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Attachment 3: MM01

**SENSITIVE
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Operations Manual

Part 2: Management of matters (MM)
Section 1: **Matter management,
planning and conduct**

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MM01 – Matter management, planning and conduct

1. Purpose

The primary purpose of this policy and procedure is to outline the requirements for the conduct and planning of Crime and Corruption Commission (CCC) investigations related to its crime and corruption work, and to ensure they are conducted professionally and can withstand scrutiny by the public, media, government and court processes.¹ This policy and procedure also sets out the requirements for managing a matter where the CCC has decided not to undertake an investigation but to deal with the matter in another way.

2. Application

This policy and procedure applies to all Commission officers.

This policy and procedure deals with the following kinds of matter:

- Crime matters:
 - CCC crime investigations (including assessment projects)
 - Referred crime investigations
 - Specific intelligence operations
 - Immediate response operations
- Confiscation matter:
 - Criminal proceeds confiscation investigations
- Corruption matters:
 - Corruption investigations
 - Monitored matters (PIR)
 - Monitored matters (MCR)
 - Corruption matters (outcome only)
 - Significant events

In this policy and procedure:

- all Crime matters, Confiscation matters and Corruption investigations are referred to as “CCC investigations”
- Monitored matters and Corruption matters (outcome only) are referred to as “Monitored matters”²
- Corruption matters that are significant events are identified separately.

This policy and procedure does not deal with management, planning and conduct procedures related to projects, or witness protection which is dealt with in [MP5 - Witness Protection](#).

3. Policy

The CCC policy and standards for the management, conduct and planning of an investigation is set out in Part 4 of the Operational Framework. The Operational Framework sets out the CCC’s

¹ Operational (Op) Framework, Part 4 Introduction

² Note: A monitored matter may change to a CCC investigation (i.e. a corruption investigation) if a decision is made at any time that the CCC itself will undertake an investigation in relation to the matter and conversely, a corruption investigation matter may convert to a monitored matter, in a similar way. In this policy and procedure, whether a matter is a monitored matter or a “CCC investigation” will depend on its status at the relevant time.

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management approach to the planning and conduct of investigations, and the delivery framework.

The CCC Operating Model describes the framework to deliver investigations that is designed to ensure:

- the CCC's resources are invested to provide optimal value at all stages of the investigation
- the most critical questions, requirements and risks for an investigation are addressed early, and
- the progress of an investigation is transparent.

4. Procedure

4.1 Roles and responsibilities

The activities involved in managing, planning and conducting an investigation take place at different levels within the CCC Operational Framework. At each level there are distinct roles and responsibilities that are aligned with and are supported by the CCC's broader organisational structures and systems.

The CCC Operational Framework recognises four distinct levels at which investigation roles and responsibilities are exercised: Governance, Management, Operational and Technical.³ Due to the CCC's functions and size, some positions in the CCC may be involved in the activities of more than one role and therefore role separation is not always possible. It is important therefore that Commission officers recognise and manage the inherent risk impacts of role integration, particularly as they affect good decision-making to ensure that at any given time:

- the information and context they are working with in any particular role, is adequate for the activity or decision making in which they happen to be engaged, and
- their activities and communications are sufficiently clear to avoid confusion about the particular role they are exercising and the nature of any communication or decision.

4.1.1 Undertaking a joint investigation or establishing a police task force

A CCC investigation may be conducted jointly (or co-operatively) with one or more agencies. The CCC may be the lead in circumstances where, for example, it is expected that the CCC and the relevant agency would benefit from the more timely completion of the investigation by combining resources and/or capabilities.

Joint investigation

For Corruption investigations, a UPA could be the lead agency only in circumstances where it is considered the UPA has sufficient resources and skills to undertake the investigation, but requires some specific assistance to undertake a particular aspect of the investigation (for example, the use of coercive powers or assistance with financial aspects of an investigation).

For Crime matters, investigations may be jointly conducted with the Queensland Police Service (QPS), or other interstate or Commonwealth law enforcement agencies. The CCC may or may not be the lead agency.

Where a joint investigation requires officers from other agencies to work within CCC premises, have access to CCC systems and/or exercise powers under the *Crime and Corruption Act* (CC Act), those officers should be seconded under section 255 of the CC Act. Refer to the Secondments into and out of the CCC (policy and procedure) for further information.

³ Op Framework, 4.1 Roles and Responsibilities.

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Crime investigations may also be assisted by the establishment of a police task force under section 32 of the CC Act, pursuant to arrangements between the Chairperson and the Commissioner of Police. The Senior Executive Officer, Crime determines whether a request is to be made to the Commissioner of Police for the establishment of police task forces at the commencement of such joint investigations. The Instrument establishing a police task force (MM01-TF01) form should be used for this purpose.

Where a crime investigation is conducted jointly with the QPS and requires members of a police task force to work within CCC premises, applications⁴ are to be made to the Chairperson and his or her authorised delegate for authorisation for police task force members under section 272 (2) of the CC Act, at the commencement of the task force arrangement. This authorises nominated police task force members to be empowered as Commission Officers, and to exercise the powers and functions thereof. The extent of the authorisation can differ, for example it may be for the purpose and duration of the investigation, or limited to a particular warrant or notice under which powers are sought to be exercised.

The instructions for the establishment of a police task force under section 32 of the CC Act are set out in the Establishment of Police Task Forces and authorisation to task force members work instruction.

Cooperation with foreign agencies

Australian authorities can provide and request various types of mutual assistance to/from foreign agencies under the *Mutual Assistance in Criminal Matters Act 1987* (Cth). Mutual assistance generally involves the collection of evidence in admissible form or the use of coercive powers. Refer to [MP11 Mutual Assistance](#) policy and procedure.

Any other type of cooperation with a foreign entity (other than a commercial entity) must be discussed with the Senior Executive Officer, Crime or Corruption and the Executive Director, Legal, Risk & Compliance. Other types of cooperation can include information sharing arrangements. Such arrangements may be classified as “foreign arrangements”. Under *Australia’s Foreign Relations (State and Territory Arrangements) Act 2020* (Cth), foreign arrangements need to be notified to the Department of Premier and Cabinet and the Attorney-General (Qld) prior to negotiation. Refer also to [MM04 Disclosure and requests for information](#).

4.1.2 Governance

The Executive Leadership Team (ELT) has responsibility for overseeing and reviewing the CCC’s investigation portfolio. One important governance responsibility of the ELT involves making key decisions, recommending key decisions, or endorsing a key decision of an appropriate delegate or authority (such as a Senior Executive Officer or the Crime Reference Committee (CRC)).⁵

A **key decision** is a decision that establishes, confirms or affects the business case for a CCC investigation, the issues an investigation is required to address, key performance criteria and outcomes. Other key decisions include the decision to undertake a joint investigation or establish a police task force, conduct a public hearing⁶ as well as the decision to transition a matter from one stage of an investigation to the next (for example, from assessment to feasibility). While many key decisions are made by the ELT, not every key decision is made by the ELT. **Appendix A** is a table of important key decisions for an investigation, who is responsible for making those decisions and examples for recording those decisions.

⁴ Applications are made using the MM01-TF02 form – Instrument of authorisation (for s.32 police task force members)

⁵ ELT Charter

⁶ Op Framework, 4.4 Key Decisions

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Key decisions must be supported by relevant and accurate information that is sufficient to justify the decision on a legal and strategic basis. Where a CCC policy or procedure sets out specific criteria for a key decision, that criteria must be addressed in support or otherwise of the decision.

When a key decision is made, it is the responsibility of the Case Manager⁷ to ensure information about the key decision is recorded⁸ in the CCC case management system, including:

- a concise statement of the decision
- the reason the decision was made
- the information upon which the decision was based
- the expected benefit to be achieved and/or risk to be avoided as a result of the decision, and
- the date of, and who made the decision.

This information must include any additional information (if any) recorded about the decision or decision recommendation in the ELT minutes.

4.1.3 Management

Management activities and management decisions are the responsibility of the CCC operational Executive Directors.⁹ Those activities involve:

- coordinating resources and where required, contributing strategic, operational, technical and tactical advice for consideration and action by the investigation team, and
- engaging in planned and informal communications with the relevant Case Manager to ensure that an investigation or project is meeting the CCC's strategic and performance objectives and that key decisions are understood, translated correctly and given operational effect.

