

Heather Rayfield

From: Mike Summerell (QSA)
Sent: Tuesday, 5 September 2017 6:06 AM
To: Andrew Spina
Subject: Report

Hi Andrew

Fyi

In terms of why we couldn't finalise the report last week

When we were given the data obtained from the dpc review there were around 250 mails with attachments that couldn't open

Dpc didn't do anything about them in their review

8 Aug we wrote to CCC saying we needed to check the original data to check if this was Error in the upload of data or actually whether the attachments were corrupt

28 Aug they told us they couldn't open the attachments and they think it was an error in their data and we needed to ask Minister Bailey for the data if he had it. We did on 28 Aug. Report was due 30 Aug. The fact they couldn't provide the data and it took 20 days to tell us that and that this was 2 days before the report was due was the reason the report was not finalised last week

Minister Bailey provided the data 3 days later ie on Friday at which point we told ccc the report would final today

It took Ccc 20 days to say they couldn't open them and the reason it took so long was their team was busy on other priorities

Their statement that the report may not be done until next year is their own to explain. We told them Friday it would be done today and we told DSITI Comms on Friday we would be reporting today as well

Mike

Heather Rayfield

From: Elizabeth Foulger <[redacted]>
Sent: Monday, 4 September 2017 1:30 PM
To: Mike Summerell (QSA)
Subject: RE: Guidance

Mike

While I didn't appreciate that distinction in your earlier email, it is similarly beyond the mandate of the CCC to direct you to take action beyond that related to, or required by, the investigation. The guidelines are an issue that is parallel to the investigation, however they do not impact on the current investigation (because we are not talking about the guidelines in place at the time – but future guidelines), and are not required for the purposes of the investigation. That takes the matter beyond the remit of our monitoring functions. The CCC can recommend that a decision about guidelines is delayed until such time as the investigation is resolved, but it would not be appropriate for us to direct as such.

Kind regards
Liz



Elizabeth Foulger
Assistant Director
Crime and Corruption Commission
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006
GPO Box 3123, Brisbane QLD 4001
T: [redacted] | F +61 7 3360 6333 | [redacted]
[Visit the CCC website](#) [Subscribe for news and updates](#)



From: Mike Summerell [mailto:Mike.Summerell@archives.qld.gov.au]
Sent: Monday, 4 September 2017 12:54 PM
To: Elizabeth Foulger <[redacted]>
Subject: Re: Guidance

I was looking for you to direct me to wait not for you to direct DPC

Mike

From: Elizabeth Foulger <[redacted]>
Sent: Monday, 4 September 2017 10:00:45 AM
To: Mike Summerell
Subject: RE: Guidance

Good morning Mike

I have discussed your email with the Director Integrity Services. While the CCC is happy to support your view, it is not appropriate for us to give the DPC a direction in this respect – nor is it within our mandate. For those reasons this is a matter to be resolved between you and the DPC. Perhaps your Director-General can advocate for you.

The CCC is happy to confirm, however, that based on our involvement in the matters concerning Minister Bailey it is clear that new guidelines on the way in which Government Ministers deal with ministerial records, and personal email accounts are required. We would also support the view of your office that any new guidelines will need to take into account issues identified as a result of the current matter. For that reason issuing new guidelines before that matter is resolved may be premature. On the other hand the CCC understands that DPC will be anxious to clarify issues for the current Ministers to avoid more issues going forward.

We would hope your office and the DPC would be able to work together to achieve an appropriate interim arrangement.

Kind regards
Liz

Elizabeth Foulger
Assistant Director
Crime and Corruption Commission
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006
GPO Box 3123, Brisbane QLD 4001
T: [redacted] | F +61 7 3360 6333 | [redacted]

[Visit the CCC website](#) [Subscribe for news and updates](#)

From: Mike Summerell [mailto:Mike.Summerell@archives.qld.gov.au]
Sent: Friday, 1 September 2017 9:38 PM
To: Elizabeth Foulger <[redacted]>
Subject: Guidance

Hi Liz

Further to my email a few weeks ago about my view that is inappropriate for us to issue guidance on this matter at this time

I think from the interim report it is clear that fundamental new guidance is required and further review of what is currently happening

