QUIGLEY: Certainly.

The CHAIR: Can the Leader of the Liberal Party specifically state what she is after?

Mr J.R. QUIGLEY: I do not know about the second part of what impact it is having, but we can give the member the vacancy figures.

Ms L. METTAM: I would like the figures on how many roles are currently vacant at the CCC.

The CHAIR: Is the Attorney General happy to provide that information?

Mr J.R. QUIGLEY: Yes.

[Supplementary Information No A4.]

Ms L. METTAM: What impact are these vacancies having on the operations of the CCC?

Mr J.R. QUIGLEY: Obviously, for any agency to be acting at optimum speed, we would want all our positions filled. Big jobs can be outsourced to make up the work. Even though it is the CCC, an example of that was the matter of Scott Austic, who had been convicted of murder, was subsequently acquitted of murder and made allegations of evidence planting. It was a big job to look at. Obviously, the CCC did not have all its positions filled, so the assessment process—because there were masses of documents such as the police brief, the first trial and first appeal, the petition to go forward, the second trial and the second appeal—was outsourced to an independent barrister, Mr Tony Power of chambers. That was handled, even though there were not perhaps optimum staffing levels in the assessment area. Similarly, acting commissioners can be brought in when required.

Ms L. METTAM: Further to that, prosecutors have now dropped the state's biggest case of public sector fraud, which came to light as a result of the work of the CCC. Is the Attorney General suggesting that that case is also an example of how the CCC could have been or should have been better resourced?

Mr J.R. QUIGLEY: The CCC did marvellously in that case. The Department of Communities did marvellously in finding the corruption of Mr Paul Whyte in the first place, albeit on the suspicion of others about his lifestyle, the horseracing and all that. It was a marvellous effort by the CCC that brought it all to life. The CCC referred it to the police. We might get to this in the Director of Public Prosecutions section; I know all about this case. The CCC's effort was stellar. It was a five-star effort. We can deal with the dropping of the prosecution in another section if the member wants to ask me a question and we have time. It is a decision that I wholly back for reasons.

Ms L. METTAM: While we are on the Corruption and Crime Commission, is the Attorney General very confident that the CCC did its job in relation to Jacob Anthonisz?

Mr J.R. QUIGLEY: If the member is asking me to rate my level of confidence in the CCC in that particular matter, I would rate it 110 out of 100.

Ms L. METTAM: The charges amounted in the end to about \$2.5 million, but I understand that the amount taken was over \$25 million.

Mr J.R. QUIGLEY: Correct.

Ms L. METTAM: Is the Attorney General saying that there were no failures of the CCC in relation to that?

Mr J.R. QUIGLEY: There were none whatsoever! The member has to remember that the CCC examined Mr Whyte. The CCC was able to put certain matters to him, which resulted in him being charged for \$2.5 million and which resulted in him immediately trying to take his own life. Then when he woke up in hospital, and his family were around him, he decided to do more disclosures than what he did during examination. He said, "I did this, this and this", and it just started building. It was very complex. I think there were something like three primary bank accounts, 50 subsidiary bank accounts and 14 credit cards to cover all this up. Whilst the CCC had the investigation running and referred the first lot of charges to the DPP, he tried to take his own life and then started talking about all these other accounts, and off we went.

Ms L. METTAM: But 500 charges have now been dropped, so where did the state let the public down?

Mr J.R. QUIGLEY: Nowhere! The member can ask me about this in another section like the DPP or the State Solicitor's Office wherein I can answer it, but it is not in this section. I am not trying to avoid it, member. I know about it in detail.

Ms M.J. DAVIES: I refer to page 469 and the service summary on the bottom third of the page. Service 1 is about assessing all allegations, but it could be any one of these three services. I am not sure where my question fits, but the Attorney General will be able to correct me if I am not right. I understand that the CCC is currently investigating the WA Department of the Premier and Cabinet, Parliament House and the Labor Party on a possible abuse of funds. There was an article written in November last year by Gary Adshead and published on WAtoday. Can the Attorney General advise how the inquiry is progressing? I am particularly interested to know whether any members of Parliament are making claims of privilege, following on from the challenges that we know have been experienced when investigations involve members of Parliament.

Mr J.R. QUIGLEY: I will never discuss a current operational matter of the CCC, even under privilege here in Parliament when perhaps I could not be prosecuted for breaching secrecy. I do not know whether that is right; I might not be prosecuted here in Parliament. But it would be a grave misconduct for me to reveal where any operational matter of the CCC currently lies.

Ms M.J. DAVIES: Would the Attorney General or the commission like to provide any comment on whether they are satisfied with the level of cooperation they are getting from the Labor Party, DPC or the Parliament?

Mr J.R. QUIGLEY: I understand the political point the member is trying to make and the headline she is trying to get.

Ms M.J. DAVIES: I am just querying it.

Mr J.R. QUIGLEY: But, no, I will not answer it. My only reflection is one by way of comparison. When Liberal Party and Nationals WA members were under investigation, they used their position on the Joint Standing Committee on the Corruption and Crime Commission to block the reappointment of the Corruption and Crime Commissioner for 14 months. Talk about a lack of cooperation! Mr Jim Chown, who was under active investigation by the CCC, used his vote on the joint standing committee to stop the investigation into him. I tell members what: there is no member of the caucus who will be doing that!

Ms M.J. DAVIES: I am glad to hear it, Attorney General.

The CHAIR: Maybe we should go back to the budget line items.

Ms M.J. DAVIES: It was; it was in relation to an inquiry that we know is underway! That is all I have.

The appropriation was recommended.

[5.30 pm]