



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

**PUBLIC HEARING EXAMINING  
OUTREACH PROGRAMMES OF THE  
CORRUPTION AND CRIME COMMISSION**

**Report No. 11  
in the 37<sup>th</sup> Parliament**

**2006**

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Joint Standing Committee on the Corruption and Crime Commission

Public Hearing Examining Outreach Programmes of the Corruption and Crime Commission

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**Report No. 11**

Presented by:

**Mr John Hyde, MLA and Hon. Ray Halligan, MLC**

Laid on the Tables of the Legislative Assembly and the Legislative Council  
on 31 August 2006



## COMMITTEE MEMBERS

**Chairman**

Mr John Hyde, MLA  
Member for Perth

**Deputy Chairman**

Hon Ray Halligan, MLC  
Member for North Metropolitan

**Members**

Ms Judy Hughes, MLA  
Member for Kingsley

Hon Margaret Rowe, MLC  
Member for Agricultural

## COMMITTEE STAFF

**Principal Research Officer**

Ms Andrea McCallum, BA, B Juris, LL B, LL M

## COMMITTEE ADDRESS

Joint Standing Committee on the Corruption and Crime Commission  
Legislative Assembly  
Parliament House  
Harvest Terrace  
PERTH WA 6000

Tel: (08) 9222 7494  
Fax: (08) 9222 7804  
Email: [jscccc@parliament.wa.gov.au](mailto:jscccc@parliament.wa.gov.au)  
Website: [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au)



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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

One of the major differences in the *modus operandi* between the Corruption and Crime Commission and its predecessor, the Anti-Corruption Commission, is the CCC's responsibility for education and corruption prevention.

The scheduling of the Legislative Assembly's Regional Parliament in Geraldton enabled the Joint Standing Committee on the Corruption and Crime Commission to review the effectiveness of the CCC's outreach programme, a programme which had received positive anecdotal feedback.

The Committee intends to ensure that both the CCC's operations and our oversight are inclusive of regional Western Australia.

MR JOHN HYDE, MLA  
CHAIRMAN



## **CHAPTER 1     JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION'S PUBLIC HEARING IN GERALDTON**

### **1.1     Background**

On 29 May 2006 the Joint Standing Committee on the Corruption and Crime Commission held a public hearing in Geraldton. The purpose of the hearing was to obtain feedback on the Corruption and Crime Commission's outreach programmes.

Section 17 of the *Corruption and Crime Commission Act, 2003* provides that the CCC has a prevention and education function. One of the flaws of the CCC's predecessor, the Anti-Corruption Commission, was that it did not have a corruption prevention role. The CCC fulfils its prevention and education function in a range of ways, including the provision of information to the general community and offering advice and training to public sector agencies and local authorities to develop their corruption prevention capacities.

The CCC's Corruption Prevention, Education and Research Directorate has developed an education programme to ensure public officers in metropolitan and regional areas of Western Australia are aware of the CCC's role and of their statutory notification requirements. Community awareness forums are also conducted for the general public in metropolitan and regional areas to enhance the public's knowledge of the CCC and its functions.

To ensure that regional areas have access to the CCC's corruption prevention and education services, the Corruption Prevention, Education and Research Directorate has developed specific regional support initiatives such as community awareness forums and individual agency consultations. To facilitate regional support services, the CCC has allocated consultants to three regional areas:

- Kimberley and Pilbara;
- Midwest, Goldfields, Gascoyne and Wheatbelt; and
- Southern and Great Western.

The Committee's functions are to monitor and report to Parliament on the exercise of the functions of the CCC (and the Parliamentary Inspector of the CCC) and to inquire into and report to Parliament on the means by which corruption prevention practices may be enhanced within the public sector. The Committee resolved to convene a public hearing in Geraldton to obtain preliminary feedback on the CCC's outreach programmes.

## 1.2 Corruption and Crime Commission's regional visit to Geraldton

From 27 February to 2 March 2006 the CCC conducted a series of public sector presentations, community forums and individual agency visits in Geraldton as part of its Midwest regional outreach. Promotion for the visit included:

- letters to agency Chief Executive Officers in Perth, departmental managers, local government authorities and community groups in Geraldton;
- three posters erected in Geraldton directed to specific audience groups;
- an advertisement placed in the two local newspapers;
- a media statement; and
- local media articles and interviews with the two CCC consultants who travelled to Geraldton from Perth.

In the letters sent to departmental managers and local government authorities in the region, the CCC stated that:

*It is recognised that regional areas generally have less access to training and support services; have higher staff turn over rates; and have more difficulties in attracting skilled and qualified employees. Additionally, managers in remote areas are faced with the challenges and constraints of supervising staff spread over large geographical distances. All of these issues create special challenges in managing misconduct and corruption risks.*

Two free community awareness forums were held to explain to members of the general public the role and functions of the CCC and how to make a complaint about public officers. Articles in the local newspapers indicated that the CCC's regional visit to Geraldton was well received, allowing members of the general public to have their say about alleged public sector misconduct within the region.

## 1.3 Committee Public Hearing

The Committee resolved to conduct a public hearing in Geraldton on 29 May 2006 to coincide with the Legislative Assembly's regional sitting. Holding a public hearing in the region provided members of the general public the opportunity to meet the Committee's members, and also provided the Committee with the opportunity to obtain feedback on the CCC's regional visit from those public officers and members of the general public who attended the CCC's seminars and community awareness forums.

The Committee wrote letters to the same agencies that the CCC had invited to attend information sessions, placed advertisements in the local newspapers, and issued a media release.

