

Appendixes

Appendix A: Functions of the CMC

Appendix B: EEO statistics 2005–06

Appendix C: Significant external presentations 2005–06

Appendix D: Public interest disclosures received in 2005–06

Appendix E: Overseas travel 2005–06

Appendix F: Publications 2005–06

Functions of the CMC

Extracts from the *Crime and Misconduct Act 2001*, sections 4, 5, 23–26, 33–35, 52, 53 and 56:

4 Act's purposes

- (1) The main purposes of this Act are—
- to combat and reduce the incidence of major crime; and
 - to continuously improve the integrity of, and to reduce the incidence of misconduct in, the public sector.

5 How Act's purposes are to be achieved

- (1) The Act's purposes are to be achieved primarily by establishing a permanent commission to be called the Crime and Misconduct Commission.
- (2) The commission is to have investigative powers, not ordinarily available to the police service, that will enable the commission to effectively investigate particular cases of major crime.
- (3) Also, the commission is to help units of public administration to deal effectively, and appropriately, with misconduct by increasing their capacity to do so while retaining power to itself investigate cases of misconduct, particularly more serious cases of misconduct.

23 Commission's prevention function

The commission has a function (its 'prevention function') of helping to prevent major crime and misconduct.

24 How commission performs its prevention function

Without limiting the ways the commission may perform its prevention function, the commission performs the function by—

- analysing the intelligence it gathers in support of its investigations into major crime and misconduct; and
- analysing the results of its investigations and the information it gathers in performing its functions; and
- analysing systems used within units of public administration to prevent misconduct; and
- using information it gathers from any source in support of its prevention function; and
- providing information to, consulting with, and making recommendations to, units of public administration; and
- providing information relevant to its prevention function to the general community; and
- ensuring that in performing all of its functions it has regard to its prevention function; and
- generally increasing the capacity of units of public administration to prevent misconduct by providing advice and training to the units and, if asked, to other entities; and
- reporting on ways to prevent major crime and misconduct.

25 Commission's major crime function

The commission has a function (its 'crime function') to investigate major crime referred to it by the reference committee.

26 How commission performs its crime function

Without limiting the ways the commission may perform its crime function, the commission performs its crime function by—

- investigating major crime referred to it by the reference committee; and
- when conducting investigations under paragraph (a) gathering evidence for—
 - the prosecution of persons for offences; and
 - the recovery of the proceeds of major crime; and
- liaising with, providing information to, and receiving information from, other law enforcement agencies and prosecuting authorities, including agencies and authorities outside the State or Australia, about major crime.

33 Commission's misconduct functions

The commission has the following functions for misconduct (its 'misconduct functions')—

- to raise standards of integrity and conduct in units of public administration;
- to ensure a complaint about, or information or matter involving, misconduct is dealt with in an appropriate way, having regard to the principles set out in section 34.

34 Principles for performing misconduct functions

It is the Parliament's intention that the commission apply the following principles when performing its misconduct functions—

- Cooperation
 - to the greatest extent practicable, the commission and units of public administration should work cooperatively to prevent misconduct
 - the commission and units of public administration should work cooperatively to deal with misconduct
- Capacity building
 - the commission has a lead role in building the capacity of units of public administration to prevent and deal with cases of misconduct effectively and appropriately
- Devolution
 - subject to the cooperation and public interest principles and the capacity of the unit of public administration, action to prevent and deal with misconduct in a unit of public administration should generally happen within the unit

(d) Public interest

- the commission has an overriding responsibility to promote public confidence—
 - in the integrity of units of public administration; and
 - if misconduct does happen within a unit of public administration, in the way it is dealt with
- the commission should exercise its power to deal with particular cases of misconduct when it is appropriate having primary regard to the following—
 - the capacity of, and the resources available to, a unit of public administration to effectively deal with the misconduct
 - the nature and seriousness of the misconduct, particularly if there is reason to believe that misconduct is prevalent or systemic within a unit of public administration
 - any likely increase in public confidence in having the misconduct dealt with by the commission directly.