We are getting pressure from DPC to issue joint guidance or even guidance from us alone now. The great irony is when this first kicked off when we tried to issue more guidance dpc stopped us. I was very uncomfortable with that and felt it was interference with my statutory role and I still think that to be honest

I have been absolutely clear I think it is completely inappropriate at this time given what we are doing for ccc for the State archivist to issue new guidance

We need to look very closely at the processes in place for all ministers and the departments that support them, and we are not ready to issue advice at this point as we need more information on what is happening

Would it be possible to get a formal direction from CCC to myself not to issue new guidance until CCC have considered the final report and responded

I have already indicated that they can issue their own advice as MSB now if they wish and say they consulted with us but I will not issue advice from the state archivist at this time as we need to do more work on the guidance and given the active investigation it is simply not appropriate . Dpc are looking to rush something out now . The advice we worked on with them is ok and certainly better than the current handbook but given what we are currently are seeing it doesn't go remotely far enough. It is what msb wish to issue not what I want to issue. I really do not feel it is dpc's place to try to control the advice the state archivist issues.

Under the act the issue of advice on record keeping is a statutory function of the state archivist - this feels more about managing the current political noise than anything and I absolutely think it is totally inappropriate for us to get sucked into it.

Regards

Mike

This E-Mail is intended only for the addressee. Its use is limited to that intended by the author at the time and it is not to be distributed without the author's consent. Unless otherwise stated, the State of Queensland accepts no liability for the contents of this E-Mail except where subsequently confirmed in writing. The opinions expressed in this E-Mail are those of the author and do not necessarily represent the views of the State of Queensland. This E-Mail is confidential and may be subject to a claim of legal privilege. If you have received this E-Mail in error, please notify the author and delete this message immediately.

This message (including attachments) is intended for the addressee named above, it may also be confidential, privileged and/or subject to copyright. If you wish to forward this message to others, you must first obtain the permission of the author.

Any unauthorised use of this material is prohibited. If you have received this message in error please notify the sender immediately, delete the message and destroy any printed or electronic copies. Any privilege or confidentiality attached to this message is not waived, lost or destroyed because you have received this message in error.

Opinions expressed in this message are those of the sender and do not necessarily represent the official position or opinions of the Crime and Corruption Commission.

While all care has been taken, the Crime and Corruption Commission disclaims all liability for loss or damage: that may result from reliance on, or the use of, information contained in this email and attachments; or to person or property arising from this message being infected by computer virus or other contamination.

This E-Mail is intended only for the addressee. Its use is limited to that intended by the author at the time and it is not to be distributed without the author's consent. Unless otherwise stated, the State of Queensland accepts no liability for the contents of this E-Mail except where subsequently confirmed in writing. The opinions expressed in this E-Mail are those of the author and do not necessarily represent the views of the State of Queensland. This E-Mail is confidential and may be subject to a claim of legal privilege. If you have received this E-Mail in error, please notify the author and delete this message immediately.

Heather Rayfield

From: Mike Summerell (QSA)
Sent: Monday, 25 September 2017 1:17 PM
To: Alena Tracey
Subject: Fw: CLASS IC: Correspondence from the CCC - CO-17-0525
Attachments: Letter to State Archivist - Finalisation of matter.PDF

Categories: Green Category

From: Complaints <Complaints@ccc.qld.gov.au>
Sent: Friday, 22 September 2017 8:38:52 AM
To: Mike Summerell
Subject: CLASS IC: Correspondence from the CCC - CO-17-0525
Please find attached correspondence from the CCC dated 22 September 2017.

Regards



Integrity Services

Crime and Corruption Commission
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006
GPO Box 3123, Brisbane QLD 4001
T +61 7 3360 6060 | F +61 7 3360 6333 | complaints@ccc.qld.gov.au



[Visit the CCC website](#)



[Subscribe for news and updates](#)

We value:



People



Accountability



Integrity



Courage



Excellence

This message (including attachments) is intended for the addressee named above. It may also be confidential, privileged and/or subject to copyright. If you wish to forward this message to others, you must first obtain the permission of the author.