Although a number of people attended the public hearing, only two people wished to appear as witnesses to give formal evidence. A copy of the transcript of the hearing is attached as Appendix 1. However, individual Committee members had the opportunity to discuss the CCC's regional visit informally with other people who attended the hearing.

Feedback from the public hearing was generally positive. In his evidence to the Committee, Mr Max Barker, District Manager of the Fire and Emergency Services Authority, stated that:

*I am here because we attended the outreach program and we wanted to be in attendance today to compliment the organisation of that program, the way it was delivered and the information that was given. In previous years here, we have not had such an opportunity to get first-hand information on the fine lines of the commission's areas of activity, and it was beneficial for all staff who attended.*

The Committee asked the witness how the information provided by the CCC would be communicated to the 1,800 volunteer firefighters in the region. Mr Barker provided several examples of ways that introductory material could be presented to volunteers as part of their initial training, but added that:

*That was the biggest message that we were left with. The CCC may not have covered everything, although I did feel that they had, but the information was always there - please ring us and discuss things. One of the things that I was quite pleased about was the emphasis on the confidentiality for calls; that is, that they would give advice and not necessarily take it any further unless there was a real need to do so.*

#### **1.4 Committee's feedback on Corruption and Crime Commission's outreach programmes**

It is early days in the implementation of the CCC's regional outreach programmes. The Committee will monitor their progress through the quarterly public hearings with the CCC and annual reporting. It would be helpful if the CCC set out in its annual reports its activities in each of the identified regions, including the specific issues raised at agency and community forums in each region. For example, in a newspaper article following the Geraldton visit by the CCC, it was reported that concerns had been raised about local tendering processes as certain companies allegedly won all the government contracts, and that senior agency officers were not acting upon allegations of misconduct.

The Committee is pleased that the CCC has allocated resources to offer tailored regional services. As the CCC stated in its letters inviting stakeholders to the seminars in Geraldton, misconduct risks and the employee profile of the public sector differ markedly between metropolitan and regional areas. Allocating particular CCC officers or consultants to each region is a good idea, as it allows them to develop a detailed understanding of the region and the issues facing its public sector agencies and general community. It also facilitates local community members and public

sector officers developing a relationship of trust with individual CCC officers, as illustrated by Mr Barker's evidence to the Committee.

In turn, information obtained from each region will assist the CCC to develop training programmes and advice or recommendations to agencies that meet the particular needs of a region. As part of its corruption prevention function, the CCC researches whether there are any themes or emerging trends of misconduct which may point to systemic problems to be addressed at either regional or State level. Its outreach programmes consisting of education and consultation with public officers and members of the general public will assist the CCC in its long-term corruption prevention function.

The Committee recognises the problems faced by the CCC in conducting open community forums in both regional and metropolitan settings. Some disgruntled members of the public use these forums as opportunities to vent about government decisions they disagree with or about difficulties in accessing government services, instead of focussing debate on misconduct as defined in the *Corruption and Crime Commission Act, 2003*.

This problem is no doubt due in part to a lack of understanding in the community about the CCC and its governing legislation. The education programmes conducted by the CCC in the general community will ameliorate this problem over time. The Committee suspects, however, that there will always be a small number of individuals who use every available opportunity to air their grievances about the "government" in public, even when the grievances are not relevant or appropriate to the occasion.



# **APPENDIX ONE**

## ***TRANSCRIPT OF PUBLIC HEARING AT GERALDTON***

***MONDAY, 29 MAY 2006***



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

**TRANSCRIPT OF PUBLIC HEARING  
AT GERALDTON  
MONDAY, 29 MAY 2006**

**Members**

**Mr John Hyde (Chairman)  
Hon Ray Halligan (Deputy Chairman)  
Mrs Judy Hughes  
Hon Margaret Rowe**

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**Hearing commenced at 2.05 pm**

**The CHAIRMAN:** Ladies and gentlemen, I welcome you to Geraldton. We will first of all have the official hearing and at the end of that we will have our parliamentary committee meeting, for which people are welcome to stay, but it will be quite mundane. We chose to have a public hearing today because under the new Corruption and Crime Commission Act, the Corruption and Crime Commission was given the important function of preventing corruption. As part of that function, the commission must do outreach and education work with, not only the general public, but also various agencies and government departments. In Queensland, this process has helped public servants and others to become aware of issues such as conflicts of interest and of behaviour that may not be proper. The CCC also undertakes that work because of a perceived conflict of interest, particularly in regional WA, for example, where a local volunteer firefighter in a small town may quite often also be the shire president and whose wife may be the principal at the local school. Having a potential conflict of interest is not in itself wrong. However, people need to acknowledge that if there is a potential, in some circumstances relationships may mean that people have to step away from the decision making process. The CCC came up here earlier in the year and visited a number of other regional centres to engage in outreach work and prevention work. The prime aim of today's hearing is to get some feedback and for us to hear at first-hand from people who were involved in making submissions to the CCC or were part of that education process.

I say this for the benefit of people who intend to speak today. Hansard is recording today's hearing. This is a parliamentary committee, which has the same power and status as if it were a sitting of Parliament. The Parliament will, of course, sit tomorrow and the following day in the Queen's Park Theatre. The deputy chair of the committee is Hon Ray Halligan, who is a member of the upper house. This is a joint parliamentary committee under the legislation, so it has two Labor members and two Liberal members. The legislation provides for the committee to have equal numbers of government and opposition members, so that the government, of which I am a member, does not have a majority on the committee. The precedent for an anti-corruption committee of the Parliament has always been that members act through consensus. The current members act in that way, as did members of the previous committee. The other two members are Mrs Judy Hughes, the member for Kingsley, who is a member of the Community Development and Justice Standing Committee. That committee is also meeting at this time, so she has sent her apologies. Hon Margaret Rowe is also a member of this committee. She is a local member of the upper house for the Geraldton area and she will be joining us shortly. Deputy Chair, do you wish to add anything at this stage?