35 How commission performs its misconduct functions

- (1) Without limiting how the commission may perform its misconduct functions, it performs its misconduct functions by doing 1 or more of the following—
- (a) expeditiously assessing complaints about, or information or matters (also 'complaints') involving, misconduct made or notified to it;
 - (b) referring complaints about misconduct within a unit of public administration to a relevant public official to be dealt with by the public official;
 - (c) performing its monitoring role for police misconduct as provided for under section 47(1);
 - (d) performing its monitoring role for official misconduct as provided for under section 48(1);
 - (e) dealing with complaints about official misconduct, by itself or in cooperation with a unit of public administration;
 - (f) investigating and otherwise dealing with, on its own initiative, the incidence, or particular cases, of misconduct throughout the State;
 - (g) assuming responsibility for, and completing, an investigation, by itself or in cooperation with a unit of public administration, if the commission considers that action to be appropriate having regard to the principles set out in section 34;
 - (h) when conducting or monitoring investigations, gathering evidence for or ensuring evidence is gathered for—
 - (i) the prosecution of persons for offences; or
 - (ii) disciplinary proceedings against persons.
- (2) In performing its misconduct functions in a way mentioned in subsection (1), the commission should, whenever possible, liaise with a relevant public official.

52 Research functions

- (1) The commission has the following functions—
- (a) to undertake research to support the proper performance of its functions;
 - (b) to undertake research into the incidence and prevention of criminal activity;
 - (c) to undertake research into any other matter relating to the administration of criminal justice or relating to misconduct referred to the commission by the Minister;
 - (d) to undertake research into any other matter relevant to any of its functions.
- (2) Without limiting subsection (1)(a), the commission may undertake research into—
- (a) police service methods of operations; and
 - (b) police powers and the use of police powers; and
 - (c) law enforcement by police; and
 - (d) the continuous improvement of the police service.

53 Intelligence functions

- The commission has the following functions—
- (a) to undertake intelligence activities to support the proper performance of its functions;
 - (b) to analyse the intelligence data collected to support its functions;
 - (c) to minimise unnecessary duplication of intelligence data;
 - (d) to ensure that intelligence data collected and held to support its functions is appropriate for the proper performance of its functions.

56 Commission's other functions

- The commission also has the following functions—
- (a) a function of undertaking witness protection;
 - (b) a function conferred under another Act.

Appendix B

EEO statistics 2005-06

The figures given here include all staff of the CMC, except seconded police officers from the QPS.

