



## QUEENSLAND PARLIAMENTARY SERVICE

### POSITION DESCRIPTION

<b>POSITION:</b>	Parliamentary Crime and Corruption Commissioner
<b>SECTION:</b>	Parliamentary Service
<b>LOCATION:</b>	Parliament House, Brisbane
<b>REMUNERATION:</b>	See below
<b>REFERENCE NUMBER:</b>	PAR 21-05
<b>DATE OF REVIEW:</b>	February 2021
<b>CLOSING DATE:</b>	3 May 2021

### APPLICATIONS

The selection of the Parliamentary Commissioner will be undertaken by the Parliamentary Crime and Corruption Committee. The successful applicant must receive bipartisan support (as that term is defined in the *Crime and Corruption Act 2001*) of the Committee.

The Parliamentary Commissioner will be appointed on a part-time basis for a term of between 2 and 5 years. The initial term may be extended, however the total term cannot exceed 5 years.

The Parliamentary Commissioner is formally appointed by the Speaker of the Legislative Assembly as an officer of the Parliamentary Service.

Applications remain current for a specified period of up to 12 months after the closing date for the receipt of applications for the original vacancy and may be used to consider an applicant for appointment to a relevant office. The role of the relevant office could vary from the role the original vacancy is in, in relation to whether the employment is on a full-time or part-time basis.

### ENVIRONMENT

#### Crime and Corruption Commission

The CCC is a statutory body initially established as the Criminal Justice Commission (CJC) in 1989 following a recommendation of the Fitzgerald Commission of Inquiry. The CCC is a unique body in Australia which investigates both crime and corruption, has oversight of the police and the public sector, and protects witnesses. The CCC's functions include investigating serious and organised crime, investigating allegations of serious or systemic corruption, assisting in the recovery of proceeds of crime, providing witness protection, and conducting research on crime, policing and other matters.

### **Parliamentary Crime and Corruption Committee**

The Parliamentary Crime and Corruption Committee (the Parliamentary Committee) is a multi-party committee of the Legislative Assembly of Queensland. Its main functions are to monitor and review the discharge of the functions of the CCC and to report to the Legislative Assembly on matters relevant to the CCC.

### **Office of the Parliamentary Crime and Corruption Commissioner**

The office of the Parliamentary Crime and Corruption Commissioner is established by the *Crime and Corruption Act 2001*. The Parliamentary Commissioner is appointed as an officer of Parliament.

Under the Act, a report prepared by the Parliamentary Commissioner at the request of the Parliamentary Committee is an act done for the purposes of transacting business of a parliamentary committee under the *Parliament of Queensland Act 2001*.

Currently the office of the Parliamentary Crime and Corruption Commissioner is staffed by a Principal Legal Officer and receives executive assistant support from within the Committee Office.

## **DUTIES AND RESPONSIBILITIES**

### **Assistance to the Parliamentary Crime and Corruption Committee**

Under the *Crime and Corruption Act 2001*, the primary role of the Parliamentary Commissioner is to assist the Parliamentary Committee in enhancing the accountability of the CCC. One of the intentions of that Act is that the Parliamentary Commissioner acts as the agent of the Parliamentary Committee.

The Parliamentary Commissioner assists the Parliamentary Committee by undertaking a range of important functions on behalf of the Parliamentary Committee, at its direction, and by reporting back to the Parliamentary Committee. These key functions include:

- conducting audits of records, operational files and other material held by the CCC including current sensitive operations for the purpose of determining, amongst other things:
  - whether the way the CCC has exercised power is appropriate;
  - whether matters under investigation are appropriate for investigation by the CCC or are more appropriately the responsibility of another law enforcement agency;
  - whether registers are up to date and complete and all required documentation is on the file and correctly noted on the registers;
- investigating complaints against the CCC or its officers;
- independently investigating allegations of unauthorised disclosure of confidential information;
- inspecting the register of confidential information kept by the CCC to verify the CCC's reasons for withholding certain information from the Committee;
- reviewing reports given by the CCC to the Committee to verify their accuracy and completeness, particularly in relation to an operational matter;

- reporting and making recommendations to the Committee on the results of performing the above functions; and
- other functions the Committee considers necessary or desirable.

In 2014, the Parliamentary Commissioner was given further responsibilities and powers, including own motion investigation powers in relation to notifications of corrupt conduct within the CCC and own motion hearing powers.

### **Statutory functions of the Parliamentary Commissioner**

The Parliamentary Commissioner is required to conduct certain audits and inspections of CCC records under the *Police Powers and Responsibilities Act 2000*, the *Crime and Corruption Act 2001*, and the *Telecommunications Interception Act 2009*.