The operational Executive Directors are to ensure that important management activities, decisions and communications are recorded in the CCC case management system including:

- a concise statement of the decision
- the reason it was made
- the date of, and who made the decision, and
- any other relevant information.

The relevant operational Executive Director is responsible for allocating a Case Manager for each investigation. One other important management responsibility for an investigation involves identifying and ensuring appropriate resources for the investigation team, having regard to the following matters:

- *Skills*: team members should have the appropriate knowledge, expertise and personal skills to conduct and complete an investigation, given its subject matter, nature and complexity
- *Size*: the size of the team should be appropriate to the requirements of an investigation.
- *Stability*: the team, or at least the core of the team should as far as possible remain the same for the period of an investigation and be located as close as possible to each other to ensure there is continuity of communication and efficient transfer of information between team members, and

⁷ Op Framework, 4.4.1 - The technical and operational levels. Case Managers are senior specialists, team leaders or operations coordinators who may be appointed to manage one or more investigations.

⁸ Op Framework, 4.4 Key Decisions.

⁹ Op Framework, 4.1.2 The management level. Operational Directors are persons of that title within each of the CCC's operational and support divisions.

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- *Empowerment*: team members should have the autonomy, authority and knowledge required to make operational and technical decisions, according to the particular responsibilities assigned to them.

An investigation team may be required to undertake one or more investigations. Where the available team resources are inadequate or insufficient, whether temporarily or otherwise, operational Executive Directors are responsible for escalating the issue to their Senior Executive Officer for resolution. Where the Senior Executive Officer is not able to resolve the issue, or the resolution of the matter involves a key decision, the matter should be referred to the ELT with a recommendation or option(s) for determination.

4.1.4 Operational

Operational activities and decisions are the responsibility of the relevant Case Manager as leader of the investigation team.

Operational activities include the day to day work undertaken by the team to progress the investigation towards realising its anticipated value. These activities involve:

- implementing key decisions and the intent of other governance and management requirements to achieve the purpose of the investigation
- engaging and managing the structured cycles (“sprints”) of operational planning and decision-making
- managing or co-ordinating the delivery of investigation products and results, and
- leading the investigation team, and managing and coordinating the investigation resources.

Each Case Manager has responsibility for a group of individuals, which will comprise various disciplines and specialists (for example, investigators, professional and technical specialists and support officers), and will designate all or some of these officers, including a Primary and Secondary Case Officer, to a particular investigation.

Additionally, the Case Manager’s division and the Operations Support Division may have specialist technical and support staff and resources which the Case Manager may engage if required, in consultation with the relevant manager in that division.

The Case Manager for an investigation is to ensure all operational activities, decisions and communications concerning an investigation for which they have responsibility are recorded in the CCC case management system.

The Case Manager for an investigation is also to ensure that team members are recorded in the CCC case management system and those records remain current throughout the life of the investigation.

Recommendations for law reform which may affect Cabinet or Constitutional conventions

Where an investigation or assessment is likely to, or will, involve the making of a recommendation(s) for law reform in relation to a Cabinet process or a matter involving a constitutional convention,¹⁰ commission officers are to follow the Commission’s decision of 27 September 2019 and seek external constitutional legal advice.

Examples of the above may include a recommendation that:

¹⁰ A constitutional convention is something other than a law which governs the operation or protocols both within Parliament and between Parliament and other entities.

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1. Parliament consider introducing a new criminal offence in relation to a matter that occurs in, or is part of, a Cabinet process
2. would affect or amend caretaker conventions (including, relations between members of the Cabinet and shadow Cabinet if major decisions need to be made during this period)
3. would affect the role of Cabinet (e.g. selection processes approved by Cabinet for recommending appointments by Governor in Council or the principle of collective responsibility of all Ministers for government decisions)
4. would affect relations between the Cabinet and the Parliament or the Governor (e.g. the processes by which ministers and departments ensure they are accountable to Parliament and do not mislead Parliament or the governor), or
5. mandates the disclosure of Cabinet in confidence material to CCC investigations.

The external legal advice referred to in the Commission's decision should be obtained at the earliest opportunity in the assessment or investigation process.

4.1.5 Technical

Technical activities and decisions are the responsibility of team members, whether working alone, or together, applying specialist skills or techniques to achieve the particular requirements of the investigation. These activities involve undertaking discrete investigation or project practices and technical work such as collecting evidence by interviewing or examining a witness; executing a search warrant, notice or other authority; engaging in surveillance; undertaking forensic analysis; collating, analysing, researching or reviewing information and evidence; preparing reports, correspondence and briefs; and administrative activities to support the investigation.

Team members are to ensure that appropriate records of technical activities and decisions concerning an investigation in which they are involved are recorded in the CCC case management system.

4.2 Matter stages and sub-stages

There are four key stages in the life-cycle of a matter prior to closure:

- Assessment (pre-project assessment)
- Feasibility
- Delivery
- Post-delivery

The matter stages may have one or more sub-stages. **Appendix B** describes a matter life-cycle through its key stages and sub-stages. The transition of a matter from one stage or sub-stage to another is a milestone that in each case will be supported by a key decision.

Where a matter is approved for progression to another stage, a clearly defined scope for the next stage must be articulated, and a business case identified, that is sufficient to justify the key decision.

The **scope** of a matter that is approved for investigation refers to what is, and is not to be investigated along with any additional constraints or assumptions (i.e. the terms of reference for crime matters). The **business case** for the investigation refers to the justification for, and anticipated value in undertaking it from an organisational perspective having regard to the CCC's strategic purpose, objectives and strategy, strategic risks and opportunities, priorities, legislative obligations and resources.

CONFIDENTIAL**4.2.1 Assessment stage**

The CCC has an assessment process to determine how to deal with information about crime, corruption or proceeds of crime action, including which matters the CCC should itself investigate. The assessment process begins with the receipt of information about a matter in the way described in IM02 - Receiving and recording matters, that is:

- for a *corruption* matter, with the receipt of information about the matter by any means
- for a *crime* matter, upon receipt of a proposal in the approved form
- for a *confiscation* matter, upon receipt of a referral in writing.

In the assessment process the CCC balances strategic risks, opportunities and priorities with a view to ensuring that only those matters that are of potential value in delivering the CCC's strategic objectives are selected for investigation by the CCC (see IM03 - Assessment of matters for further information).

In the assessment stage a matter will transition through the following sub-stages:

- Registration
- Assessment
- Under CRC consideration (but only for crime matters of the sub-type: specific referral, specific intelligence operation or immediate response investigation)

The assessment process ultimately culminates in a key decision whether or not to proceed to the next appropriate stage of the matter life-cycle. Where such a recommendation is to be made, the recommendation and supporting information is outlined in the **Investigation Proposal (Assessment)**. Two types of forms are available (A01 or A02), depending on the type of recommendation to be made. The key decision is recorded in the CCC case management system as an "Assessment Outcome".

For both Corruption and Crime matters, a proposal for a joint investigation or for the establishment of a section 32 police task force should generally be considered at the assessment stage and be included in the Investigation Proposal's **business case**.

If a final Assessment Outcome results in a matter being finalised, the matter will transition from the assessment stage to the post-delivery stage (see further IM04 – Implementing assessment decisions).¹¹ Otherwise, the matter will transition to the feasibility stage.

An Assessment Outcome may require the approval of an authority or delegate before it can be given legal effect. For example, a crime investigation authority must be in writing and given by the Chairperson, the Senior Executive Officer (Crime) or the CRC. In such cases, the matter will not transition to the Feasibility stage until that approval is given. Refer to IM04 – Implementing assessment decisions) for further information.

4.2.2 Feasibility stage

The feasibility stage for a matter commences once the relevant Assessment Outcome (to transition a matter to that stage) is final or an approval to investigate is otherwise given by the appropriate delegate or authority.¹² A matter that has transitioned to the feasibility stage is an

¹¹ Note: A Corruption matter that is a Significant Event matter, will always transition to finalised and never to feasibility. If investigation is required, the Significant Event matter will be finalised and a new Corruption matter of an appropriate kind will be commenced.

¹² For example, the feasibility stage for a Crime matter commences upon the relevant Approval or Authority being executed by the Crime Reference Committee, the appropriate SEO or Chairperson.

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“investigation” as that term is used in the CC Act. Accordingly, investigation powers may be used if appropriate, to progress a matter in the feasibility stage.