Figure B1. Membership of EEO target groups 2001-02 to 2005-06

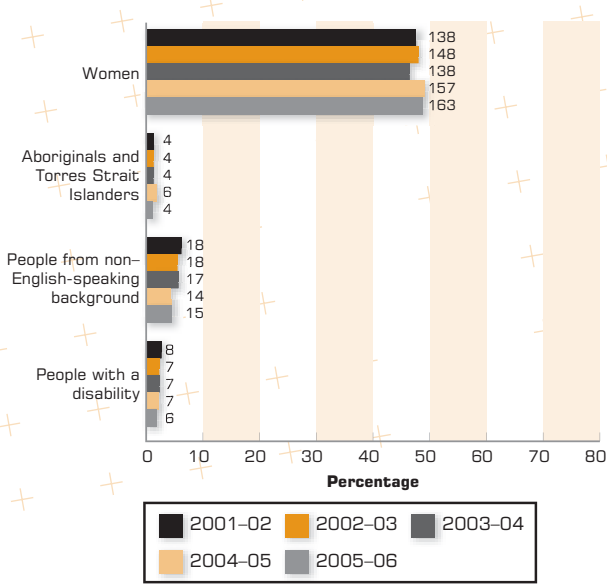


Figure B2. Employees by gender and employment status as at 30 June 2006

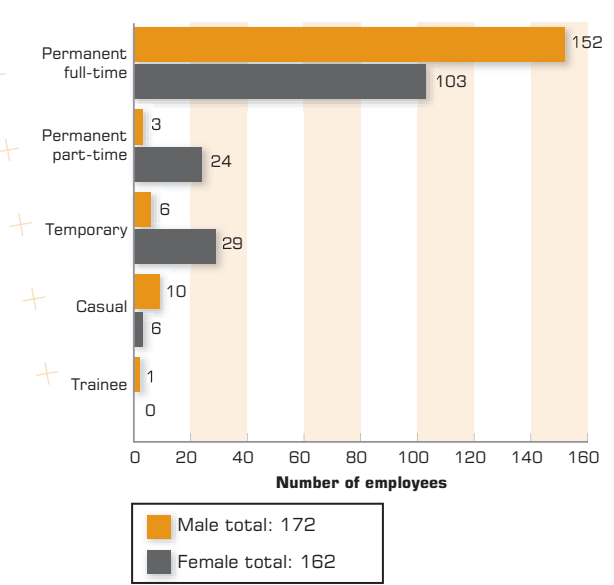


Figure B3. Employees by gender and age as at 30 June 2006

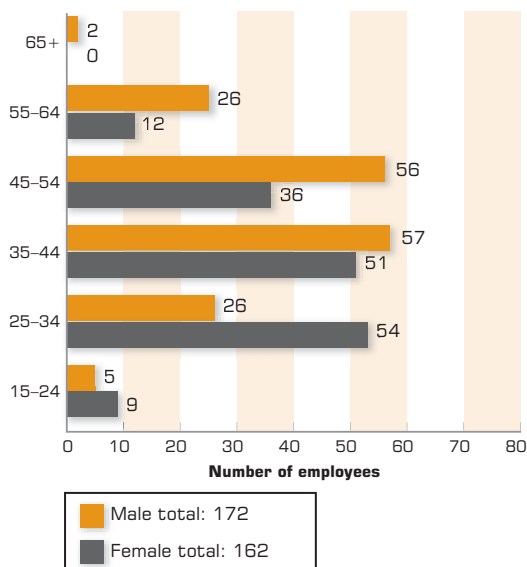
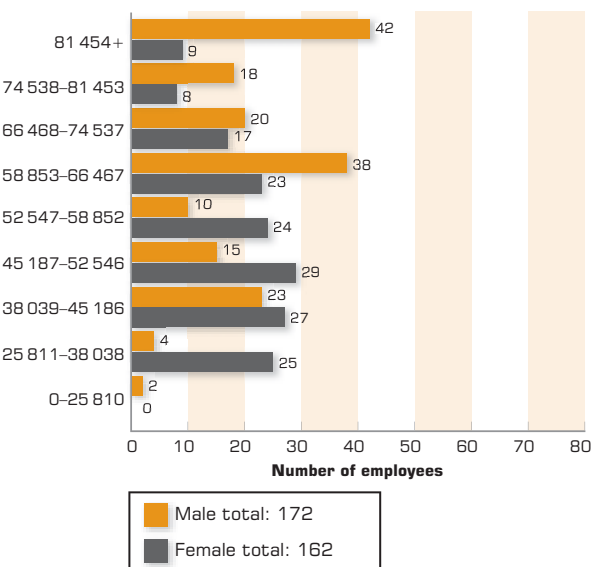