The Parliamentary Commissioner must also conduct an annual review of the intelligence data held by the Queensland Police Service and the CCC to consider:

- whether the intelligence data held by each agency is appropriate having regard to its functions;
- whether there is any unnecessary duplication of intelligence data; and
- whether the agencies are working cooperatively in the collection, management, and use of intelligence data, or whether either agency is placing inappropriate restrictions on access to intelligence data by other agencies.

### **Records of the former Commission of Inquiry into the effectiveness of the CJC**

The Parliamentary Commissioner also has a role under the *Crime and Corruption Act 2001* in relation to the records of the former Commission of Inquiry into the effectiveness of the CJC (the Connolly/Ryan Inquiry). This role includes having possession and control of those records and permitting access to those records only to those persons who are able to satisfy the Parliamentary Crime and Corruption Commissioner that they have a legitimate need of access.

## SELECTION CRITERIA

### Professional Qualifications

#### Qualifications

To qualify for appointment, a person must have served as, or be qualified for appointment as a Judge of the Supreme Court of Queensland or of another State, or of the High Court or the Federal Court.

#### Disqualifications

Under the *Crime and Corruption Act 2001* a person is disqualified from appointment if the person:

- has been convicted of an indictable offence or affected by bankruptcy action;
- holds a judicial appointment;
- is a member of the Legislative Assembly or the Executive Council;
- is a Commission officer or a former Commission officer;
- is a Public Interest Monitor (or Deputy Monitor);
- holds the office of the Director of Public Prosecutions;
- is a member of the police service, or a person who has been a member of the police service within the 5 years before the time at which the person's qualification for appointment arises;
- is a public service employee;
- holds an appointment on the staff of a Minister;
- is a local government councillor or a local government employee
- is a commission officer as defined in the *Crime and Corruption Act 2001*.

### Experience, Skills, Knowledge and Abilities

1. Demonstrated integrity, independence of mind and a capacity for rigorous inquiry.
2. Sound knowledge of the functions, powers and operations of the CCC and the Parliamentary Crime and Corruption Committee.
3. Expertise in conducting or managing criminal investigations would be an advantage.
4. Demonstrated superior knowledge of criminal law, the criminal justice system and the principles of procedural fairness.
5. Demonstrated superior legal skills including the proven ability to comprehend and advise on complex matters.
6. Demonstrated capacity to lead, direct and supervise investigations of complex issues to achieve successful outcomes within short time-frames.

7. Proven ability to analyse and interpret complex and voluminous material.
8. Superior interpersonal, communication, and negotiation skills.
9. An understanding of criminal intelligence with a capacity to coordinate and manage an annual review of the intelligence data held by the Queensland Police Service and the CCC.
10. A demonstrated capacity to lead and supervise a small team, so as to deliver services efficiently and effectively and in a timely and responsive manner.

## **ADDITIONAL INFORMATION**

### **Remuneration**

Remuneration of the position includes the following items:

Salary	\$ 129,355 per annum
Car Allowance	\$ 2,800 per annum
Leave Loading	\$ 1,733 per annum
Employer superannuation contributions	\$ 16,493 per annum

### **Information Security Clause**

The occupant of the position may, through the course of their employment, have access to many sources of information. When dealing with information of the Parliamentary Service, employees are not to access, use or release information without an official purpose related to the performance of their duties and then only in accordance with Parliamentary Service policy.

### **Employment Screening**

The successful applicant may be required to submit a National Criminal History Check prior to appointment. A criminal conviction or charge will not automatically exclude an applicant from consideration for appointment. All personal information obtained in the application process will be treated confidentially and held securely by the Parliamentary Service.

### **Statement of Personal and Political Associations**

The successful appointee will be required to complete a 'Statement of Personal and/or Political Associations' the nature of which associations might influence or might be seen to influence them in undertaking the role of Parliamentary Commissioner.

It is considered that this requirement is a 'genuine occupational requirement' pursuant to section 25 of the *Anti-Discrimination Act 1991* and is not an 'unlawful request for information' pursuant to Chapter 4, Part 3 of that same Act.

### **Statement of Pecuniary Interests and Private and Confidential Questionnaire**

The successful appointee will be required to complete a 'Statement of Pecuniary Interests' and a 'Private and Confidential Questionnaire' at the time of appointment.

## **Other information**

The attention of applicants is drawn to:

- the *Crime and Corruption Act 2001*; and
- Parliamentary Criminal Justice Committee (PCJC) Report 38 titled *Report on the Accountability of the CJC to the PCJC*.

This legislation may be accessed at the web-site of the Office of the Parliamentary Counsel at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au). Copies of the reports of the PCCC and its predecessors, the PCJC and PCMC, may be accessed at the Committee's website at [www.parliament.qld.gov.au](http://www.parliament.qld.gov.au).