**Hon RAY HALLIGAN:** I reiterate that our purpose for being here is to hear from you people, even if they are questions that we need to respond to. In the main, as the Chairman, has said, the purpose of the joint committee is to oversee the Corruption and Crime Commission, which does all the work. The fact that the CCC was here earlier this year is an important aspect of its work. An important aspect of our work, as a parliamentary committee, is to ensure that the commission is doing what it was set up to do. The only way we can find that out, as the Chairman has said, is to ask you people whether that has been the case.

**The CHAIRMAN:** The other point I will mention is that if people have grievances against a government body, be it a local government, the Electoral Commission or any agency of government, the committee will not re-open cases - that is not its role. If somebody has taken a complaint to the Corruption and Crime Commission and is not satisfied with the process, that person is able to appeal to the parliamentary inspector. He is able to look at each case, including original material and everything involved in the process. Once somebody has been to the parliamentary inspector, if that person still feels there is a process issue, he or she can then come to our committee purely on the processing of the issue, but we will not look at the mechanics of the grievance. The legislation was set up very carefully so that politicians are not able to go to an anticorruption body to interfere directly or have direct access to sources material. As we are concerned with anticorruption, we are very conscious that gates must be put up between the various levels so that members of the public can feel that justice is being done and also so that public servants and others can feel that if they have not done wrong, they have protection in their professional capacity and will get a fair hearing on any allegation.

I invite anyone to make a comment. If someone feels that the prevention hearings or some contact with the CCC was not satisfactory, perhaps there may be a way of improving the process.

**BARKER, MR MAX EDWIN**

**District Manager, Fire and Emergency Services Authority,  
PO Box 284,  
Geraldton, 6531, examined:**

**The CHAIRMAN:** The committee hearing is a proceeding of Parliament and warrants the same respect that proceedings in the house itself demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as contempt of Parliament. Have you completed the "Details of Witness" form?

**Mr Barker:** Yes.

**The CHAIRMAN:** Do you understand the notes attached to it?

**Mr Barker:** I do.

**The CHAIRMAN:** Did you receive and read an information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

**Mr Barker:** Yes, I did.

**The CHAIRMAN:** Would you like to make an opening statement to the committee?

**Mr Barker:** I am here because we attended the outreach program and we wanted to be in attendance today to compliment the organisation of that program, the way it was delivered and the information that was given. In previous years here, we have not had such an opportunity to get first-hand information on the fine lines of the commission's areas of activity, and it was beneficial for all staff who attended. We have five members in a management role here. All five attended.

Most of the station officers in the career fire brigade also attended. There is nothing else I have to add, except that we were impressed with the delivery and what came out; there were no grievances or anything like that. From sitting and listening to your opening address, the only thing that occurs to me is that we may well have a place where we can expand in some ways, especially with the volunteer brigades that we cover throughout the area, where we may have a vehicle for passing on some information. That has come to me only while I have been sitting and listening to you. Probably the first thing I would need to do is to delve back into the publications to see whether even the small brochure that was part of the pack is something we could pass on to volunteer brigades. In the area we have in the vicinity of 1 800 volunteers. Your comment about shire presidents also being chief fire officers could be of value to them. A lot of people in management roles in volunteer brigades do not necessarily have any association with state government departments at all, except for people like me and my colleagues in the bush fire management area, so that could be an advantage.

**The CHAIRMAN:** I am delighted you have raised that issue. The other major inquiry we are doing this year is a review of the whole Corruption and Crime Commission Act, which has to be reviewed by next year. One of the areas that the CCC has suggested legislation should also cover is that of volunteers. Using FESA as an example, with the FESA levy, a number of volunteer brigades and, throughout the community, a number of not-for-profit, volunteer organisations receive a large amount of government funding. Sometimes they are able to employ part-time people, such as contractors. A loophole under existing legislation means that those people who could be delivering government services that are paid for with the FESA levy and their tender processes for the procurement of vehicles and firefighting equipment - to carrying on with your example - would not be covered the CCC. It is becoming a much bigger area. Your comments have been very useful, but I imagine, as with most volunteer organisations, people are concentrating on fighting fires, helping kids or whatever the role of the volunteer group. Until there is a problem, people are not aware of conflicts of interest or of avoiding potential conflicts of interest like that. What area of the mid-west does your brigade cover?

**Mr Barker:** We have only a small part. Talking of the shire, we cover from Carnarvon in the north to Wiluna down to Koorda and across to Dandaragan.

**The CHAIRMAN:** It is just a smidgen with 1 800 volunteers?

**Mr Barker:** There are approximately 1 800. That figure can always be challenged, depending on the state of the rolls. I think where I am coming from with the volunteers is simply that we have a fatherly approach towards them and we want to protect them in every way that we can.

[2.20pm]

**The CHAIRMAN:** What area does your brigade cover?

**Mr Barker:** We have a small part. We cover from Carnarvon in the north - we are talking shire-wise - Carnarvon to Wiluna, down to Koorda and across to Dandaragan. It is just a small part.

