



***JOINT STANDING COMMITTEE ON
THE CORRUPTION AND CRIME
COMMISSION***

**REPORT INTO CLARIFICATION SOUGHT
BY THE JOINT STANDING COMMITTEE
ON THE CORRUPTION AND CRIME
COMMISSION**

**Report No. 7
in the 37th Parliament**

2006

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Joint Standing Committee on the Corruption and Crime Commission

Report Into Clarification Sought by the Joint Standing Committee on the Corruption and Crime Commission

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Report No. 7

Presented by:

Mr John Hyde, MLA and Hon. Ray Halligan MLC

Laid on the Table of the Legislative Assembly and the Legislative Council
on 11 May 2006

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COMMITTEE'S FUNCTIONS AND POWERS

On 31 May 2005 the Legislative Council concurred with a resolution of the Legislative Assembly to establish the Joint Standing Committee on the Corruption and Crime Commission.

The Joint Standing Committee's functions and powers are defined in the Legislative Assembly's Standing Orders 289-293 and other Assembly Standing Orders relating to standing and select committees, as far as they can be applied. Certain standing orders of the Legislative Council also apply.

It is the function of the Joint Standing Committee to -

- (a) monitor and report to Parliament on the exercise of the functions of the Corruption and Crime Commission and the Parliamentary Inspector of the Corruption and Crime Commission;
- (b) inquire into, and report to Parliament on the means by which corruption prevention practices may be enhanced within the public sector; and
- (c) carry out any other functions conferred on the Committee under the *Corruption and Crime Commission Act 2003*.

The Committee consists of four members, two from the Legislative Assembly and two from the Legislative Council.

CHAIRMAN'S FOREWORD

The Joint Standing Committee on the Corruption and Crime Commission has conscientiously and diligently exercised its parliamentary role in regard to our State's Corruption and Crime Commission.

In order for Western Australians to remain justly confident in their robust and powerful corruption-fighting watchdog, it is important that the Corruption and Crime Commission, the Parliamentary Inspector and the Committee remain independent of each other.

In relation to the public interest Allegation investigated, I am confident that all three bodies have exercised their duties and responsibilities properly.

MR JOHN HYDE, MLA
CHAIRMAN

ABBREVIATIONS AND ACRONYMS

Act	<i>Corruption and Crime Commission Act, 2003</i>
CCC	Corruption and Crime Commission of Western Australia
Committee	Joint Standing Committee on the Corruption and Crime Commission
Parliamentary Inspector	Parliamentary Inspector of the Corruption and Crime Commission of Western Australia
Acting Parliamentary Inspector	Acting Parliamentary Inspector of the Corruption and Crime Commission of Western Australia

CHAPTER 1 ACTING PARLIAMENTARY INSPECTOR'S EVIDENCE TO THE JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

The Committee is satisfied that the clarification it sought from the Acting Parliamentary Inspector of the Corruption and Crime Commission in Report 4, *Acting Parliamentary Inspector's Report in the Matter of an Allegation Concerning the Honourable John D'Orazio MLA*, has been provided.

The Committee held a closed hearing with Hon. Graeme Scott, Acting Parliamentary Inspector of the Corruption and Crime Commission on Tuesday, 9 May 2006, and received evidence from him.

In relation to the Committee's request for the Acting Parliamentary Inspector to clarify the Corruption and Crime Commission's finding in its report of 3 March 2006¹ that:

The term "Godfather" used by Ms Chong alone and only once at the public hearing was a throw away line and was not intended nor did it have any further meaning or significance"

the Acting Parliamentary Inspector gave evidence to the Committee that:

Ms Chong gave evidence on oath before me on 4 April 2006 at my request. Her evidence was that her use of the word "Godfather" came from her Chinese ancestry. In Cantonese the term is "Tai Ko" a reference to village elders who were held in respect and were used to settle disputes.

The commonly understood term "Godfather" in our culture has a different meaning. Ms Chong said she did not use the word in the pejorative sense to refer to an "enforcer" or standover man". The term was used as a term of respect.

Ms Chong said that she had no evidence which would justify the use of the word "Godfather" in the sense commonly understood.

Due to the forthcoming trial of Mr Spagnolo, it would be inappropriate for the Committee to make any further public comments relating to the CCC's investigation.

¹ Corruption and Crime Commission of Western Australia, *Report in the Matter of an Allegation Concerning the Honourable John D'Orazio MLA*, 3 March 2006, paragraph 3.

APPENDIX ONE

WITNESSES TO HEARINGS

Date	Name	Position	Organisation
9 May 2006	Hon. Graeme Scott	Acting Parliamentary Inspector	Parliamentary Inspector of the Corruption and Crime Commission