Any unauthorised use of this material is prohibited. If you have received this message in error please notify the sender immediately, delete the message and destroy any printed or electronic copies. Any privilege or confidentiality attached to this message is not waived, lost or destroyed because you have received this message in error.

Opinions expressed in this message are those of the sender and do not necessarily represent the official position or opinions of the Crime and Corruption Commission.

While all care has been taken, the Crime and Corruption Commission disclaims all liability for loss or damage that may result from reliance on, or the use of, information contained in this email and attachments; or to person or property arising from this message being infected by computer virus or other contamination.

GPO Box 3123
Brisbane QLD 4001

Level 2
North Tower Green Square
515 St Pauls Terrace
Fortitude Valley QLD 4006

Tel.: 07 3360 6060
Toll-free: 1800 061 611
(in Queensland outside
Brisbane)

Fax: 07 3360 6333

mailbox@ccc.qld.gov.au
www.ccc.qld.gov.au

ABN 32 164 714 360



Crime and Corruption
Commission

QUEENSLAND

Our Reference: CO-17-0525 / EF
Contact Officer: Elizabeth Foulger
eDRMS: 17/172295

22 September 2017

TO BE OPENED BY ADDRESSEE ONLY

Mr Mike Summerell
Queensland State Archivist
Department of Science, Information Technology and Innovation

By email: Mike.Summerell@archives.qld.gov.au

Dear Mr Summerell

RE: CONCERNS ABOUT THE HON MARK BAILEY MP

Thank you for your correspondence to the Crime and Corruption Commission (CCC) dated 5 September 2017, enclosing your final report and associated attachments concerning the above matter.

As you are aware, on 19 July 2017 the CCC referred to the Office of State Archives for investigation an allegation that in deactivating his private email account the then Government Minister, Mr Mark Bailey MP, breached section 13 of the *Public Records Act 2002* (PR Act). This referral was subject to monitoring by the CCC by way of a Public Interest Review.

After receiving your final report, on 12 September the CCC determined to formally assume responsibility for the investigation, under section 48(1)(d) of the *Crime and Corruption Act 2001* (the CC Act), in order to determine any criminality of the part of Mr Bailey.

I am writing to advise the CCC has now considered the report and determined not to commence a criminal prosecution against Mr Bailey in relation to his treatment of public records contained in the private email account.

In reaching this decision the CCC considered potential breaches of the PR Act, the *Right to Information Act 2009* (RTI Act), the *Information Privacy Act 2009* (IP Act) and other offences in the Queensland Criminal Code including disobedience to statute law and misconduct in relation to public office, as identified and discussed in your report

Your investigation identified 1199 records in Mr Bailey's private email account that were considered public records, as defined by section 6 of the PR Act. Under the existing Queensland State Archives (QSA) approved Retention and Disposal schedules 539 of those records were able to be disposed of by Mr Bailey. The remaining 660 records could only be disposed of with authorisation of the QSA.

Section 13 of the PR Act states that a person must not dispose of a public record unless the record is disposed of under an authority given by the Archivist; or other legal authority, justification or excuse. The maximum penalty for this offence is 165 penalty units.

On the investigation undertaken by you there was no authority given by the Archivist or other legal authority, justification or excuse for Mr Bailey to potentially dispose of these 660 public records.

The remaining consideration in determining whether Mr Bailey disposed of public records contrary to s13 of the PR Act was then limited to the meaning of the word 'dispose'.

The word 'dispose' is not specifically defined in the PR Act. The CCC consulted definitions in other legislation, case law and other legal resources and formed the view there must be a permanency to the disposal of a public record to meet the offence.

Considering the public records contained in Mr Bailey's private email account were able to, and have now been recovered by the CCC with assistance from Mr Bailey, there has been no permanent disposal.

There is therefore no basis to pursue criminal conduct against Mr Bailey for disposal of public records contrary to s13 of the PR Act.

Deactivation to avoid an RTI application

The CCC acknowledges the timing of the deactivation of the private email account proximate to a right to information request raises questions about Mr Bailey's intentions at that time.

However, the CCC has reviewed the content of all of the emails retrieved from the email account and found no evidence to suggest the intention of Mr Bailey in deactivating the account was to conceal corrupt conduct made out by the content of any email.