**The CHAIRMAN:** A small smidgeon - 1 800 volunteers!

**Mr Barker:** There are approximately 1 800 volunteers. That figure can always be challenged, depending on the state of the rolls. Where I am coming from with the volunteers is simply that we have a fatherly approach towards them. We have to protect them every way that we can. Without having an example to mind, if people are aware that they should not do something, it is better, as

you just suggested, that they are aware of it beforehand rather than to find out when the great clobbering machine comes along afterwards. These people, of course, go into other people's private homes and into places of work etc, so it is important that the message is brought through right to the grassroots; that is where I was coming from.

**The CHAIRMAN:** Another area of potential conflict - we have looked at in previous emergency management reviews - is the new legislation in terms of setting an emergency hierarchy during a cyclone or during a fire. It is a very vexed issue. Let us use the cyclone for example. If you are at the top red alert, at number five, there is the issue of people being told to evacuate or not, and so on. If you are in a small community there is the issue of having the power within that role, quite often by a volunteer, of determining whether somebody should evacuate or not; those sorts of issues. I would have thought it is obvious that a volunteer, with training and preparation, has got to be aware of.

**Mr Barker:** Absolutely.

**The CHAIRMAN:** I guess the awareness in our transparent society is that if the process is not followed properly, then a wronged resident, or somebody who feels they have a valid grievance, could issue a complaint. In terms of your general training, do you think that has changed since the Corruption and Crime Commission awareness? Are there more formalised practices?

**Mr Barker:** I would perhaps say that it has not but it could. I think that is where I was leading with the volunteers being given more instruction along those lines. We do tell people - and this probably shouldn't be reported in *Hansard* - if you are going to knock something off, make sure it is worth knocking off, because the same thing is going to happen to you whether it is something that is worth \$10 or whether it is worth a billion dollars. What I am trying to say is that it comes back to knowledge, training and understanding. That is where I was coming from.

**The CHAIRMAN:** It is a very big part of the outreach. Previously, under our Anti-Corruption Commission prior to 2004, there was no prevention role. In Queensland, it is very much going out to smaller communities, and saying that the very issue of taking a shovel from the shire depot, even if it is only worth \$20 or \$30, is still stealing.

**Mr Barker:** That is right.

**The CHAIRMAN:** If you are trying to arbitrarily make a moral judgment of what is theft and what is not, you are on the path to corruption and misconduct. Quite often people do not realise this until they are in an education-type situation or it is being shared by others.

**Hon RAY HALLIGAN:** Mr Barker, you made mention of the fact that you - is the word "control" with 1 800 volunteers?

**Mr Barker:** Well, technically -

**Hon RAY HALLIGAN:** Assist?

**Mr Barker:** We assist.

**Hon RAY HALLIGAN:** Direct?

**Mr Barker:** That is a better word, yes.

**Hon RAY HALLIGAN:** You mentioned that you were particularly pleased about the CCC and what it was able to provide when it was in this area. One expects that not all 1 800 volunteers are



able to be here to hear what the CCC has to say. So, my question is: how can we try to ensure that those 1 800 volunteers hear the message, for want of a better term? It is wonderful that you were able to hear what was said and could embrace it. It gave you that bigger picture as to what your role, and what the role of others, is as far as corruption and misconduct are concerned, but how do we actually get that message out to the 1 800 volunteers?

**Mr Barker:** The only way that I could see that happening from now forward would be that it is incorporated into one of our basic training programs for new members. The basic training program is a six-hour program that is delivered to all new members. Whether there could be some time allowed in that, would be a matter for our training centre in Forrestfield.

**Hon RAY HALLIGAN:** Does that occur at one central point?

**Mr Barker:** No, it is delivered by people like me and my staff. We take the hilt and the hammer, as it were. Retrospectively, the only way to do it would be in the course of our normal visits to brigades and local governments. That is why I mentioned the packs that we have already. If we even took just a couple of minutes to say, "Here's the basic information in the pamphlets; please take these and read them."

**Hon RAY HALLIGAN:** One could imagine that that might be the starting point. I would imagine also there could be difficulties if people started to ask you questions, even though you believe that you might be able to provide the right answer.

**Mr Barker:** That is a fair comment.

**Hon RAY HALLIGAN:** Strictly speaking, it would be for the CCC to provide those answers.

**Mr Barker:** Yes.

**Hon RAY HALLIGAN:** It would appear that there is not going to be an easy solution.

**Mr Barker:** The phone number helps, of course.

**Hon RAY HALLIGAN:** Of course. You are right, I think it is a matter of ensuring that people are aware, even though they may not, at any particular point, have all the knowledge that they believe that they may need, at least they are aware, and, as you have just mentioned, at least have a contact point where they can obtain greater information.

**Mr Barker:** That was the biggest message that we were left with. The CCC may not have covered everything, although I did feel that they had, but the information was always there - please ring us and discuss things. One of the things that I was quite pleased about was the emphasis on the confidentiality for calls; that is, that they would give advice and not necessarily take it any further unless there was a real need to.

**Hon RAY HALLIGAN:** Using your experiences, having had the opportunity to think over what it is you believe you needed to know and the information with which you were provided, do you believe that that kit that the CCC gave out when they were here in Geraldton provides sufficient initial information?

**Mr Barker:** For the people who were attending, it was quite adequate. I believe that we are probably going to a lower level, the volunteers, to give them virtually a heads-up and an opening of the door to say, "Look, these are the basics. If you've got any queries, these are the people to go to." How they get a team around the state I do not know. It would take a team of hundreds on

the road for months to get around to the 1 800 volunteers in our little patch, let alone the rest of the state,.