Figure B4. Employees by gender and annual salary as at 30 June 2006



Significant external presentations 2005–06

Date		Audience	Topic
6.7.05	Fred de Waard, Project Officer, CDCU	Department of Housing – managers from Corporate Division	Facing the Facts workshop
6.7.05	Chris Keen, Director, Intelligence	Australian Winter School	Clandestine methylamphetamine laboratories in Queensland
13.7.05	Dennis Budz, Team Leader, Police Program	QPS Problem Oriented Policing Conference and Workshop, QPS Headquarters	Key issues in policing: emerging issues and research priorities
18.7.05	Helen Couper, Director, Complaints Services	Delegations from the Anti Corruption Bureau of Malaysia	Fighting crime, promoting integrity and protecting witnesses
2.8.05	Narelle George, Misconduct Prevention Officer	Queensland Public Sector Ethics Network meeting organised by the OPSME	Managing Conflicts of Interest workshop
9.8.05	Narelle George, Misconduct Prevention Officer	Councillors and Senior Staff of Maroochy Shire Council	Conflicts of interest and material personal interest
9.8.05	Narelle George, Misconduct Prevention Officer	Senior staff of Caloundra City Council	Information security: keeping sensitive information confidential
11.8.05	Peter Jones, Principal Complaints Officer	Sunnybank Flexi School	Making a complaint to the CMC
24.8.05	Margot Legosz, Team Leader, Public Sector Program	Justice Studies students, QUT	Handling difficult social issues: a brief overview of research at the CMC
5.9.05	Dennis Budz, Team Leader, Police Program	Beat Officers' Training Course held at the Chelmer Police College	Beat policing: past and future
8.9.05	Narelle George, Misconduct Prevention Officer	Corruption Prevention Network Conference in Sydney	When it's a crock ... : throwing culture out with the rubbish
16.9.05	Helen Couper, Director, Complaints Services	CMC Liaison Officers Meeting	Misconduct initiatives
16.9.05	Susan Johnson, Director, Research and Prevention	CMC Liaison Officers Meeting	Research and Prevention updates
16.9.05	Fred de Waard, Project Officer, CDCU	CMC Liaison Officers Meeting	<i>Facing the facts</i> : local government module (draft)
23.9.05	Shane Neilson, Manager, Intelligence	Griffith University 1st year Criminology students	The work of justice commissions in relation to organised crime and misconduct
26.9.05	Dennis Budz, Team Leader, Police Program	Forest Lake Rotary Club	CMC's 10-year research program – continuing improvements to the QPS
26.9.05	Dennis Budz, Team Leader, Police Program	Forest Lake Rotary Club	Research priorities and projects
4.10.05	Narelle George, Misconduct Prevention Officer	QUT Senior Management Development Program (2)	Managing Conflicts of Interest workshop
4.10.05	Ray Bange, Senior Prevention Officer	QUT Senior Management Development Program (2)	Fraud and corruption risk: a university perspective
4.10.05	Ray Bange, Senior Prevention Officer	QUT Senior Management Development Program (2)	Fraud and corruption risk: a university perspective

Date		Audience	Topic
11.10.05	Ray Bange, Senior Prevention Officer	CEOs and DGs monthly forum (with QAO and KPMG)	Fraud and corruption prevention strategies for the public sector
11.10.05	Narelle George, Misconduct Prevention Officer	Local government councillors, CEOs and management staff, Cairns	Managing conflict of interest and material personal interest
11.10.05	Helen Couper, Director, Complaints Services	Local government councillors, CEOs and management staff, Cairns	Complaints Management workshop
11.10.05	Helen Couper, Director, Complaints Services, and Fred de Waard, Project Officer, CDCU	Local government councillors, CEOs and management staff, Cairns	<i>Facing the facts</i> , local government module (draft)
11.10.05	Helen Couper, Director, Complaints Services	Local government councillors, CEOs and management staff, Cairns	Case Studies in Local Government workshop
12.10.05	Narelle George, Misconduct Prevention Officer	Public sector staff, Cairns	Practical management of conflicts of interest
12.10.05	Helen Couper, Director, Complaints Services, and Ivan Clark, Inspector, Complaints Services	Public sector staff, Cairns	Dealing with Misconduct workshop
12.10.05	Helen Couper, Director, Complaints Services, and Ivan Clark, Inspector, Complaints Services	Public sector staff, Cairns	Conducting an Investigation workshop
18.10.05	Narelle George, Misconduct Prevention Officer	Training World 2005 Conference in Sydney	Building Capabilities in the Public Sector: The Grass Roots of Ethical Conduct workshop
20.10.05	Ray Bange, Senior Prevention Officer	CEOs and other senior executives for the whole of government release of Information Standard IS38	Getting it right: foundations of best practice
24.10.05	Ray Bange, Senior Prevention Officer	Wishart Rotary Club	Inside the CMC: role and functions
26.10.05	Narelle George, Misconduct Prevention Officer	CACS 2005 Oceania Conference in Perth	Information security controls: people and technology: getting the balance right
3.11.05	Shane Neilson, Manager, Intelligence	QPS Intelligence Training Course	Tactical and strategic operations/assessments
3.11.05	Ray Bange, Senior Prevention Officer	Queensland Internal Audit Network Group	Fraud and corruption control: best practice principles
4.11.05	Fred de Waard, Project Officer, CDCU, and Robert Walker, Executive Legal Officer, Complaints Services	North Qld Local Govt Assn Conference – participants from Richmond, Cloncurry, Croydon, Etheridge, Burke Shire Councils, Mt Isa City Council and the Kowanyama Aboriginal Council (Gulf Savannah Region)	<i>Facing the facts</i> , local government module (draft)
7.11.05	Narelle George, Misconduct Prevention Officer	WA Integrity Coordinating Group representatives	Managing conflicts of interest in the public sector: a practical approach
7.11.05	Narelle George, Misconduct Prevention Officer	Senior officers of WA oversight agencies	Information security: not just a load of rubbish
8.11.05	Narelle George, Misconduct Prevention Officer	Representatives from the WA CCC and public sector	Cyber traps