In these circumstances there are no grounds to pursue a criminal offence against Mr Bailey for his use of the private email account or his management of public records in that account, contrary to the abovementioned provisions of the Queensland Criminal Code, the RTI Act or the IP Act.

State Archivist's recommendations

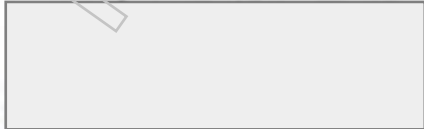
In your report you have made a number of recommendations with respect to the creation, maintenance and disposal of public records by Ministers of Government. The CCC considers that the first five of those recommendations were encompassed during our review of the investigation and based on our findings require no further action. The CCC supports the remaining recommendations.

We note that some of those recommendations will involve you working closely with the Department of Premier and Cabinet (the Department). We have similarly advised the Department of our support for the recommendations and suggested they liaise directly with you to obtain a copy.

While the CCC will now finalise its investigation of the allegations made against Mr Bailey we retain an interest in any legislative or policy amendments arising from your recommendations and would appreciate being kept informed of their progress.

Thank you for your ongoing assistance in relation to this matter.

Yours sincerely


Kylee Rumble
Director, Integrity Services

Heather Rayfield

From: Mike Summerell (QSA)
Sent: Friday, 22 September 2017 8:47 AM
To: Complaints; Elizabeth Foulger
Subject: Re: CLASS IC: Correspondence from the CCC - CO-17-0525
Attachments: image001.png; image002.png; image003.png; image004.png

Thank you

Can you tell me when you have finalised your investigation whether the public records are not therefore open to the various RTI requests. We have deemed 660 as public records that should have been retained

In addition decisions around the disposal of public records are an independent function of the State Archivist. As you don't consider the matter worthy of prosecution. I will seek legal advice of to whether I now have a statutory duty to review my decision and actions under my statutory obligations

Mike

From: Complaints <Complaints@ccc.qld.gov.au>
Sent: Friday, 22 September 2017 8:38:52 AM
To: Mike Summerell
Subject: CLASS IC: Correspondence from the CCC - CO-17-0525

Please find attached correspondence from the CCC dated 22 September 2017.

Regards

[Crime and Corruption Commission (Queensland) logo]

Integrity Services
Crime and Corruption Commission
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006 GPO Box 3123, Brisbane QLD 4001 T +61 7 3360 6060<tel:+61%207%203360%206060> | F +61 7 3360 6333<tel:+61%207%203360%206333> |
complaints@ccc.qld.gov.au<mailto:complaints@ccc.qld.gov.au>

[Website icon]<<http://www.ccc.qld.gov.au/>>

Visit the CCC website<<http://www.ccc.qld.gov.au/>>

[Subscribe icon]<<http://www.ccc.qld.gov.au/about-the-ccc/channeldb>>

Subscribe for news and updates<<http://www.ccc.qld.gov.au/about-the-ccc/channeldb>>

[We value: people, accountability, integrity, courage, excellence]

This message (including attachments) is intended for the addressee named above. It may also be confidential, privileged and/or subject to copyright. If you wish to forward this message to others, you must first obtain the permission of the author.

Any unauthorised use of this material is prohibited. If you have received this message in error please notify the sender immediately, delete the message and destroy any printed or electronic copies. Any privilege or confidentiality attached to this message is not waived, lost or destroyed because you have received this message in error.

Opinions expressed in this message are those of the sender and do not necessarily represent the official position or opinions of the Crime and Corruption Commission.

While all care has been taken, the Crime and Corruption Commission disclaims all liability for loss or damage: that may result from reliance on, or the use of, information contained in this email and attachments; or to person or property arising from this message being infected by computer virus or other contamination.