**Hon RAY HALLIGAN:** That is true.

**Mr Barker:** We have the same problem with our training, which is not what I am here to talk about; that is, getting out to everybody and ensuring they are up to the level of training that is required. That is only one subject of the multitude that we have to address with putting people into fires, cyclones, floods etc.

[2.30pm]

**Hon RAY HALLIGAN:** I think this is why it is important for us to be here to ask questions of people such as you, who are at the coalface, so to speak. Do you believe that the information pack you were given by the Corruption and Crime Commission would be appropriate to hand to the 1 800 volunteers, and it would not cause confusion, but would provide them with sufficient information for them to know where they need to go should they believe they have discovered some corruption or something that should be brought to the CCC's attention?

**Mr Barker:** It may well not need to be at that level. I believe that perhaps the frequently asked questions are absolutely important and the brochure which explains where to go and what it is covering. We are talking about a full four-hour program. To put some of our volunteers through that when we are trying to teach them other things would not work. I am suggesting that, for the volunteers, we might be looking at something like the frequently asked questions, the little fold-out brochure and a 10-minute overview of the headings in the brochure. "Here are some frequently asked questions, take it home and read it, and here is the phone number to ring to talk to somebody in Perth who can give you real, on-the-spot information."

**Hon RAY HALLIGAN:** Thank you.

**The CHAIRMAN:** It is excellent that you raised those points, because quite often we have key people come to the seminar or training and then it is expected you either go out as disciples or there is some sort of trickle-down effect. You made the point about being engaged for four hours and not putting a volunteer through something like that. In Singapore, the ethics commission in dealing with this very issue developed something like a Rubik's cube, which I am displaying now, that has key anticorruption messages, ethical quizzes and statements regarding conflicts of interest. The way they seem to be doing it is that at the level of, say, police stations, somebody might go back to a local police station to deal with say 12 or 16 people on different shifts. Something like a Rubik's cube or calendar, which I am also displaying, with ethical messages, could be left in the mess areas or the reception areas and engage the coalface people. Was this level of engagement discussed at all, or was there was any promise from the CCC that a stage two or three would be coming?

**Mr Barker:** I am not aware of that, no. Are we talking of fridge magnets even?

**The CHAIRMAN:** Yes, those sorts of things that reinforce the message, rather than a four-hour seminar.

**Mr Barker:** I think that is possibly the way to go. You would not get them to a four-hour seminar, it is as simple as that. There were several seminars here and the one that I attended was predominantly state employees. We were there for the obvious reason that we are in the position

of trust by the public and therefore we needed to be there. My example of the volunteers is that they are in exactly the same position and we need to protect them as much as we can.

**The CHAIRMAN:** Obviously with issues such as workplace safety and so on, or even various skills in terms of the correct clothing to be worn going into a fire, for example, you are not going to impart that sort of knowledge in a boring four-hour seminar; you would use difficult materials or ways of teaching.

**Mr Barker:** In those circumstances, we are into the practical side of things. We get them to start doing things, wearing the proper uniforms and using the gear. I am not just talking about fire volunteers but also the SES side of things as well. That is how they learn. I find it difficult to bring in a similar example for the CCC as far as our volunteers are concerned.

**The CHAIRMAN:** I think something like a Rubik's cube, something practical, would probably be more beneficial than a sheaf of papers.

**Mr Barker:** I think the advantage of something like that would be if we were presenting it as part of a basic training course, even if it was only a 10-minute introduction. At least it enlightens people to the fact that they could be put into a position where they could come to some grief. By drawing it to their attention, the ones that are interested will go into it a little bit more.

**Hon RAY HALLIGAN:** I think you are right. With any corruption, it is a matter of people realising that there are others looking over their shoulder, as well as them looking over somebody else's shoulder. It is important that they be aware of the parameters in which they are working, and are allowed to work, and, having stepped outside that, if they wish to do so, there is likely to be someone who will be able to pick them up and make their wayward deeds known to a commission such as the Corruption and Crime Commission. I think that is important from the point of view of everyone realising what everybody else knows. It is not a matter of trying to keep anything secret. As the Chairman said earlier in the piece, even the general community needs to feel comfortable that there is an organisation such as the CCC that has the powers and the capability to do the job that everyone expects of it. It is important that everybody knows exactly what they are doing, how they are doing it and where each individual fits in to that bigger picture.

**The CHAIRMAN:** Mr Barker, is there anything else you would like to add at this stage?

**Mr Barker:** I thank you for the opportunity of speaking. I did not believe I would talk for so long.

**The CHAIRMAN:** It was very practical. I think you have set the standards for future speakers here today.

**Mr Barker:** Thank you.

**The CHAIRMAN:** Thanks very much.

**SHARP, MR NOEL, SENIOR**  
**Researcher,**  
**Rabbit Flats,**  
**C/- Post Office Geraldton 6530, examined:**

**Mr Sharp:** Could we ask Mr Barker a question?

**The CHAIRMAN:** This is a hearing, so I am quite happy to invite other speakers to come forward. If you would like to come up -

**Mr Sharp:** I would like to ask him what -

**The CHAIRMAN:** No, you are not allowed to ask questions of others. You are more than welcome, sir, if you would like to come up as a witness to make a statement to the committee.

**Mr Sharp:** Yes, in relation to Mr Barker.

**The CHAIRMAN:** This committee hearing is a proceeding of Parliament and warrants the same respect the proceedings in the house itself demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as contempt of Parliament. Have you completed the details of witness form? Do you understand the notes attached to it? Did you receive and read an information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

**Mr Sharp:** Yes.

**The CHAIRMAN:** Would you please state your full name, address and the capacity in which you appear before the committee.