Scope and purpose

For a CCC investigation, the feasibility stage involves undertaking activities in the nature of a **preliminary investigation**, whether by way of collecting evidence or information, undertaking enquiries, or examining or considering existing or additional material, to determine or assure that the investigation (including the scope of the investigation) is required or justified (on a business case basis), and is technically feasible and cost-effective. The feasibility stage must therefore address whether the investigation is likely to be productive and, if so, what strategies and resources may be required to deliver it, over what time frame, and whether the investment of those resources is justifiable, having regard to relevant strategic considerations, risks and priorities.

At the commencement of the feasibility stage for a CCC investigation, the relevant operational Executive Director, will ensure the scope for the preliminary investigation, as identified in the assessment decision and reasons, is understood by the Case Manager. The operational Executive Director and/or Case Manager should consult with the relevant Senior Executive Officer if further clarification is required.

For a monitored matter, the feasibility stage involves undertaking any necessary activities, including administrative processes, to implement the Assessment Outcome (in accordance with IM04 – Implementing Assessment Decisions) so that the matter can transition to the delivery stage for ongoing monitoring.

Requirements (CCC investigations)

For a CCC investigation, the Case Manager is to ensure that the Case Officer, in consultation with the investigation team, has identified and prioritised the high level requirements the investigation is to address during feasibility. The requirements to be explored by the investigation (both at high level and their elements) are to be prioritised so that a decision can be reached as efficiently as possible as to whether the investigation (and recommended scope) should proceed to the delivery stage, or an alternative and more appropriate course of action, including discontinuing the matter, should be taken. See section 4.3 of this policy and procedure on principles for identifying, prioritising and recording the investigation requirements.

Progress and conduct (CCC investigations)

The Case Manager will ensure, in consultation with the relevant operational Director or Executive Director, that a team of individuals of adequate number and relevant skill are assigned to the matter to deliver the requirements for the feasibility stage within the relevant time frame.

The time frame for the feasibility stage may be fixed and specified in the Assessment Outcome information and will depend on the type of matter and the urgency with which a decision on feasibility is required.

Investigation activities in the feasibility stage are to be progressed in accordance with the delivery model described in section 4.3 of this policy and procedure. The Case Manager, in consultation with the Case Officer will determine the number (one or more) and length of **sprints** to be completed during feasibility, having regard to the urgency of the matter, and the nature and extent of the feasibility requirements.

Activities undertaken during feasibility will ordinarily be limited to confidential enquiries, and those that involve the use of conventional methods and powers. Typically, feasibility activities should not include longer term operational strategies such as the use of surveillance devices, telephone intercepts, controlled operations, a significant hearing program or other program of

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tactical action. In certain circumstances, limited tactical activities such as coercive hearings or covert surveillance may be adopted provided they can be undertaken in the approved time frame and do not involve the commitment of substantial resources. Such activities should be incorporated into the Investigation Proposal (Assessment) as part of the scope of the feasibility. Activities involving the commitment of substantial resources must only be planned and undertaken as part of an investigation in the delivery stage.

Reporting

Progress on a matter in the feasibility stage will be monitored by the Case Officer and Case Manager.

For a CCC investigation (except confiscation matters) in the feasibility stage, reporting is to occur on a monthly basis to the ELT Corporate and Portfolio Review meetings.

For crime matters, reporting is to include the current matter priority assessment score in accordance with the Matter Prioritisation Model (Crime). The reports must also be referred to the CRC as soon as practicable following their submission to the ELT.

Concluding feasibility

For a CCC investigation, the feasibility stage ultimately culminates in a key decision whether to confirm the investigation, or to proceed to the next appropriate stage of the matter life-cycle, including post-delivery, for example, if the matter is to be finalised with no further action to be taken.

A Feasibility Report will be provided to ELT to support their approval of the key decision to transition from feasibility to the delivery stage of an investigation, except if the key decision recommends:

- a monitored matter be finalised with no further action or proceed to the delivery stage in accordance with the Assessment Outcome, in which case the Executive Director Integrity Services or other delegate may approve the decision, without further advice or reference to the ELT, or
- a *referred crime investigation* or *immediate response operation* proceed to delivery, in which case the Executive Director Crime Hearings and Legal may approve the decision, without further reference to the ELT, or
- a *confiscation investigation* be finalised with no further action, where the Director Proceeds of Crime may approve the decision, without further advice or reference to the ELT.

Where required, a Feasibility Report must identify how the requirements of the feasibility stage were or were not met.

A Feasibility Report will typically be produced at the end of the feasibility stage to recommend a decision to approve the transition of a matter to delivery (i.e. full investigation). This must be supported by a well-developed business case that is aligned with the CCC's strategic objectives and resource priorities. The Feasibility Report will address why a full investigation is likely to be productive, the broad investigation strategy, the resources required to deliver it (including an estimation of resources from other agencies for a joint investigations or police task force) and over what time frame (via a draft high level delivery plan), and why the investment of those resources is justifiable. The report should also identify the minimum products that the investigation is anticipated to deliver.

The **high level delivery plan** for the investigation describes the primary stages for the delivery stage of the investigation. The stages of delivery and their purpose are described in more detail in section 4.2.3 below.

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The Case Manager is to ensure the decision to transition a matter from feasibility to the next appropriate stage is recorded in the CCC case management system as a Key Decision.

4.2.3 Delivery stage

The delivery stage for a matter commences once a key decision is made by the appropriate delegate or authority to transition the matter to delivery.

Scope and purpose

The delivery stage for a CCC investigation involves engaging in investigation practices and related activities to collect and analyse information and evidence, and organise it so that it can be used for one or more discrete **products** of the investigation, such as a report, brief of evidence or disclosure. These products can be applied (for example, in taking disciplinary or prosecution action) to ultimately produce **outcomes** for the investigation, such as a penalty or sentence, a sanction, the forfeiture of property, a change of practice or other impact. The investigation products may be delivered and put into use incrementally as they are completed.

For a monitored matter, the delivery stage may involve:

- monitoring the way in which a unit of public administration (UPA) is dealing with a matter, whether the matter is being dealt with by way of investigation or other activities, or
- waiting on outcome advice only as to how a UPA has dealt with the matter.

Requirements (CCC investigations)

The Case Manager is to ensure that the Case Officer, in consultation with the investigation team, has identified and prioritised the high level requirements the investigation is to address during delivery. Section 4.3.1 contains further information on identifying and prioritising investigation requirements, the purpose of that exercise and relevant factors that need to be taken into account.

The investigation requirements may be affected by new information discovered during the investigation resulting in one or more of the requirements not being met, or unlikely to be met. Alternatively, new requirements may emerge.

Changes in requirements may impact anticipated time and resourcing requirements. An investigation may evolve into a joint investigation, or the desirability of a police task force may emerge, at any point during the delivery stage. Similarly, a joint investigation may evolve into a CCC-only investigation, or a police task force may be dis-established at any point before completion of the delivery stage.

Any change in the investigation requirements must be assessed for their impact on the scope and business case for the investigation, the issues the investigation is to address, key performance criteria, time-frames for delivery, or a stage of delivery, resources and outcomes.

The Case Manager is to ensure that any new risk, issue or key decision resulting from such an assessment is reported to the ELT via an **Exception Report** for information and determination as necessary. The Exception Report incorporates the identified risks and issues, and recommends actions necessary either by way of re-prioritising requirements, or changing requirements or resourcing of the investigation, including the undertaking or cessation of a joint investigation or police task force. Section 4.3.4 provides further information on identifying risks and issues.

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The Case Manager will ensure, in consultation with the relevant operational Executive Director, that, having regard to the investigation scope and requirements, a team of individuals of adequate number and relevant skill are assigned to the matter so that the requirements of the investigation are able to be delivered within the relevant time frames set out in the delivery plan.

At the commencement of delivery the relevant operational Executive Director will ensure the:

- approved scope of the investigation is understood by the Case Manager
- the requirements are appropriately prioritised, and
- the approved high level delivery plan for the investigation is accurately recorded in the CCC case management system.

The operational Executive Director and/or Case Manager should consult with the relevant Senior Executive Officer if further clarification is required in relation to any of the above matters.

Activities in the delivery stage are to be progressed in accordance with the delivery model described in section 4.3 of this policy and procedure. The principles underlying the delivery model ensure that the business case for an investigation is reviewed at regular intervals, and particularly at the completion of each sub-stage of the delivery stage, to ensure it remains sound, and the investigation is focused and is meeting its purpose.