Released under RTI - 2010-06-04

Heather Rayfield

From: Mike Summerell (QSA)
Sent: Tuesday, 5 September 2017 7:36 AM
To: Karen Broussard
Cc: Office of the State Archivist
Subject: CCC report

I obviously noted the very misleading statements about the report to CCC and it not being finalised until next year

My final report to CCC will be issued today and CCC were told that on Friday

How long CCC take to respond to the report or what actions they take next I have no idea and is not my business and that may till next year who knows

But the statements yesterday made by CCC were very misleading and they knew the final report is coming to them today

Whether DSITI makes a statement when the report is sent to CCC clearly is not my call but it is frustrating to see articles implying our delay when the only delay in finalising was caused by ccc inability to provide information to us

Mike

Heather Rayfield

From: Elizabeth Foulger <[redacted]>
Sent: Friday, 22 September 2017 8:52 AM
To: Mike Summerell (QSA)
Subject: Correspondence

Mike

I have tried to call your office but no answer. The CCC has emailed you a letter regarding the Bailey matter which I can see you have received.

The Chair is releasing a statement to the press at 9.30am and holding a media conference at 12.30pm today.

Advice on the decision has also been provided to DPC [redacted] (as the complainant) and Mr Bailey's legal reps.

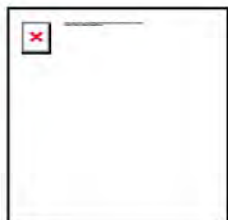
The Chair has indicated that he is happy to provide you with a copy of the legal observations on the file in terms of the decision not to prosecute.

Moving forward, decisions about how the records are dealt with are not really a matter for the CCC.

We fully anticipate requests will be made to access the emails under RTI and those requests should be handled in the normal way.

I also expect the Chair will call you himself later this morning to thank you for your assistance and to commend your report.

Kind regards
Liz



Elizabeth Foulger
Assistant Director
Crime and Corruption Commission
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006
GPO Box 3123, Brisbane QLD 4001
T + [redacted] F +61 7 3360 6333 [redacted]

[Visit the CCC website](#) [Subscribe for news and updates](#)



This message (including attachments) is intended for the addressee named above. It may also be confidential, privileged and/or subject to copyright. If you wish to forward this message to others, you must first obtain the permission of the author.

Any unauthorised use of this material is prohibited. If you have received this message in error please notify the sender immediately, delete the message and destroy any printed or electronic copies. Any privilege or confidentiality attached to this message is not waived, lost or destroyed because you have received this message in error.

Opinions expressed in this message are those of the sender and do not necessarily represent the official position or opinions of the Crime and Corruption Commission.

While all care has been taken, the Crime and Corruption Commission disclaims all liability for loss or damage: that may result from reliance on, or the use of, information contained in this email and attachments; or to person or property arising from this message being infected by computer virus or other contamination.

Heather Rayfield

From: Mike Summerell (QSA)
Sent: Monday, 25 September 2017 1:12 PM
To: Alena Tracey
Subject: Re: CLASS IC: Correspondence from the CCC - CO-17-0525

Hi Alena

Report was sent around 5ish Friday

Mike

From: Jamie Merrick
Sent: Monday, 25 September 2017 1:02:06 PM
To: Mike Summerell
Subject: RE: CLASS IC: Correspondence from the CCC - CO-17-0525
Hi Mike

Just back from leave and cleaning up emails. The report you mentioned below didn't come through to Jamie. Can you please resend?

Thanks
Alena



Alena Tracey
Senior Director
Office of the Director-General
Department of Science, Information Technology and Innovation
P 07 3215 3701 M [REDACTED]
Level 33, 1 William Street, Brisbane QLD 4000
Customers first | Ideas into action | Unleash potential | Be courageous | Empower people

From: Mike Summerell
Sent: Friday, 22 September 2017 8:51 AM
To: Andrew Spina <Andrew.Spina@dsiti.qld.gov.au>; Matthew Nye <Matthew.Nye@smartservice.qld.gov.au>; Jamie Merrick <Jamie.Merrick@dsiti.qld.gov.au>
Subject: Fw: CLASS IC: Correspondence from the CCC - CO-17-0525

We will need to get legal advice on next steps as the under the Act that State Archivist must make decisions around unauthorised disposal independently. Our conclusion is not the same as the CCC, though we do note a very real question of whether it is possible to effectively prosecute or indeed whether it is in the public interest

