From: robin.brett@vicinspectorate.vic.gov.au
To: Joint Standing Committee on the Corruption and Crime Commission
Subject: Inquiry into the CCC [SEC=For-Official-Use-Only]
Date: Friday, 16 September 2016 9:50:18 AM

Dear Mr Goiran,

Thank you for your letter of 18 August 2016 inviting me to comment on the second term of reference for the above inquiry. That term relates to arrangements for the prosecution of offences associated with corrupt conduct and misconduct in other jurisdictions and you invited me to address the position in Victoria.

I am not really the best person to discuss this matter. I presume that the Joint Standing Committee has also invited a submission from the Independent Broad-based Anti-corruption Commission (IBAC), and IBAC is far better placed than I to respond. The IBAC has prosecution powers under sections 189 (in respect of offences against the IBAC Act) and 190 (in respect of any matter arising out of an IBAC investigation) of the IBAC Act. The informant may be the IBAC itself, and authorised IBAC officer, or a police officer; and in a number of prosecutions recently commenced the informant is the IBAC itself. However the IBAC does not in fact have a prosecutions section, and its practice where it considers that a prosecution may be appropriate is to prepare a brief of evidence for the Office of Public Prosecutions, which considers it and conducts any prosecution that may result.

I hope this is of some assistance, but, as I said, the IBAC is far better placed than I to provide detailed information.

Yours sincerely,

Robin Brett

Robin Brett QC
Inspector

Victorian Inspectorate
PO Box 617 Collins Street West
Melbourne Vic 8007
Telephone (03) 8614 3225