The investigation requirements are addressed through a series of **sprints**. Section 4.3.3 of this policy and procedure describes how these sprints are planned and carried out. The Case Manager, in consultation with the Case Officer will determine the length of the sprints, but must ensure that at least one sprint is completed between each report on investigations that is prepared for ELT's monthly Corporate and Portfolio Review meetings.

Sub-stages of delivery

Sub-stages of delivery and their focus are described below. Not all sub-stages described are necessary for every matter and some sub-stages may overlap in timeframe. For example, some investigations will only utilise a public hearing and publication sub-stage.

The overall time frame for the delivery stage will depend on the type of matter, scope, key performance targets or the urgency (or priority) with which the investigation is required to be undertaken.

Sub-stage	Focus	Conclusion
<i>Monitoring (corruption matter)</i>	<p>The focus of the monitoring sub-stage is on monitoring the UPA's activities to determine whether it is dealing with a matter appropriately. The level of monitoring will depend on the type of monitoring to be undertaken: either Merit and Compliance Review (MCR) or Public Interest Review (PIR)</p> <p>During the monitoring sub-stage, a UPA will provide the CCC with interim and final reports. See <u>IM04 – Implementation of Assessment decisions</u> for further information on the schedule of reporting.</p>	<p>The monitoring sub-stage of delivery (if applicable) commences when the delivery stage begins when the key decision is made to commence the delivery stage. The monitoring sub-stage ends when a key decision has been made by the appropriate delegate that, in the case of an:</p> <ul style="list-style-type: none"> • MCR— the final report sought has been provided • PIR— the final report sought has been provided and the UPA course of action has been agreed.

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Sub-stage	Focus	Conclusion
<i>Awaiting Outcome Advice (corruption matter)</i>	Whilst there is no particular activity in which the CCC is engaged while awaiting outcome advice from a UPA, regular and timely communication should be undertaken to ensure timeframes and/or expectations are managed.	The Awaiting outcome advice sub-stage of delivery (if applicable) commences when the key decision is made to commence the delivery stage and ends when a key decision has been made by an appropriate delegate that the outcome advice sought has been received from the UPA.
<i>Confidential</i>	The confidential sub-stage, if relevant, is the first sub-stage of delivery for an investigation. The focus of this sub-stage is to complete those activities for which the secrecy of the investigation presents a tactical advantage and the activities themselves can be carried out without compromising that advantage. For example, the opportunity to secure evidence of alleged ongoing conduct and evidence that might otherwise be lost, damaged or destroyed.	The confidential sub-stage of an investigation (if applicable) commences when the key decision is made to commence the delivery stage. The confidential sub-stage ends where there is some level of exposure of the investigation that substantially diminishes the advantage of secrecy. This usually follows on from a particular investigation activity, such as the execution of a search warrant, and so the decision to undertake the exposing activity and thereby end the confidential sub-stage is to be recorded as a key decision to end the confidential stage.
<i>Overt</i>	The focus of the overt sub-stage of an investigation is on completing the various activities involved in collecting sufficient evidence and information to achieve the requirements of the investigation.	The overt sub-stage commences when the confidential sub-stage ends, or if no confidential sub-stage, then on commencement of the delivery stage. The overt sub-stage will be complete when the investigation is finalised and transitions to the post-delivery stage. The decision to finalise an investigation and thereby end the overt sub-stage is to be recorded as a key decision to end the overt sub-stage.
<i>Public Hearing</i>	The focus of the public hearing sub-stage is on completing the activities involved in examining witnesses with a view to determining facts, supporting other investigation activities and acquiring information to achieve the requirements of the investigation and objectives of the inquiry terms of reference. Although a decision to hold a public hearing may lengthen the time needed to complete an investigation and require an exception report for approval to extend the timeframe, a public hearing should not be treated as a new investigation if it is intended to solely or primarily be used as a strategy to support the existing investigation. The decision to hold a public hearing is a key decision .	The public hearing sub-stage commences on the first day the hearing is open to the public. The public hearing sub-stage is complete on the last day the hearing is open to the public. NOTE: While the <i>Public Hearing</i> is a sub-stage of significant operational activity for the purpose of progressing the investigation, it is at the same time, a product of the investigation that is able to generate outcomes for the CCC through its role in exposing corruption (or crime) and related prevention issues. The delivery of the public hearing is therefore also a key product of the investigation.

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Sub-stage	Focus	Conclusion
<p><i>Reporting to agencies & others with a proper interest</i></p> <p><i>Publication</i></p>	<p>The focus of this reporting and publication sub-stage is on reporting on investigation outcomes to relevant agencies, complainants, subject officers, and other individuals who may have a proper interest in being advised of an investigation outcome and preparing reports and/or correspondence for publication to a party or parties external to the CCC. These publications may be confidential or for public consumption.¹³ This sub-stage may also involve activities, whether via a process of submissions or otherwise, that ensure procedural fairness has been afforded to persons who may be the subject of an adverse comment in a report.</p>	<p>The reporting and publication sub-stage commences when the requirement to prepare the report and/or correspondence arises. This ordinarily follows from a key decision to give a report and/or correspondence to an entity and/or others with a proper interest or otherwise publish a report.</p> <p>The publication sub-stage ends when the report is given to an entity and/or others with a proper interest or published and if more than one report is to be given or published in relation to the investigation, when the last report is given or published.</p> <p>There may be instances where it is appropriate for an investigation to be finalised even though work on a public report is ongoing. In making this decision, a decision-maker should consider the relevant factors set out in the Operating Model and Operational Framework. Generally, the investigation should be finalised if further resourcing required in relation to the matter is relatively minimal.</p>
<p><i>Brief preparation</i></p>	<p>The focus of the brief preparation sub-stage is on compiling one or more briefs of evidence for taking prosecution or disciplinary action against a person of interest to the investigation, or obtaining advice about whether such action should be taken. The brief preparation sub-stage involves more than just generally marking or noting evidence that may be of future relevance to brief preparation.</p>	<p>The sub-stage commences when a key decision is first made to allocate one or more team resources to the specific task of preparing a brief of evidence. The brief preparation sub-stage is complete on the day the last brief of evidence for an investigation has been delivered or disclosed to the appropriate parties.</p>
<p><i>PoC Litigation</i></p>	<p>The focus of the Proceeds of Crime (PoC) litigation sub-stage is on the activities involved in taking confiscation action in a court to restrain and forfeit serious crime or serious drug related property.</p>	<p>The sub-stage commences when a key decision is made to commence a confiscation action and ends when a Court makes final orders or a key decision is otherwise made to discontinue the confiscation action.</p>

The Case Manager is to ensure that each key decision supporting the commencement and conclusion of a delivery stage or sub-stage is recorded in the CCC case management system and also, that the commencement and end dates of each relevant sub-stage is accurately recorded against the high level delivery plan for the matter.

In some corruption matters, the Case Manager may be required to review the need to communicate with the complainant(s) and/or subject officer(s), and the most appropriate method of communication throughout the delivery stage. Generally, written correspondence will be

¹³ Note: A report may include an Intelligence Brief.

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headed 'Private and confidential' and where communication is made on the basis of confidentiality, the consequences of a breach of section 213 of the CC Act will be outlined. Where appropriate, communication with complainants will typically take place at the beginning of the delivery stage, at least quarterly thereafter and upon finalisation of the investigation. Reasons not to communicate should be recorded.

Where a subject officer is aware of the existence of a complaint, the officer should be communicated with at the same time the UPA is advised of the outcome of the investigation. Subject officers interviewed during the course of the investigation should be notified of the outcome of the investigation. If the subject officer was not aware that he/she was the subject of a complaint at the time of the interview, the Case Manager should consider whether it is necessary to correspond with the subject officer if the allegation is not substantiated. Where a request for advice on the status of the investigation is received from a subject officer, the Case Manager should liaise with the Executive Director, Corruption Operations, to determine the best course of action. For further information, see the guidance provided under the 'Matter outcomes' heading below (4.2.3).

Reporting

Progress on a matter in delivery stage will be monitored by the Case Officer and Case Manager.

For a CCC investigation (except in the case of a confiscation matter), reporting is to occur on a monthly basis to the ELT Corporate and Portfolio Review meetings.

