

7 October 2019

## STATEMENT FROM THE CORRUPTION AND CRIME COMMISSION

The Corruption and Crime Commission regrets that the President of the Legislative Council has issued legal proceedings challenging the breadth and purpose of a current investigation involving former members of Parliament.

The Commission has always been clear that it respects the importance of parliamentary privilege and is not seeking access to material which is the subject of parliamentary privilege.

It is seeking access to material to which it has lawful access given it by Parliament under the *Corruption, Crime and Misconduct Act 2003* and which is required for the timely and effective completion of its current investigation.

For almost five months since 20 May 2019, the Commission has been trying to reach a compromise with the President of the Legislative Council and the Procedure and Privileges Committee that would both protect parliamentary privilege and allow the Commission to continue its investigation expeditiously.

The issues raised by the President go to the heart of the Commission's investigative function and are much wider than the present dispute. The Commission will defend the proceedings even though the cost will be substantial and will divert Commission resources from other investigations.

In the immediate term, Mr Nigel Pratt, the Clerk of the Legislative Council, is required to comply with a notice to produce documents not subject to parliamentary privilege today. He has been ordered not to comply by the Legislative Council. It is intolerable and unfair that any senior public servant should be put in peril of contempt proceedings because of a dispute between branches of government.

The Commission will not insist on compliance until the court proceedings have been resolved.

The Commission continues to seek a timely and effective resolution to the fundamental issues underpinning this dispute, so that it might return its full focus and resources to identifying, investigating and supporting the management and mitigation of risk relating to serious misconduct and corruption.

ENDS

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