We will issue our independent report to the Minister and DG shortly

Mike

From: Mike Summerell
Sent: Friday, 22 September 2017 8:47:10 AM

To: Complaints; Elizabeth Foulger
Subject: Re: CLASS IC: Correspondence from the CCC - CO-17-0525

Thank you

Can you tell me when you have finalised your investigation whether the public records are not therefore open to the various RTI requests. We have deemed 660 as public records that should have been retained

In addition decisions around the disposal of public records are an independent function of the State Archivist. As you don't consider the matter worthy of prosecution. I will seek legal advice of to whether I now have a statutory duty to review my decision and actions under my statutory obligations

Mike

From: Complaints <Complaints@ccc.qld.gov.au>
Sent: Friday, 22 September 2017 8:38:52 AM
To: Mike Summerell
Subject: CLASS IC: Correspondence from the CCC - CO-17-0525

Please find attached correspondence from the CCC dated 22 September 2017.

Regards

[Crime and Corruption Commission (Queensland) logo]

Integrity Services
Crime and Corruption Commission
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006
GPO Box 3123, Brisbane QLD 4001
T +61 7 3360 6060<tel:+61%207%203360%206060> | F +61 7 3360 6333<tel:+61%207%203360%206333> |
complaints@ccc.qld.gov.au<mailto:complaints@ccc.qld.gov.au>

[Website icon]<<http://www.ccc.qld.gov.au/>>

Visit the CCC website<<http://www.ccc.qld.gov.au/>>

[Subscribe icon]<<http://www.ccc.qld.gov.au/about-the-ccc/channeldb>>

Subscribe for news and updates<<http://www.ccc.qld.gov.au/about-the-ccc/channeldb>>

[We value: people, accountability, integrity, courage, excellence]

This message (including attachments) is intended for the addressee named above. It may also be confidential, privileged and/or subject to copyright. If you wish to forward this message to others, you must first obtain the permission of the author.

Any unauthorised use of this material is prohibited. If you have received this message in error please notify the sender immediately, delete the message and destroy any printed or electronic copies. Any privilege or confidentiality attached to this message is not waived, lost or destroyed because you have received this message in error.

Opinions expressed in this message are those of the sender and do not necessarily represent the official position or opinions of the Crime and Corruption Commission.

While all care has been taken, the Crime and Corruption Commission disclaims all liability for loss or damage: that may result from reliance on, or the use of, information contained in this email and attachments; or to person or property arising from this

message being infected by computer virus or other contamination.

Released under RTI - DCHDE

Heather Rayfield

From: Mike Summerell (QSA)
Sent: Friday, 22 September 2017 4:40 PM
To: Elizabeth Foulger
Subject: RE: Report to my Minister

Thanks Liz

I did appreciate Alan ringing earlier thank you

regards

Mike

From: Elizabeth Foulger [mailto: [REDACTED]]
Sent: Friday, 22 September 2017 4:19 PM
To: Mike Summerell <Mike.Summerell@archives.qld.gov.au>
Subject: RE: Report to my Minister

Mike

I can confirm the CCC has no difficulty with what you propose.

Kind regards
Liz



Elizabeth Foulger
Assistant Director
Crime and Corruption Commission
Level 2 North Tower, 515 St Pauls Tce, Fortitude Valley QLD 4006
GPO Box 3123, Brisbane QLD 4001
T: [REDACTED] | F +61 7 3360 6333 [REDACTED]

 [Visit the CCC website](#)  [Subscribe for news and updates](#)



From: Mike Summerell [mailto:Mike.Summerell@archives.qld.gov.au]
Sent: Friday, 22 September 2017 2:53 PM
To: Elizabeth Foulger < [REDACTED] >
Subject: Report to my Minister

Hi Liz

Quick question. I think we may have been playing phone tag most of the day

I wish to issue my independent statutory report to my Minister in line with my Statutory obligations under the Public Records Act. This report deals solely with potential breaches of the PRA and contains nothing related to the content of emails or allegations of corrupt conduct or the recommendations made to CCC

I have held off issuing this until CCC's interest had been finalised. I wish to issue it at this point

As a courtesy I just wanted to confirm that was OK with yourselves at this point before I did so. The legal points are the same as the report provided to yourselves in terms of specifically potential breaches of the PRA which is what I must on in this instance