For Crime matters, reporting is to include the current matter priority assessment score in accordance with the Matter Prioritisation Model (Crime). The reports must be referred to the CRC as soon as practicable following their submission to the ELT.

Where risks or issues are identified that are anticipated to impact or threaten the achievement of one or more operational objectives, including timeliness, an **Exception Report** to ELT is required that describes the risk or issue/s, identifies their human and/or financial impact, and recommends key decisions that may include reducing the scope of an investigation, referring elements of an investigation to another agency or discontinuing the investigation.

Monitored matters will generally not be the subject of reporting to the ELT. It is the responsibility of the Executive Director, Integrity Services to ensure a timely review of both final and interim investigation reports, and also to ensure that UPAs are followed up where reports are not submitted to the CCC as required. However, monitored matters will be the subject of reporting to the ELT in the following circumstances

- where the UPA is ten (10) weeks late in relation to the submission of an interim or final report, or
- where an interim or final report has been submitted and has not been reviewed within eight (8) weeks of receipt.

In these cases, the monitored matter will be reported to the ELT by way of an Exception Report.

Matter outcomes

The Case Manager must ensure that all matter **outcomes** are recorded in the Case Management system.

For corruption matters:

For a corruption investigation, an **Investigation Report - Corruption** should be completed providing a summary of the matter, including the allegations, the persons of interest, the

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investigative steps undertaken, a summary of the evidence obtained, the findings and conclusions and any recommendations.

When a corruption matter is finalised, unless the complainant has not given their name or address, does not require a response in writing, or has been given a section 216 notice (frivolous complaint), the CCC must give the complainant a response stating that—

- what action, if any was taken by the CCC in relation to the complaint
- if action was taken, the results of the action taken and why the CCC considered the action taken was appropriate in the circumstances
- if no action was taken, or taken but subsequently discontinued, then the reason for taking no action or otherwise discontinuing action.¹⁴

The CCC's response to a complainant about how it dealt with a corruption complaint must not include information that would be contrary to the public interest to include.¹⁵

The Case Manager for a corruption matter is to ensure any necessary response is given to a complainant about action taken by the CCC, including action taken by way of CCC investigation. The approved form of correspondence is to be used for this purpose.¹⁶

Where the complainant is a UPA, advice on the outcome of the investigation will often, but not always, be accompanied by a copy of the investigation report and, where appropriate, copies of relevant evidence so the UPA can consider taking disciplinary action. An outcome letter to a UPA must refer to section 49 of the CC Act and, where evidence is being provided, also to section 60(1). The outcome letter is to be settled by a lawyer who should consider whether redactions to the investigation report are necessary, e.g. to remove references to evidence that should not be disclosed to the UPA such as an oral statement obtained pursuant to section 75 of the CC Act where the witness has claimed self-incrimination privilege and the protection available under s. 197(2). Where the CCC has investigated substantive allegations against a person, then it is CCC policy that the person is to be given a response in writing as to the outcome of the investigation but only if the CCC has previously communicated with the person about one or more of the allegations. The written response to the person is to be limited to addressing:

- the allegations about which the CCC has previously communicated with the person, and
- any additional matters that are to be referred to another authority for action, including disciplinary action, but only if the relevant authority has been consulted about the giving the person the response and the response does not include information that would be contrary for the public interest, for example, because it would compromise or prejudice any action that might be taken by the authority.

An outcome letter to a person who has been investigated is to be settled by a lawyer and consideration should be given, where appropriate, to making the letter confidential by including an express reference to section 213 ('Secrecy') of the CC Act.

For Referred Crime investigations:

When a referred crime investigation is finalised and a hearing has been held in relation to the investigation, the CCC Case Officer must ask the QPS Case Officer to complete a **Crime hearing assessment** (in the approved form) as to the value the hearing added to the investigation and outcomes. The CCC Case Officer should make every effort to ensure the crime hearing assessment is returned to the CCC as soon as possible after the matter is finalised and in any event within 30 days of the matter being finalised.

¹⁴ Section 46 of the CC Act

¹⁵ Section 46(6)(b) of the CC Act.

¹⁶ See IM04 Implementation of assessment decisions for further information.

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The delivery stage of an investigation ends with a key decision to finalise a matter. This will occur on the earlier of the following. In the case of a:

- corruption matter:
 - if for an investigation matter the outcome is to be reported, then when the report is provided to all relevant parties (including by way of correspondence), or
 - otherwise, when the investigation report is approved by the Executive Director, Corruption Operations, or
 - for a matter subject to monitoring or awaiting outcome advice, when the monitoring sub-stage or awaiting outcome advice sub-stage has concluded and no further action is to be taken in relation to the matter
 - otherwise, when a key decision is made to discontinue the investigation by the Executive Director, Corruption Operations
- crime matter:
 - with the approval of the Senior Executive Officer (Crime), the Chairperson or the Crime Reference Committee (CRC), or
 - when the CRC directs the CCC to end the investigation (includes the expiry of the terms or reference)
- *confiscation investigation*:
 - when a court makes final orders, or
 - a key decision is made to discontinue the investigation.

The Case Manager is to ensure the decision to finalise an investigation is recorded in the Case Management System as a key decision.

4.2.4 Post-delivery stage

A matter enters the post-delivery stage when it is finalised.

For a CCC investigation, the focus of activity in the post-delivery stage is on ensuring the products of the investigation are applied, monitored and evaluated through the CCC's reporting processes, including reporting to the ELT (in review). Examples of post-delivery activities for an investigation include:

- giving intelligence and other material, collateral to the objectives of an investigation, to appropriate authorities
- instituting and supporting prosecutions
- monitoring and awaiting the outcome of disciplinary or other action taken by a UPA
- instituting and supporting disciplinary or other action in the Queensland Administrative Appeals Tribunal (QCAT), whether under section 50 (prosecute corrupt conduct) or under Part 2 of Chapter 5 (disciplinary proceedings relating to corruption) of the CC Act
- monitoring and following-up on a response from a UPA in relation to our procedural, prevention or reform recommendations
- ensuring final court orders for a confiscation matter have been complied with, or

For all matters, the post-delivery stage also involves completing a number of activities to meet legal or administrative requirements prior to closure of the matter.

Post-delivery assessment (CCC Investigations)

Except in the case of a referred crime investigation or confiscation matter, within one month of the finalisation of a CCC investigation in which there was a delivery stage, the Case Manager must ensure that the **Investigation Completion Report (Part B: Post-delivery Assessment (PDA))** is undertaken to measure whether the investigation achieved its purpose, how well the

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investigation was undertaken and whether there are any lessons to be learned or opportunities for future improvement.

The PDA process involves two steps:

- a) conducting a post-delivery de-brief, and
- b) preparing and submitting the Investigation Completion Report (Part B PDA) to the relevant Senior Executive Officer for endorsement.

The Case Manager will arrange for the post-delivery de-brief to be conducted by another Case Manager (“the facilitator”) whose team members were not substantially involved in conducting or assisting to conduct the investigation. The facilitator will arrange for the debrief meeting to occur at a suitable time and location at the CCC and invite the following persons to participate:

- *in all cases*: the Case Manager and investigation team members
- *if available*: other CCC officers, who were involved in, or provided support or assistance with substantial aspects of the investigation (for example, staff from various areas within Operations Support Division, or the Corporate Communications staff)
- *if necessary*: a member of the ELT, and any external law enforcement officers, UPA officers or parties, who were substantially involved in the investigation.

Where an invitation has been extended to a person in the last category, their attendance should be limited to a discussion of the specific area of interest and the agenda should be organised as conveniently as possible for this purpose.

The agenda for the debrief meeting is to cover the following:

- *Summary of the investigation*: why the investigation was conducted (the business case), the scope of the investigation, how the investigation was undertaken and the investigation products and outcomes to date
- *The investigation objectives*: whether the investigation achieved all or any of its objectives and reasons, opportunities missed and future opportunities
- *Investigation roles and responsibilities*: communication (including reporting) within and between role levels, decision-making, collaboration and teamwork and skills and capabilities
- *Conduct and planning*: resources, planning and prioritising, investigation practices and administrative practices, and
- *Summary*: summary of recommendations and suggested future action.