Date		Audience	Topic
8.11.05	Narelle George, Misconduct Prevention Officer	WA CCC Commissioner and senior executives	Conflict of interest and why it's an important issue for an anti-corruption agency
9.11.05	Narelle George, Misconduct Prevention Officer	WA IPAA/ICG whole-of-government forum on Conflict of Interest	Managing conflicts of interest in the public sector
11.11.05	Anna Sheehan, Research Officer	Australian Institute of Criminology, Canberra	Drug Use Monitoring in Australia (DUMA)
16, 17, 22, 23 & 24.11.05	Helen Couper, Director, Complaints Services, and Ivan Clark, Inspector, Complaints Services	All Saints Centre, Brisbane	Facing the Facts workshops
17.11.05	Narelle George, Misconduct Prevention Officer	6th Seminar of the Brazilian Commission of Public Ethics: 'Ethics in Public Management'	Cooperation in ethics management and the fight against corruption – the Queensland (Australia) experience
18.11.05	Ray Bange, Senior Prevention Officer	Annual Conference of the Interdepartmental Accountants Group of the Queensland public sector	Contemporary challenges: corporate governance in an age of risk
22.11.05	Kate Foote, Misconduct Prevention Officer, and Geoff Kreutzer, Inspector, Misconduct	Townsville police recruits	CMC's complaints process
25.11.05	Kate Foote, Misconduct Prevention Officer, and Geoff Kreutzer, Inspector, Misconduct	Oxley police recruits	CMC's complaints process
29.11.05	Kate Foote, Misconduct Prevention Officer, and Geoff Kreutzer, Inspector, Misconduct	Graduating police recruits, Oxley	CMC's complaints process
30.11.05	Dominic O'Connell, Witness Protection	Detective Training Program	Witness protection
22.12.05	Felix Grayson, Director of Operations, Crime	Boonah Probus	Overview of the CMC: roles and responsibilities
January	Sergeant Matt McQuaid and Senior Constable Geoff Robson, Witness Protection and Operations Support	QPS Surveillance	Night photography
1.2.06	John Boyd, Team Leader, Research and Prevention	Seminar of Education Queensland Internal Auditors and Risk Managers	Ethical behaviour in the public service: them and us
3.2.06	Sergeant Dominic O'Connell, Witness Protection and Operations Support	Maroochydore District Officers Conference	Witness protection
9.2.06	Jeremy Pritchard, Research Officer	Australian and New Zealand Society of Criminology Annual Conference: Human Rights and Criminology, Hobart	Using and selling amphetamines: three profiles of users in the Queensland amphetamine market
9.2.06	Susan Johnson, Director, Research and Prevention	Australian and New Zealand Society of Criminology Annual Conference: Human Rights and Criminology, Hobart	Police powers and volatile substance misuse
20.2.06	John Boyd, Team Leader, Research and Prevention	Presentation to Delegation from Integrity Institute of Malaysia	The role and functions of the CMC, and corruption and developing corruption resistance in the public sector

