



CCC SESSIONAL COMMISSIONERS

The Crime and Corruption Commission (CCC) is seeking to establish a panel of Sessional Commissioners to assist in performing the CCC's functions under the *Crime and Corruption Act 2001* (the Act), including acting as Presiding Officers at CCC hearings, and is calling for expressions of interest from suitably qualified lawyers.

About the role

The CCC is a unique organisation in Queensland with investigative, law enforcement, intelligence, witness protection, adjudicative and research functions. In support of its Crime, Corruption and Intelligence functions the CCC has a range of investigative powers, including the power to compel people to attend hearings to give evidence and/or to produce stated documents or things. The CCC conducts hearings in support of its own investigations or those of its partner agencies such as the Queensland Police Service.

Presiding Officers at CCC hearings perform a range of functions, including:

- providing a preliminary explanation to witnesses of their rights and obligations at the hearing
- giving directions as to the persons who may be present at the hearing
- making non-publication orders in respect of evidence given at hearings
- regulating the legal representation of witnesses
- dealing with any preliminary legal issues
- ruling upon any objections or legal argument raised during the examination
- taking such part in the examination process as may be considered appropriate
- ruling on claims of reasonable excuse
- generally regulating the proceedings
- certifying any witness in contempt to the Supreme Court of Queensland.

Presiding Officers are assisted by legal counsel and witnesses are entitled to be legally represented. CCC hearings are generally conducted in private and not in public. However, a record of the proceeding may be disseminated to other law enforcement agencies for use in prosecution or other proceedings. Decisions made by Presiding Officers may in some cases be subject to appeal to the Supreme Court and generally may be the subject of Judicial Review applications.

Hearings may be conducted in Brisbane or in other regional centres throughout Queensland.

Sessional Commissioners may be required to examine witnesses for a crime investigation, corruption investigation or the intelligence function, or conduct other such investigations relevant to the CCC's functions as required.

Key capabilities

The CCC is seeking applicants who are experienced lawyers with:

- (i) a thorough knowledge of, or an ability to acquire rapidly a thorough knowledge of the Act and other relevant law
- (ii) a demonstrated ability to apply the law in the context of presiding effectively over investigative hearings, examinations, tribunal, court or similar proceedings
- (iii) a high level of integrity and accountability.

Eligibility requirements

Under section 240 of the Act a person may be appointed to act as a Sessional Commissioner only if the person has served as, or is qualified for appointment as, a judge of:

- (a) the Supreme Court of Queensland; or
- (b) the Supreme Court of another State; or
- (c) the High Court of Australia; or
- (d) the Federal Court of Australia.

Section 241 of the Act provides that the following people are **ineligible** to be appointed as a Sessional Commissioner:

- (a) a person who has been convicted, including by summary conviction, of an indictable offence
- (b) a person who is an insolvent under administration
- (c) a person holding judicial appointment
- (d) a member of the Legislative Assembly or the Executive Council
- (e) the parliamentary commissioner
- (f) a person appointed as the public interest monitor or a deputy public interest monitor under this Act or the Police Powers and Responsibilities Act 2000
- (g) a person appointed to act as the public interest monitor or a deputy public interest monitor under this Act or the Police Powers and Responsibilities Act 2000
- (h) the director of public prosecutions
- (i) a member of the police service, or, other than in relation to appointment as a senior officer, 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
- (j) a public service employee
- (k) a person who holds an appointment on the staff of a Minister
- (l) a local government councillor
- (m) a local government employee.



Employment conditions

Suitable applicants will be appointed by the Chairperson as Sessional Commissioners under section 239 of the Act and hold office for the period, and on the terms and conditions stated in the relevant instrument of appointment. Under the Act, Sessional Commissioners are commission officers for that purpose, and are entitled to the immunities and subject to the obligations provided for in the Act. A legal practitioner who is a Commission officer need not hold a current practising certificate.

A willingness to travel within Queensland would be an advantage.

The CCC remunerates Sessional Commissioners at the rate of \$1000.00 plus GST per hearing day, or part thereof. A Sessional Commissioner is not entitled to sick, recreation or long service leave or any leave loading.

The establishment of this panel arrangement by the CCC to meet its requirements does not guarantee that any appointed panel members will be assigned to any hearings. The number of hearing days allocated to a Sessional Commissioner may be variable and is entirely subject to the CCC's operational requirements.

How to apply

Interested applicants are asked to provide the following material:

1. A current resume outlining relevant qualifications and experience.
2. A statement outlining the following:
 - (a) demonstration of suitability for the role referring to the 'Key capabilities' listed above (no more than one page)
 - (b) details of your likely availability over the next 12 months and indication of whether you are willing and/or able to travel intrastate
 - (c) confirmation whether you have a current ABN or not. If 'yes', please provide ABN details. **Note:** A current ABN is not mandatory for appointment to the panel.

Any inquiries concerning this matter should be directed to Mr David Caughlin, Executive Director, Legal, Risk & Compliance on (07) 3360 6358 or to David.Caughlin@CCC.qld.gov.au.

Note: Successful applicants will be required to undergo stringent security vetting, and will be subject to the Secrecy provisions of section 213 of the Act.