Regards

Mike



Mike Summerell
Executive Director & State Archivist
Queensland State Archives
Department of Science, Information Technology and Innovation

P 3037 6601 M 49 Sch 4
E mike.summerell@archives.qld.gov.au
435 Compton Road, Runcorn QLD 4113

GPO Box 1397, Sunnybank Hills QLD 4109
archives.qld.gov.au facebook.com/qldstatearchives twitter.com/qsarchives

Customers first | Ideas into action | Unleash potential | Be courageous | Empower people

This E-Mail is intended only for the addressee. Its use is limited to that intended by the author at the time and it is not to be distributed without the author's consent. Unless otherwise stated, the State of Queensland accepts no liability for the contents of this E-Mail except where subsequently confirmed in writing. The opinions expressed in this E-Mail are those of the author and do not necessarily represent the views of the State of Queensland. This E-Mail is confidential and may be subject to a claim of legal privilege. If you have received this E-Mail in error, please notify the author and delete this message immediately.

This message (including attachments) is intended for the addressee named above. It may also be confidential, privileged and/or subject to copyright. If you wish to forward this message to others, you must first obtain the permission of the author.

Any unauthorised use of this material is prohibited. If you have received this message in error please notify the sender immediately, delete the message and destroy any printed or electronic copies. Any privilege or confidentiality attached to this message is not waived, lost or destroyed because you have received this message in error.

Opinions expressed in this message are those of the sender and do not necessarily represent the official position or opinions of the Crime and Corruption Commission.

While all care has been taken, the Crime and Corruption Commission disclaims all liability for loss or damage: that may result from reliance on, or the use of, information contained in this email and attachments; or to person or property arising from this message being infected by computer virus or other contamination.

Pages 17 through 70 redacted for the following reasons:

Exempt Sch 3(10)

Released under RTI - DCHDE

From: Mike Summerell
To: [Elizabeth Foulger](#)
Cc: [Office of the State Archivist](#)
Subject: Report - Follow up actions
Date: Tuesday, 5 September 2017 2:36:02 PM
Attachments: [image001.png](#)

Hi Liz

Report will be on its way shortly

But couple of follow up questions for another day

Some of the follow up actions in terms of next steps for us operationally e.g. New guidance, follow up reviews of processes in place, former ministers emails etc. – we are keen to get them moving as soon as we can as we consider them urgent in addressing the causes of the problem and beyond the particular situation of Minister Bailey

When you have time could you give us an indication when you feel it would be appropriate to start implementing certain recommendations – at this point we will work on them prior to getting a green light from yourselves – not looking for a date now – really just asking you to let us know when CCC feel it would be OK to move on a few things. Clearly some imply report conclusions and so I understand some sensitivity is required. Others I think the problem is already well known so perhaps could commenced prior to CCC report on its final conclusions – happy to discuss a way through on this over the coming weeks. Clearly new guidance is a hot one for us and DPC at the moment. We haven't drafted anything at this point but will start on that now. I would imagine there would be a need for some synchronisation of any announcements you make and steps we take following that.

One other question relates to my independent report to my Minister. It obviously isn't the same as the report to yourselves and clearly would be matters relating purely to the Public Records Act and its implementation, but again I am conscious of not communicating findings of the report inappropriately and clearly some of the conclusions and recommendations crossover – so again just asking for your views at some point as when it would be appropriate to provide my report to my Minister (noting anything related to corrupt conduct would not be included)

Not expecting an immediate response as I am sure you will have other priorities in the short term

Mike

Mike Summerell

Executive Director & State Archivist

Queensland State Archives

Department of Science, Information Technology and Innovation

P 3037 6601 M 49 Sch 4

E mike.summerell@archives.qld.gov.au

435 Compton Road, Runcorn QLD 4113

GPO Box 1397, Sunnybank Hills QLD 4109

archives.qld.gov.au facebook.com/qldstatearchives twitter.com/garchives

Customers first | Ideas into action | Unleash potential | Be courageous | Empower people

Released under RTI - DCHDE

Pages 73 through 114 redacted for the following reasons:

Exempt Sch 3(10)

Released under RTI - DCHDE