Prior to the debrief meeting the Case Officer will assist the facilitator by preparing a draft of the PDA and circulating the document to the debrief attendees for discussion at the debrief meeting. Following the de-brief meeting the Case Officer will prepare a PDA as part of the Investigation Completion Report Part B: PDA and circulate it for any comment and endorsement by the Case Manager and facilitator. Once the Case Manager and facilitator have endorsed the PDA, the Case Manager will ensure the final report is referred to the relevant Senior Executive Officer for noting and decision in relation to any significant procedural recommendations. The PDA should be made available to the relevant Senior Executive Officer no later than two months after the debrief meeting.

Where the relevant Senior Executive Officer has accepted a recommendation in the PDA, they will assign responsibility for that action.

Reporting

Progress on a matter in post-delivery stage will be monitored by the Case Officer and Case Manager.

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Reporting to the ELT (in review) for matters in post-delivery stage is to occur by way of monthly reports to the ELT Corporate and Portfolio Review meetings but is only required for matters with outstanding matter outcomes.

Reporting for crime and confiscation matters must be referred to the CRC as soon as practicable following their submission to the ELT.

Administrative requirements

The post-delivery stage ends when all outcomes for the matter have been determined, for example:

- all proceedings initiated as a result of the matter (including any appeal proceedings) are final
- any awaiting agency responses to procedural recommendations have been received and accepted
- all disclosures (CCC initiated) have occurred
- all investigation records and documents have been filed in accordance the CCC operations manual policies and procedures and the CCC records management policy
- all property items held by the CCC in connection with the investigation have been disposed in accordance with IP12 Property Management, and
- all record entries in the CCC case management system for the investigation have been closed
- all assets have been forfeited and/or all money orders have been collected.

To close a matter, the Case Manager must complete the **Investigation Completion Report (Part C: Closure)** for review and approval by the appropriate key decision maker.

4.2.5 Closed matters

The Case Manager is responsible for attending to formal closure of a matter in the CCC case management system.

Upon closure of a matter, no further activities are to be undertaken in connection with it but the benefits of matter outcomes may continue to be realised.

Once a matter is closed, the CCC does not continue to assess the benefits of matter outcomes in a formal way, however there are informal ways in which matter outcomes continue to be evaluated and considered. For example, important lessons learned and intelligence consolidated in the CCC's case management systems are fed back into the assessment of opportunities for, and the feasibility of, future investigations. This information may also inform corruption prevention projects, education activities and speaking engagements.

4.2.6 Closed matters not to be re-opened

Once closed, a matter may not be re-opened. This policy exists to ensure the integrity of the CCC's administrative processes, legal compliance and that there is complete transparency in the decision-making processes for the way in which the CCC assesses and deals with information about crime or corrupt conduct.

However, information and evidence (including copies) retained by the CCC in connection with any matter (including an investigation) may be used in connection with any future investigation of the CCC.

Any complaint or notification received by the CCC about the subject of a closed Corruption matter, must be referred to the Executive Director, Integrity Services, to be dealt with as a new matter in accordance with the CCC's assessment policies and procedures. There are no exceptions to this

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requirement and it includes the case where a key witness wishes to change their evidence previously provided to the CCC.

4.3 The delivery model

The CCC has an agile delivery model for investigations that is designed to ensure operational planning occurs in a structured and progressive way and operational decisions are appropriate, timely and advance the investigation toward achieving its purpose with efficiency.

The delivery model supports two conditions for good decision-making:

- (a) *Quality*: Operational decisions should be responsive to changing circumstances in the investigation and be informed by complete, relevant and current information. This means most operational decisions will need to be made closest in time to when the decision is required, when as a result of what has been discovered in the investigation, the right information is available to inform those decisions.
- (b) *Context*: Operational decisions should be assessed and evaluated with reference to the investigation business case and with the learning and insight derived from the developing investigation. This means there needs to be a structure to investigation planning and activity that provides regular opportunity to pause, consolidate and reflect as the investigation develops from the high-level requirements identified in the scope, to the detailed requirements that guide the collection of specific evidence, that will be organised, delivered and used to realise the intended value of the investigation.

To achieve these conditions, the CCCs delivery model for an investigation uses an iterative development sequence in which operational planning, decision making and activities cycle within defined periods of time. These are referred to as '**Sprints**'.

All CCC investigations will utilise investigation **Sprint Actions Plans** to manage the investigation progress.

The matter practices policies and procedures identify when specific discrete plans are required for significant operational or technical activities such as the execution of a search warrant, the conduct of a controlled operation, public hearings or a significant publication.¹⁷

4.3.1 Identifying and prioritising requirements

The scope of a CCC investigation is framed by the requirements to be addressed. The requirements of an investigation are those issues or questions that must be addressed for it to achieve one or more of its purposes. At a high level, the issues or questions for an investigation exist in the form of allegations which are then broken down into elements (what, how, when, where or why), in relation to which one or more discrete facts are concerned. In the same way, high level prevention requirements will be broken down to questions that are derived from the hypotheses that require exploration, validation and potential solution.

The granularity of the requirements will differ depending on whether a matter is in the feasibility or delivery stage. In feasibility, the requirements will be specified at a higher level, and corruption prevention areas of interest may not be specified at all. For example

- for a corruption or crime matter, alleged offences or disciplinary breaches, relevant to the topics under investigation or terms of reference,¹⁸ if relevant, hypotheses relevant

¹⁷ For example, for a public hearing one or more hearing plans must be approved in accordance with the procedures set out in *MP03- Compulsory Examinations and public inquiries*. The publication plan is prepared in accordance with *MM04 – Matter reports and publications*.

¹⁸ For a crime matter, the terms of reference will always be set out in the written approval or authority for the matter.

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to each prevention area of interest, identify at a high level, the requirements the investigation will need to address in order to meet its purpose, and,

- for a *confiscation* matter, the scope of the investigation is framed by the person(s) of interest and the particular confiscation strategy engaged to restrain and recover the criminal assets and proceeds.

The investigation Case Manager is responsible for ensuring the investigation requirements are appropriately recorded and maintained as current, in the CCC case management system.

The requirements of an investigation need be prioritised so that the investigation proceeds efficiently, with the most critical questions or issues addressed as early as possible. In prioritising the investigation requirements, two matters should be taken into account:

- The investigation phase:* It is important to consider what stage the investigation is at, and what is the particular focus or objective of that stage or sub-stage. For example, for an investigation in the feasibility stage, the priority requirements are those issues and questions that will most assist the key decision whether to transition the matter to the delivery stage. For the confidential sub-stage of delivery, the priority requirements are those that can be carried out without compromising the advantage of secrecy.
- The business case impact:* An allegation, issue, or strategy may fail because a single fact or element (which may be one in the same) exists or cannot be established. The business case impact of that failure will vary according to the nature of the allegation and its importance. The priority requirements are those questions and issues that present the greatest risk to the investigation business case, for example, questions of jurisdiction.

4.3.2 Estimating requirements

For a CCC investigation, estimating the time and resources required to deliver an investigation is undertaken at the transition of the assessment stage (in the Investigation Proposal form A01) and feasibility stage (in the Feasibility Report), and reviewed thereafter against the high level delivery plan. While the CCC does not apply discrete budgets to its investigations (because it's financial and human resources are largely fixed) estimation of the investigation requirements is used to:

- determine whether the CCC is likely to meet its key performance indicators
- prioritise and coordinate the investigation portfolio
- understand the resources required in the delivery of products/results, such as a public hearing, a publication or a brief of evidence
- manage resources for intensive activities such as the execution of multiple search warrants (requiring resources to be temporarily diverted from other investigations or projects)
- manage specialist resources such as physical surveillance and forensic services
- monitor investigation performance generally.

At a high-level, estimates of time and resources are used to forecast stage and sub-stage due/completion dates in the investigation delivery plan. At the most detailed level, they are used to determine what work can realistically be completed within a sprint.

When estimating the time and resources requirements necessary to conduct an investigation, we are concerned with size of the requirements (quality and number) and the level of effort needed to complete them. Estimations are necessarily based on certain assumptions, for example:

- resources (quality, type and quantity) to meet the requirements
- reliability those resources (i.e. leave commitments, competing investigations)
- legal certainty (i.e. jurisdiction, powers, administrative arrangements, litigation),
- practical certainty (i.e. comparative risk/prospects of success), or

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- prior experience of how similar requirements have been achieved in the past.

The certainty with which the requirements of the investigation are able to be known will also affect the precision of the estimation at the time it is made. What is known about the requirements will depend upon their purpose and the time horizon for the estimation. For example, the requirements estimation at preliminary investigation should be reasonably precise for that purpose but there could be no confidence in estimating the length of a potential public hearing at the same point. Conversely, there should be little uncertainty in estimating the time and resources that can be addressed within a discrete Sprint.