**Mr Sharp:** My name is Noel Sharp senior. My postal address is Rapid Flats, care of the post office at Geraldton. I am a researcher and retired jockey.

**The CHAIRMAN:** Mr Sharp, would you like to make an opening statement to the committee?

**Mr Sharp:** Yes. I would have liked to ask Mr Barker a question. During a power spike here, a number of citizens in Geraldton were struck by 500 volts or better from a Western Power energy source. A lot of us endeavoured to ring emergency numbers, including Fire and Emergency Services Authority and others. Our calls were intercepted in Victoria. Houses were on fire and children were trapped; others were burnt and damaged. We have had the runaround from government departments by them saying - the fire brigade covered it up and FESA covered it up for various departments, so we went around in circles. We have endeavoured to get compensation from Western Power. My injuries now are - I have a pigeon egg on the side of my head and I had a split shin. I averaged 500 volts or better through my body, which normally should have stopped any person in their tracks. That also set the unit on fire, which burnt every electrical good in it. I was not the only one. As I understand it, at the present moment, the public servants were paid out, no questions asked, but pensioners and others got nothing. Only certain other people, who did not make any noise, were paid out.

[2.40 pm ]

**Mr Sharp:** I submitted some 25 applications for relief - for goods - so that we could survive as pensioners and the elderly.

**The CHAIRMAN:** To whom were those applications submitted?

**Mr Sharp:** I went through Western Power, I went through the Premier's department, I went through ministers; I went through every government department that it was possible to go through at the time. Just recently we found out through a seminar in Perth for seniors and others that we have a contract with Western Power, based on contract law, that says we pay a hiring fee for a meter coming onto the premises and, therefore, any substance coming from that meter is the responsibility of the government department or body thereof. It was only just recently that it claimed that, "Well, 12 months has passed and you haven't been able to prove anything," but it claimed an act of God set a transformer on fire and shorted it out. Of course, we were the recipients of a terrible disaster.

The question I wanted to ask of the gentleman who wanted a telephone number, why do we not have a central number for major disasters? We should not have to go through Victoria. An Indian who answered the phone did not even know where Geraldton was. In fact, they could not even tell us where Geraldton was.

**The CHAIRMAN:** This is the 000 number?

**Mr Sharp:** Yes, the 000 number. In fairness to Mr Barker, I know him by sight, what I am going to say is this: we have been stood on by every government department. I asked to see cabinet ministers and others who were here for a meeting. I did not ask to see Ms Quirk, but I was given her name as a brush off. We get all these letters from Jack the Ripper and others who make their bidding.

In 1988, I stood as an Independent in the state at the time of WA Inc. I printed the story of WA Inc, patent rights, book rights and film rights for that particular story. I stood against Mr Dowding in the seat of Maylands and since then I have been hounded. In the 1980s I had a house burnt down in Pingelly, which was arson. I was burnt out again in Maylands when I was in a Homeswest property. I have been in Geraldton for 11 or 12 years and I have been hounded by government departments and officers.

**The CHAIRMAN:** Mr Sharp, can we just focus on the issue you have raised; that is, the problem with the voltage? How long ago was that?

**Mr Sharp:** It is getting on for two years.

**The CHAIRMAN:** Mr Sharp, you said that you have gone through processes of seeking compensation, complaining through ministers' offices and the Premier's office and so on?

**Mr Sharp:** Yes, the Insurance Council of Australia included, and others.

**The CHAIRMAN:** As I said at the commencement of proceedings, our province is the process only, not the actual details.

**Mr Sharp:** We understand that.

**The CHAIRMAN:** Because your grievance is obviously that you do not feel those departments have treated your complaint properly, have you officially complained to the Ombudsman or the Corruption and Crime Commission itself?

**Mr Sharp:** Yes, I have.

**The CHAIRMAN:** Has the CCC dealt formally with your complaints?

**Mr Sharp:** It is a revolving door like your Parliament House; you go in one door and out the other if you do not want to see anybody. This will happen again; that is, a power surge. The government is contracted by law to supply 240 volts; not 500 volts, 1 000 volts or otherwise. We were lucky this time that none of us died as a result of this catastrophe - that is the only way I can put it. I will ask a question that I want answered. The government has appointed an ombudsman for power and energy; I believe her name is Deidre O'Donnell. On Wednesday morning we have to ring her and supply her with some 300 names and all the details. She will look at the question of reopening the case, based on the fact that the time has expired. One must ask: is there a conflict of interest? How the hell can we have public servants who are paid out direct, with no questions asked, but a pensioner or an uninsured person is pushed aside, again no questions asked? We are going nowhere, but the influential people in this town who pull the strings are able to get help.

**The CHAIRMAN:** In terms of the process, you said that you put a complaint into the CCC.

**Mr Sharp:** Yes.

**The CHAIRMAN:** Have you had a letter back from the CCC saying that the matter is resolved?

**Mr Sharp:** No. There was a meeting here just recently. I will say this about the CCC: they were helpful in advising me to go to McCusker with further evidence. I have the greatest respect for the gentleman. By the time we get to the Insurance Council of Australia, which is Sydney, back here, then round up all the claimants who have lost everything again and get the paperwork started the inquiry will say, "Oh well, you produce the evidence." The situation is that a number of houses were cluttered up with fridges and freezers and everybody dumped the contents or tried to unload them. I do not believe that, in fairness, we have to hang onto goods for a period of 12 months to two years to prove a point.

