



Hon Michael Gallacher MLC

Leader of the Government in the Legislative Council
Minister for Police and Emergency Services
Minister for the Hunter

MEDIA RELEASE

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NSW GOVT TO ESTABLISH INDEPENDENT INQUIRY INTO CRIME COMMISSION

Minister for Police and Emergency Services Michael Gallacher today said the NSW Government will establish an independent inquiry into the NSW Crime Commission.

“As I said in Opposition, if elected the Government would conduct an independent inquiry into the NSW Crime Commission at the conclusion of the current Mark Standen trial,” Minister Gallacher said.

“It’s important that an independent inquiry takes place to review the accountability and structure of the Commission.

“The inquiry will examine the structure, procedures, accountability and oversight of the Commission.

“The NSW Government will shortly announce who will head the inquiry. The person appointed will have powers as enacted under the Special Commissions of Inquiry Act 1983.

“The Crime Commission has been operating for more than 20 years without review and this inquiry is needed so that the community has confidence in the Commission into the future.

“I recognised for some time, that the Crime Commission has been very successful.

“Whatever changes are made as a result of the independent inquiry will and must build on the Commission’s expertise and track-record in fighting organised crime,” Minister Gallacher concluded.

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The following terms of reference are proposed for an inquiry into the Crime Commission:

- The person appointed will have powers as enacted under the Special Commissions of Inquiry Act 1983
- Review the Governance arrangements for the Crime Commission and make recommendations, with specific reference to:
 - Is the current Management Committee structure adequate to provide strong direction and oversight to the Crime Commission?
 - Should the NSW Police Minister remain an *ex officio* member of such a committee, or should there be an independent chair?
 - Would the Crime Commission benefit from a multi-member commissionership or a Board of Management, as with the UK Serious Organised Crime Agency?
- Review external oversight mechanisms where appropriate for the Crime Commission, including:
 - Should the PIC retain its current oversight responsibilities?
 - Would an Inspector-General model, along the lines of the Commonwealth arrangements for security agencies, be more effective?
 - Is there a need for a Parliament Joint Committee on the NSW Crime Commission?
- Do the powers of the NSW Crime Commission remain appropriate and adequate to meet its dual objectives of investigating major crime and confiscating the proceeds of crime?
- What, if any, internal organisational and managerial changes are needed in order to ensure there is no conflict between these two objectives?
- Should the term of the Commissioner be limited to five years, as with the ICAC and PIC Commissioner? Could such a limitation impair the effectiveness of the Crime Commission?
- The appropriateness of internal governance structures and processes within the Crime Commission, including but limited to such issues as:
 - In civil confiscation proceedings, what further guidelines and oversight mechanisms are needed?
 - How could relations between the Crime Commission and other law enforcement agencies be made more effective?
- How can it be ensured that any proposed changes to the Crime Commission's structure and operations methodology do not impair its efficiency and effectiveness in carrying out its legislative functions?