As **estimations are not static**, the Case Manager is to ensure they are reviewed regularly and at least at the commencement of each stage or sub-stage of the investigation and at the beginning/end of each Sprint. Where estimations or reviews give rise to a risk or potential issue, the Case Manager is to record the risk or issue (see further below).

4.3.3 Using sprints

Except in the case of a confiscation matter, a referred or immediate response investigation, sprints will correlate with the investigation progress reporting periods set by the ELT. Unless the specific requirements of an investigation require more frequency, one sprint will be completed between each ELT report and each sprint should be scheduled to end in sufficient time for the results to be incorporated into the investigation progress report to ELT when due.

Sprint periods are structured in the following way:

Sprint planning:

The purpose of the sprint planning is to identify and prioritise the investigation requirements that will be addressed or progressed within the sprint, agree and prioritise what work will be done to achieve those requirements, who will be responsible for doing the work, when it will be completed, and when the work will be formally reviewed.

The Case Officer is responsible for recording the discrete requirements identified in the sprint planning as “actions” in the CCC’s case management system and assigning them to the appropriate team member. The “actions” should describe what is required, rather than the detail of the method or how the requirement will be actually achieved.

Execution:

In execution, the work agreed is actually undertaken. This is where information and evidence is gathered through the application of investigation practices.

It is important during the execution phase that the team have the opportunity to share information about their activities and, if necessary, re-plan or re-organise them.

Other than informal communications, information is shared via the recording of operational activities (“actions”) in the CCC’s case management system. Another communication method that may be employed by the Case Manager is a daily stand-up meeting. This is a short meeting (maximum of 15 minutes), usually at the same time and place each day, where each team member in turn describes what they have achieved since the last stand-up, what they will be doing next and any problems, risks, or issues they have identified that impact on achieving the agreed objectives.

Review:

The purpose of review is to assess and consolidate what was done (or not done) and what was discovered in execution (including how well the investigation practices were

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undertaken), what requirements were satisfied,¹⁹ whether the investigation is still on track and is being undertaken in the best way, and decide if it is necessary to do something different because of the information now available that wasn't available at the start of the sprint. The backlog of incomplete "actions", the learning and conclusions from review are then cycled back into the next sprint planning activity.

The Case Manager²⁰ is responsible for implementing and managing the sprint methodology. Except for the first Sprint in the investigation, in practice the sprint review and sprint planning activities will be dealt with as two parts of the same operational meeting, held at the end/beginning of each sprint. The Case Manager is responsible for scheduling the sprint planning meeting. All investigation team members should attend.

The CCC has a template "**Sprint Action Plan**" to assist with documenting the Sprint planning meeting and to ensure the planning and review objectives are met. The action plan should be scanned to the main eDRMS file for the matter and linked to the record of the planning meeting in the CCC's case management system. In this way, all action plans for the matter may be easily collated and tracked.

4.3.4 Risks and issues

A risk is something that might happen that will affect the certainty of achieving the purpose of an investigation. An issue is something that has happened or is happening of that same affect. A risk or issue impact is something that could result from the thing happening or has resulted because the thing happened.

The CCC's risk management strategy for undertaking investigations operates at three levels:

- *Strategic and general operational risks:* at a high level, standard strategic and operational risks are recorded and managed via the GRC system.
- *Technical activity risks:* At the most detailed level, investigation policies and procedures specify when technical activity risk management plans for specific technical activities are required, some examples of which are provided in clause 4.3 above.
- *Ad hoc risks/issues:* In between the above two levels are ad hoc risks/issues that emerge within the investigation, usually because they challenge an assumption of the investigation, and require attention according to the circumstances in each case. These risks include for example, legal risk/issues (such as a change in legislation or collateral litigation) or the unexpected flight of a person of interest from the jurisdiction.

The Case Manager²¹ is responsible for approving and ensuring ad hoc risks/issues are recorded in the CCC's case management system and where appropriate, are included in the ELT reporting cycle for the investigation (using the Exception Report). Collectively the ad hoc risks recorded in the case management system, form the risk register for the investigation.

When recording a new risk or issue, the Case Manager should include the following information:

- title of the risk/issue

¹⁹ In project terms, the acceptance criteria for the investigation requirements are assessed on the basis of a standard. For criminal investigation, that standard, may vary according to the nature of the requirement: for ultimate issues (elements of an offence) the standard is whether they could be accepted beyond reasonable doubt; for other facts, i.e. circumstantial, the standard may be one of reasonable satisfaction.

²⁰ For referred crime investigations, the lawyer allocated as counsel assisting is regarded as the Case Officer and the Executive Director, Crime Hearings & Legal will perform the Case Manager role.

²¹ Refer to footnote 18.

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- description of risk/issue
- description of the risk/issue impact/s
- (for a risk) the likelihood of the risk becoming an issue
- and consequence risk/issue and any suggested treatment
- (for a risk) the risk rating

When closing a risk or issue, the Case Manager is to ensure the action is updated with the reason for closure.

4.4 Key management documents

The management framework for the CCC's investigation delivery model is supported by a number of key management documents that are set out in **Appendix C** to this procedure. All of these documents and how they are used have been mentioned throughout this policy and procedure however, **Appendix C** provides a succinct summary of their purpose and who is accountable for them.

5. Definitions

Term	Meaning
Assessment decision	A decision about how to deal with a complaint
Commission officer	As define in schedule 2 of the CC Act, including police officers seconded to the CCC and police officers forming part of a Taskforce under s.32 of the CC Act
Delegate	A CCC officer to whom a Commission power or a chairman's power has been delegated under the CC Act or another Act.
ELT (in review)	See IM01 – Portfolio assessment and review
Key decision	Is a decision that establishes, confirms or affects the business case for a CCC investigation, the issues an investigation is required to address, key performance criteria and outcomes
QPS	Queensland Police Service
Significant event	Means a "police related incident" as defined by section 1.17 of the QPS Operations Procedures Manual, or any other incident reported to the CCC pursuant to any administrative arrangement in place between the CCC and QPS requiring the reporting of events or issues likely to result in public scrutiny, such as, high-speed police pursuits, or an incident of the above nature which the QPS suspects involves or may involve "corruption"

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6. Forms

Document reference	Document title
MM01-A01	Investigation Proposal (Assessment) – Matters recommended for CCC investigation
MM01-A02	Investigation Proposal (Assessment) – Corruption matters not recommended for CCC investigation
MM01-F01	Feasibility report
MP20-F01	Feasibility report – Confiscation investigation
MM01-D02	Exception Report (Delivery)
MM01-Sp01	Investigation Sprint Action Plan
MM01-D01	Investigation Report - Corruption
MM01-DP01	Investigation Completion Report Part A: Finalisation Part B: Post-delivery Assessment Part C: Closure
MM01-PO2	Prosecution Progress Schedule (post-delivery)
MM01-PO3	Crime hearing assessment
MM01-TF01	Instrument establishing a police task force (s.32)
MM01-TF02	Instrument of authorisation (s.272(2)) for police task force members

7. Related policies and procedures

- [IM01 – Portfolio Assessment and Review](#)
- [IM02 – Receiving and Recording](#)
- [IM04 – Implementing Assessment Decisions](#)
- [MM04 – Disclosure and requests for information](#)
- [MM11 – Mutual assistance](#)
- Executive Leadership Team Charter
- Secondments into and out of the CCC (policy and procedure)
- Establishment of Police Task Forces and authorisation to task force members work instruction
- Matter Prioritisation Model (Crime)

Legislation references

- *Crime and Corruption Act 2001*
- *Criminal Proceeds Confiscation Act 2002*
- *Public Interest Disclosure Act 2010*
- *Public Service Act 2008*
- *Coroners Act 2003*
- *Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth)*
- *Mutual Assistance in Criminal Matters Act 1987 (Cth)*

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8. Administration

Responsible officer:	Director, Corruption Legal	Accountable officer:	Senior Executive Officer (Crime)
Date approved:	March 2022	Review date:	March 2024

9. Appendices

9.1 Appendix A: Key decisions for an investigation

Decision type	Responsible Entity	Example
Public hearing	Chairperson or Commissioner	To conduct a public hearing
Assessment decision	Corruption Division officer with legislative delegation, upon the recommendations of ELT	Assessing a matter for investigation
Matter stage transition	<p>ELT except when the key decision is:</p> <ul style="list-style-type: none"> • a <i>referred crime investigation</i> or <i>immediate response operation</i> proceed to delivery, the Executive Director Crime Hearings and Legal may approve the decision, without further reference to the ELT, or • a <i>confiscation investigation</i> proceed to feasibility, the Director Proceeds of Crime may approve the decision, without further advice or reference to the ELT, or • a <i>confiscation investigation</i> be finalised with no further action, the Director Proceeds of Crime may approve the decision, without further advice or reference to the ELT, or • a monitored matter be finalised with no further action or proceed to the delivery stage in accordance with the Assessment Outcome, the Executive 	Transition from Feasibility stage to Delivery stage.