**The CHAIRMAN:** Okay, but did you put in a formal complaint to Mr McCusker about the parliamentary inspector?

**Mr Sharp:** No, I have not done that because I am waiting for the Insurance Council of Australia to advise us further. The matter is now ongoing with the Ombudsman, whom I have to ring on Wednesday morning. We believe that there was a cover-up by government departments, in particular the fire brigade, councils and others, Fire and Emergency Services Authority and the rest, who did not want to know about it. What they did was shunt us from one to the other and then denied that there was any principle involved.

**The CHAIRMAN:** Okay. Obviously you are aware of those processes. If you do have a meeting with the Ombudsman that is good; that is important. Mr McCusker is the next person to go through if you do not feel that the CCC has adequately or in a timely manner dealt with the complaint that you have made. Therefore, we are not able to discuss or give any view either way of the actual issues you have resolved, but in terms of the process you are obviously on the right path - the Ombudsman next week and then in terms of the parliamentary inspector.

**Mr Sharp:** Yes. I did not know that Mr Barker was going to attend. In all fairness to Mr Barker and the rest of the body, the other matters we are here to discuss are in relation to what happens in this town if you speak out. During the elections I was going to stand as an Independent candidate.

I attended this building here, downstairs, with a number of banners and accompanied by other people. Shane Hill, who is the local member, rang the police and had me removed. Physical and verbal abuse took place and they told the ex-jockey who was there alongside me at the time to hide behind the date palm or the palm tree and I was shifted on.

**The CHAIRMAN:** Okay. I would just remind you that there may be a series of grievances that you feel about the whole process. I think that we have given you a fair hearing on the major issue you are dealing with in terms of your contact with the CCC.

**Mr Sharp:** We have not got to the rest of it yet. The question is then that my son, who is a security officer here in Geraldton or a bouncer or a crowd controller under the act or the law as it stands at the present time, was bashed into submission. They caved his head in - eye socket - and he was flown to Perth by Royal Flying Doctor Service. He was put into St John of God Hospital, Royal Perth Hospital and two other hospitals. The matter became so transparent that the video and other material that should have been sufficient evidence to have somebody prosecuted has not been done. Having taken that matter to various government departments and elsewhere, at the present moment no-one has been prosecuted for that assault.

**The CHAIRMAN:** Have you taken this issue to the CCC?

[2.50 pm]

**Mr Sharp:** I went to the police commissioner. I met him personally after inviting him to come to Geraldton. A senior officer by the name of Superintendent Alan Gronow was involved in the "social engineering" of how to get a result.

**The CHAIRMAN:** I will just caution you by saying that we are not concerned with either the facts or the allegations of the matter but the process. If you feel that there is a failing in the police department or a government agency, your next step is to go to the CCC.

**Mr Sharp:** It takes time to get to the CCC. In fairness to Mr O'Callaghan, he is a fine gentleman. But the fact is that that behaviour is inappropriate. That is a far-reaching complaint. I want the five other officers who were involved charged. My son is now a psychological wreck. He cannot get employment in Geraldton.

**The CHAIRMAN:** Again, I just caution you. If you are not happy with how the police commissioner is going to deal with your complaint, you can go to the CCC as the oversight body. I repeat that we are not here today to look at issues.

**Hon RAY HALLIGAN:** We cannot make any judgments on what you are saying. We are here as an oversight body. We hear what you have said but there are certain bodies that you need to go to with those complaints.

**Mr Sharp:** We did; we went through Mr D'Orazio. We were not satisfied with either.

**Hon RAY HALLIGAN:** The ultimate body that you go to, having received no satisfaction from a minister, a government agency or the police commissioner, is the CCC. You say to the CCC, "I have gone to all of these other people; I am not satisfied with what they have provided" and then you leave it to the CCC. If you can then come back to us and say, "I have provided all of this to the CCC and I am unhappy with its answer", that would be a different matter. We need to reach that particular point. It sounds as though there are still a number of steps you need to take.

**Mr Sharp:** My power of attorney is Mr John Doonan. Mr John Doonan made a number of submissions on my behalf to the CCC and we have gone nowhere.

**Hon RAY HALLIGAN:** You say you went nowhere. The Chairman asked you a short while ago whether you had received a response from the CCC and you said no.

**Mr Sharp:** No, I have not received a response.

**Hon RAY HALLIGAN:** So it is not a matter of going nowhere; you do not know where you have gone yet.

**Mr Sharp:** No, Mr Doonan -

**Hon RAY HALLIGAN:** Even your attorney. Are you aware of whether he has received anything from the CCC?

**Mr Sharp:** Mr Doonan is the same boat as a lot of us. He has been involved with the Mickelbergs and various matters in this state. There is a provision in this state that says that if you stand out or use parliamentary privilege or if you nominate for Parliament and speak out, you are bandicooted.

**Hon RAY HALLIGAN:** Mr Sharp, I have asked you one question and you have not answered it yet. I have asked whether you or your attorney has received a response from the CCC.

**Mr Sharp:** Not a satisfactory one.

**Hon RAY HALLIGAN:** You said before that you had not received any response.

**Mr Sharp:** No, because we are trying to push it further to open up a can of worms.

**Hon RAY HALLIGAN:** Have you received a response?

**Mr Sharp:** No.

**Hon RAY HALLIGAN:** Until such time as you have, there is nothing to bring before this committee.

**Mr Sharp:** Then we are wasting time giving evidence.

**Hon RAY HALLIGAN:** No. We explained to you at the start why the committee was sitting in Geraldton. The committee was not established to hear evidence. That is the job of the CCC. We are purely an oversight body. We make sure that the CCC is doing the work that Parliament, through the act, expects of it. We are here to find out whether the people of Geraldton are satisfied that the CCC is doing its job. The only way people can say that is if they have heard from the CCC and received a response that either they are happy with or they are unhappy with.