Date	Audience	Topic	
21.2.06	Sgt Dominic O'Connell, Witness Protection and Operations Support	QPOL Prosecutors Course, Townsville	Witness protection
21.2.06	Sgt Dominic O'Connell, Witness Protection and Operations Support	State Crime Operations Command Training Day	Witness protection
22.2.06	Sgt Dominic O'Connell, Witness Protection and Operations Support	Phase 1 Detective Training Program	Witness protection
2.3.06	Ray Bange, Senior Misconduct Prevention Officer	QSuper Management Development Workshop	Integrity and accountability: who wants to be a manager?
March	Sgt Dominic O'Connell, Witness Protection and Operations Support	Metro South Officers in Charge conference	Witness protection
2.3.06	Narelle George, Misconduct Prevention Officer	QSuper Management Development Workshop	Integrity and accountability: who wants to be a manager?
6.3.06	David Goody, Principal Financial Investigator, Proceeds of Crime	Australian Securities & Investment Commission investigators	Role and functions of the CMC
6.3.06	Dennis Budz, Team Leader, Police Program	8th QPS Beat Officers Training Course, QPS Police Academy at Oxley	Beat policing: the past and maybe the future
9.3.06	Darren Cluff, Senior Intelligence Analyst	Department of Corrective Services Intelligence Group	Strategic intelligence assessment of outlaw motorcycle gang
10.3.06	Ray Bange, Senior Misconduct Prevention Officer	QSuper Management Development Workshop	Integrity and accountability: who wants to be a manager? (impact and significance of integrity and trust in corporate culture)
10.3.06	Narelle George, Misconduct Prevention Officer	QSuper Management Development Workshop	Integrity and accountability: who wants to be a manager? (ethical decision-making and managing conflicts of interest)
14.3.06	Tony Clowes, Senior Sergeant, Forensic Computing Unit	Legal Aid Queensland Lawyers – professional development session	The role of forensic computing within the CMC: preservation of evidence, risk management, forensic techniques
22.3.06	Darren Cluff, Senior Intelligence Analyst	Australian Customs Service	Strategic intelligence assessment of outlaw motorcycle gang
28.3.06	Brett Lee, Sergeant, Egret Team	Students of Mt St Michael's College, Ashgrove	Internet safety advice
29.3.06	Sgt Dominic O'Connell, Witness Protection and Operations Support	Phase 1 Detective Training Program	Witness protection
5.04.06	Darren Cluff, Senior Intelligence Analyst	Australian Customs Service	Strategic intelligence assessment of outlaw motorcycle gang
6.4.06	Ray Bange, Senior Misconduct Prevention Officer	Senior agency executives and audit personnel at a CMC-sponsored workshop on fraud and corruption control: Getting the Implementation Strategy Right	Applying the CMC fraud and corruption control model
9.4.06	Narelle George, Misconduct Prevention Officer	World Ethics Forum (attended by international practitioners/academics), Keble College, Oxford, UK	Managing conflicts of interest: a practical approach to common issues and misconceptions

Date		Audience	Topic
24.4.06	Dennis Budz, Team Leader, Police Program	New police recruits at the QPS Police Academy, Oxley	Role and functions of the CMC
2.5.06	Darren Cluff, Senior Intelligence Analyst	Australian Customs Service	Strategic intelligence assessment of outlaw motorcycle gang
2.5.06	Steve Hardy, Executive Legal Officer, Misconduct	Queensland Transport inspector recruits	Handling complaints of official misconduct
8.5.06– 26.5.06	Sgt Dominic O'Connell, Witness Protection and Operations Support		Witness protection
15.5.06	Chris Keen, Director, Intelligence	Parliamentary Joint Inquiry	Amphetamine and other synthetic drugs
23.5.06	Ray Bange, Senior Misconduct Prevention Adviser	Students of Criminal Law and Procedure, Griffith University	Combating fraud and corruption Role and functions of the CMC
2.6.06	Chris Keen, Director, Intelligence	Policy Division, Department of the Premier and Cabinet	Role of intelligence
7.6.06	Narelle George, Misconduct Prevention Officer	Corruption Prevention Network (Qld) lunchtime meeting, QT Theatre, Mineral House, George Street	Ethics in focus: keeping an eye on the big picture at Oxford
15.6.06	Ray Bange, Senior Misconduct Prevention Adviser	Workshop at Sunshine Coast Regional Initiatives Program, Shearwater Resort, Caloundra	Implementing a fraud and corruption control strategy: a best-practice approach
15.6.06	Narelle George, Misconduct Prevention Officer	Workshop at Sunshine Coast Regional Initiatives Program, Shearwater Resort, Caloundra	Tools and techniques in ethical decision-making and conflict of interest management
16.6.06	Ray Bange, Senior Misconduct Prevention Adviser	Workshop at Sunshine Coast Regional Initiatives Program, Shearwater Resort, Caloundra	Behind the scenes: prevention perspectives and council integrity
16.6.06	Narelle George, Misconduct Prevention Officer	Workshop at Sunshine Coast Regional Initiatives Program, Shearwater Resort, Caloundra	Enhancing ethical work cultures
27.6.06	Chris Keen, Director, Intelligence	Department of Corrective Services Advanced Diploma in Public Safety (Police Intelligence)	Ethical issues in research and intelligence operations