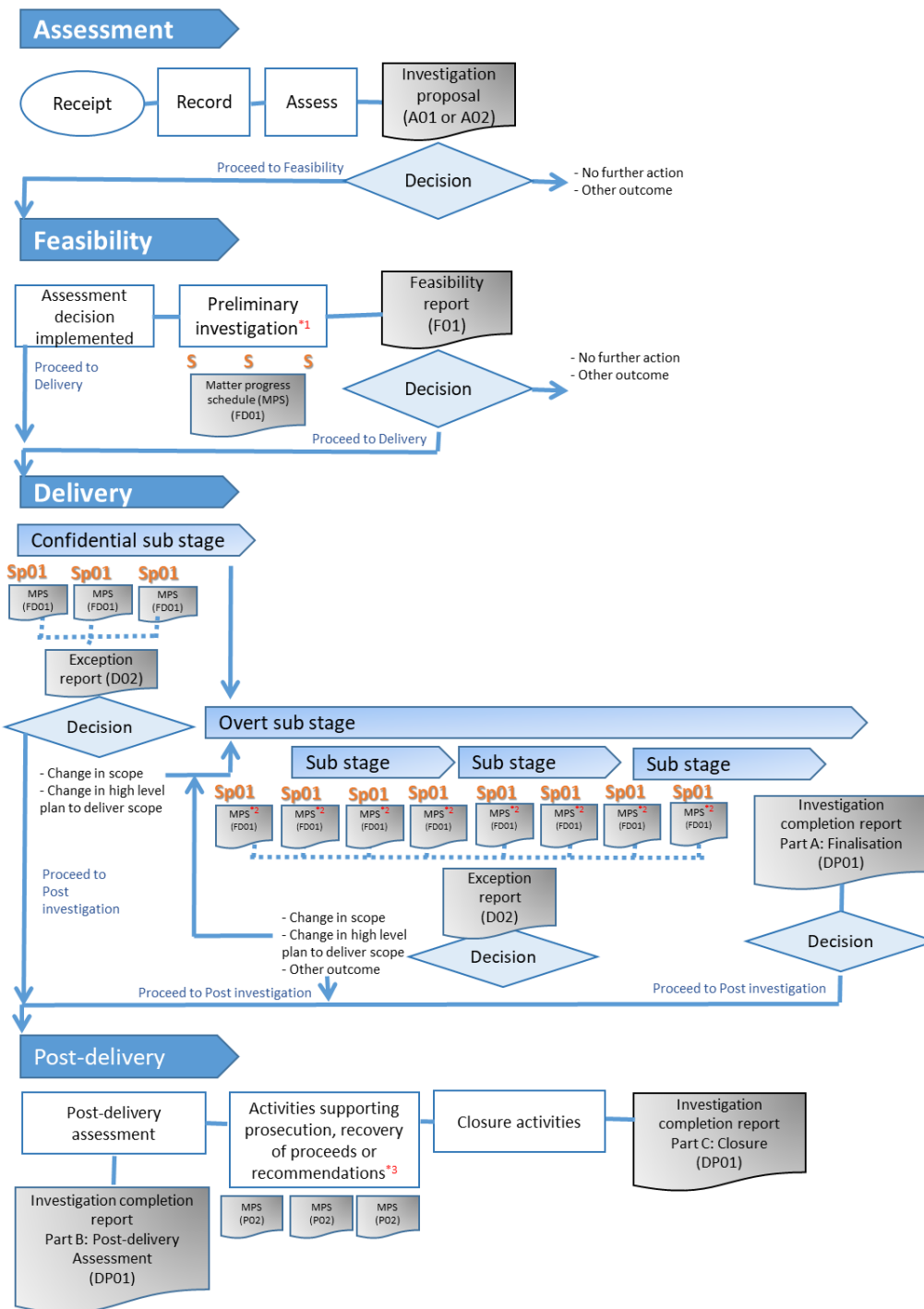
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Decision type	Responsible Entity	Example
	<p>Director Integrity Services or other delegate may approve the decision, without further advice or reference to the ELT.</p> <p>Refer to 4.2.2 for further information.</p> <p>For a Crime matter:</p> <ul style="list-style-type: none"> • the SEO (Crime), Chairperson or the CRC <p>For a Corruption matter:</p> <ul style="list-style-type: none"> • when a report is provided to all relevant parties, or • the Executive Director, Corruption Operations, or • when no further action is to be taken in relation to a monitored matter • when a key decision is made to discontinue. <p>For a confiscation matter:</p> <ul style="list-style-type: none"> • when a court makes final orders, or • when a key decision is made to discontinue. <p>Refer to section 4.2.3 for further details.</p>	<p>Transition from Delivery stage to Post-delivery stage</p>
Matter sub-stage transition	Case manager or Delegate (refer to table in section 4.2.3 Sub-stage of delivery)	Transition from confidential to overt
High level delivery date changes (except changes to closed date)	ELT	Changes to the delivery date either extending or reducing
Changes in scope requirements (high level)	ELT or delegate	During the delivery stage, investigation reveals a broader or narrower existence of criminality that may impact delivery dates, resources, etc. This may include a recommendation to evolve an ongoing investigation to a joint investigation or police task force, or to cease such activities.

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Decision type	Responsible Entity	Example
Business case impact	ELT	Changes to the estimated value of fraud

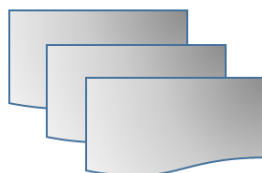
9.2 Appendix B – Investigation Lifecycle Model



Sprint action plan (Sp01)



Supporting documentation



Matter progress schedule

*1. By exception at feasibility stage (FD01)
 *2. Common MPS template across crime, corruption and confiscation at delivery stage (FD01)
 *3. By prosecution schedule (crime, corruption) or recovery schedule (confiscation) at post investigation stage

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9.3 Appendix C – Key Management Documents

Document	Stage	Purpose
Investigation proposal (assessment)	Assessment : To support a stage transition from assessment to feasibility	<ul style="list-style-type: none"> To provide an assessment of the information available, and a business case for progressing the matter to feasibility
Feasibility report	Feasibility: To support a stage transition from feasibility to delivery	<ul style="list-style-type: none"> To provide an assessment of the options available. For the preferred option, to provide a business case, scope and high level delivery plan
Sprint action plan	Feasibility and Delivery	<ul style="list-style-type: none"> To provide a framework for the iterative approach to planning, executing and reviewing the activities undertaken and outcomes or products delivered in the feasibility and delivery stages of a matter.
Prosecution progress schedule	Post-delivery	<ul style="list-style-type: none"> To provide a consistent structure for the ongoing reporting of matters In the post-delivery stage, a prosecution schedule (for crime and corruption) or recovery schedule (for proceeds) is adopted.
Exception report	Feasibility and Delivery	<ul style="list-style-type: none"> To explain identified risks or issues impacting, or anticipated to impact, the scope of an investigation and the key decisions necessary to effectively progress the investigation/s.
Investigation Completion Report:		
Part A: Finalisation report	Delivery: To support a stage transition from delivery to post-delivery	<ul style="list-style-type: none"> To summarise the outcomes of an investigation and assess effectiveness in meeting operational objectives.
Part B: Post-delivery assessment report	Post-delivery	<ul style="list-style-type: none"> To evaluate performance through the course of an investigation, identify learnings and significant procedural recommendations.
Part C: Closure report	Post-delivery: To support closure of an investigation	<ul style="list-style-type: none"> To report the activities undertaken post finalisation of an investigation and assess effectiveness in meeting operational objectives.

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