**Mr Sharp:** Could I ask you a question? I have a son who is frightened and intimidated and will not go to the CCC. He cannot go to the police because the police were involved. He cannot get anywhere so we have taken the matter up on his behalf because he is my son. We are admonished by the CCC and told that he is of age and must make that application himself. If you know what a catch-22 situation is, you would be fully aware that there is a problem.

**The CHAIRMAN:** The CCC is different from the police force; it has a variety of different officers. You have to go to the CCC. If for some reason you do not believe that the CCC has provided a satisfactory way for you or your son to approach them, that is an issue you would take to the parliamentary inspector. You raised the issue of the Mickelbergs and others. The



parliamentary inspector has previously declared a conflict of interest in the Mickelberg case and has passed that case to an acting parliamentary inspector. The CCC and the inspector have provisions in place so there can be no conflict of interest. The CCC has a variety of officers, including some female officers with more of a social welfare background, who can deal with people who have been traumatised through previous contact with the police. To bring this to a close, I would urge you to contact the CCC in a proper way and raise issues if you feel that your son or somebody else cannot contact a desk office person there.

**Mr Sharp:** You can write as many letters as you like to the CCC or other departments but if we do not gain an inch of ground in the chain, the chain is only here to shackle us until we are ready to move on or get out.

**The CHAIRMAN:** May I respectfully say that you have not provided evidence to us that the CCC has put up a chain or has stopped you from your right to make complaints.

**Mr Sharp:** I can supply that through my attorney.

**The CHAIRMAN:** I thank you for your comments and the issues you have raised today. I urge you to keep going through the CCC process. If you get a response that is not satisfactory, go straight to the parliamentary inspector or his delegate. Thank you.

**Mr Sharp:** Thank you.

**The CHAIRMAN:** Is there a further speaker who would like to raise any issues?

**Hon RAY HALLIGAN:** A number of issues have been brought up today. Some of what has been said before the committee may well suggest to others the avenues that anyone with a concern should take. If there is a complaint against an agency, the resolution of that complaint should be taken up with that agency. If the result is unsatisfactory, there are other avenues that can be taken. If it is a criminal matter, they can, of course, go to the police. There is also the Ombudsman. Some would consider the CCC a last resort, and in a lot of instances it probably would be. It has been set up to look at corruption involving anyone who is paid from the public purse, including politicians. So if anyone believes they have reached the end of the road, so to speak, and they have gone back and complained through what one can only term the normal courses and have not received the response that they believed was fair and just, then the CCC is the next avenue for them. As the Chairman has said, if the response - and there has to be a response, even though it may take a little time to receive - from the CCC is not considered fair and just, then the act that was passed by Parliament states that people have access to the parliamentary inspector. The parliamentary inspector has been put in place to look into these matters to ensure that the CCC has undertaken its role in a manner that was fair and just and in accordance with the law that has been passed and other laws associated with the governance of this state.

We believe that the avenues are there for people who have concerns about corruption, anyone who is paid from the public purse. We definitely want to hear from people if they believe that doors are being closed and they cannot go down these natural paths that are available to everyone. Again, there needs to be more than a statement. There needs to be some form of evidence available. It may well be just a letter that has been received that says "Go away." That may in itself be sufficient. There has to be some evidence. There is no purpose in saying, "I rang someone on the phone and they did not want to listen to me and hung up on me". That is not evidence. You have to go down a path to cause people to commit themselves, so you write to

someone and you can rightly expect a response in writing. If that is not forthcoming, there are other agencies to go to, such as the Ombudsman. Invariably, at the end of the day, you have this form of evidence that is acceptable to any fair and reasonable person. As I said, there are other avenues for you to go down. The more important one as far as this committee is concerned is the CCC. If it is not doing its job, there are people out there who can check this out and ensure that people in the community can expect and receive the fair and just treatment that everyone believes and expects to receive.

The purpose of this committee and this hearing, as I said before and as the Chairman has said before, is for you to tell us whether you believe the CCC is doing what the people of Western Australia expect of it. If you say no, we expect evidence. That is the only possible way we can take that forward.

[3.00 pm]

That is the only possible way we can take that forward. If there is no evidence, all we can suggest is that you go away and obtain it. We have advised you on what you can do with that evidence. If the problem is with the police, you go to the CCC; if the problem is with the CCC, you go the Parliamentary Inspector. If you have a problem with the Parliamentary Inspector, then we, as a committee, would expect to hear about it.

**The CHAIRMAN:** Thank you very much, Deputy Chair. I acknowledge at this time, Judy Hughes, MLA, member for Kingsley. It is opportune that she is here because we have our committee meeting straight after this.

I would like to thank everybody for attending today. The fact that you are here is evidence that you found out we were meeting here, or that the tom-tom drums or something are working. We have also had several phone calls and e-mails from people and government agencies that were not able to attend today. Obviously, the message we would like you take back is that the committee is here if people are not happy or satisfied with the CCC or the Parliamentary Inspector process. With the review of the legislation coming up, if people do have suggestions for the legislation, then the committee would be very pleased to receive in writing in letter or through e-mail suggestions along those lines.

There being no further public speakers making submissions in the hearing today, I will declare the public hearing closed.

**Hearing concluded at 3.02 pm**

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