Appendix D

Public interest disclosures received in 2005–06

Section of the Whistleblowers Protection Act	Verified (by CMC)	Not verified (by CMC)	Referred to other agency	Under consideration (by CMC)	Total referred and not verified	Total referred and verified	Totals
15 Public officer complaining of official misconduct	5	46	113*	4	89	24	281
16 Public officer complaining of maladministration		7	9*	1	8	8	33
17 Public officer complaining of improper management		3			1		4
18 Public officer complaining about health/environment matter			1*				1
19 Any person complaining about public health or safety matter			4*				4
20 Any person complaining about reprisal		21	77*	6	15		119
Totals	5	77	204*	11	113	32	442

Note: There were 105 complaints received, comprising 442 allegations. This table details the status of the allegations.

* The outcomes of the allegations in this category may not be known at this stage.

Appendix E

Overseas travel 2005–06

Date of travel	Name of officer	Destination	Reason for travel	Cost	Remarks
16–21 October 2005	Sen. Sgt Carey Stent, and Sgt Brett Lee	Wellington, New Zealand	Computer Facilitated Crimes Against Children training course Children's Online Safety Roundtable	\$4262	Provided access to contemporary research and investigative techniques. Established and maintained contacts with international law enforcement agencies in the Pacific region.
21–25 November 2005	John Richardson and David Goody	Auckland, New Zealand	International Proceeds of Crime Administrators, Trustees and Enforcement conference	\$3749	Provided insight into the legislative approaches and administrative structures adopted by other jurisdictions in the Pacific region.
1–10 March 2006	Sgt Anthony Morgan and B Bostock	Auckland, New Zealand	Covert operation	\$4870	
28 May – 20 June 2006	Sen. Sgt Carey Stent, Sgt Brett Lee and Sgt Anthony Morgan	San Jose, Baltimore, USA	3rd Annual Silicon Valley Internet Crimes Against Children conference	\$27361	Provided inter-agency work experience, and training and development in latest techniques and methodologies to combat criminal internet-based paedophilia.
Total cost:				\$40242	

Appendix F

Publications 2005–06

Corporate

Charter of service, April 2006.

Strategic plan 2006–10, June 2006.

Annual report 2004–05, November 2005.

Building Capacity series

Receiving gifts and benefits: managing the risks, no. 8, June 2006.

Fraud and corruption control: an integrated approach to controlling fraud and corruption in the workplace, no. 5, 2nd edn, March 2006.

Crime Bulletin

Property crime in Queensland: a strategic assessment, no. 7, December 2005.

Discussion/interim papers

The new public nuisance offence provision: an issues paper, May 2006.

Local government electoral process, December 2005.

Should legal outcall prostitution services in Queensland be extended to licensed brothels and/or escort agencies?, December 2005.

Investigative reports

Independence, influence and integrity in local government: a CMC inquiry into the 2004 Gold Coast City Council election, May 2006.

Allegations concerning the Honourable Gordon Nuttall MP: report of a CMC investigation, December 2005.

The arrest of Samuel Hogan: a CMC investigation, August 2005.

Report of an investigation into the appointment of the Queensland Information Commissioner, July 2005.

Research reports

Public perceptions of the Queensland Police Service, June 2006.

Preventing police misconduct: examples of practice and policy from other jurisdictions, June 2006 (circulated to QPS only).

Regulating adult entertainment: national comparison of adult entertainment regulation, November 2005.

OC spray: oleoresin capsicum (OC) spray use by Queensland police, October 2005.

Responding to volatile substance misuse: evaluation of the places of safety model, September 2005.

Police powers and VSM: a review, September 2005.

Misconduct prevention material

The CMC and local government, Module 12 of *Facing the facts: a CMC guide for dealing with suspected official misconduct in Queensland public sector agencies*, June 2006 (web only).

Preventing misuse of communication devices, Prevention Pointer, December 2005.

E-newsletters

Sent to public sector agencies in July and October 2004, and March and April 2005.



CMC publications

The CMC produced 21 public documents throughout the year, as well as confidential reports and papers.