

Combating major crime

Overall performance 2005-06

Indicator	Performance
Total investigations finalised	20
Joint agency investigations	8 commenced 4 finalised
Organised crime investigations	5 commenced 3 finalised
Paedophilia investigations	15 commenced 15 finalised
Serious crime investigations	3 commenced 2 finalised
Number of people charged	49
Number of charges laid	316
Investigative hearing days	104
Intelligence assessments	4
Intelligence disseminations	316
Criminal proceeds restraining orders obtained	28
Assets restrained	\$10.88m
Assets forfeited to the state	\$2.00m
Cost for output	\$11.45m



The Crime Reference Committee

Major crimes come to the CMC through the Crime Reference Committee. Membership at June 2006 was: (left to right in photo) CMC Chairperson Robert Needham; Commissioner for Children and Young People and Child Guardian Elizabeth Fraser; CMC Assistant Commissioner, Crime, John Callanan; community representative Judith Bell; Commissioner of Police Bob Atkinson; (absent from photo) community representative Terry Houguet-Pincham.

Combating major crime

The CMC works in partnership with the Queensland Police Service and other law enforcement agencies to combat and prevent major crime.

In our Strategic Plan 2005–09, we undertook to adopt the following strategies to combat and prevent major crime:

- > Conduct effective multidisciplinary investigations into major crime, including organised crime and paedophilia.
- > Undertake high-quality research, intelligence and prevention activities to assist in combating and preventing major crime.

- > Maintain a high state of readiness to engage in anti-terrorism investigations.
- > Maintain close partnerships with the QPS, and cooperative and collaborative arrangements with other agencies.
- > Undermine the financial basis of, and incentive for, crime by identifying and targeting the proceeds of crime for confiscation.
- > Develop and use state-of-the-art technology to enhance investigative methodologies.

In fulfilling these responsibilities in 2005–06, we focused particularly on:

- > multidisciplinary crime investigations into:
 - organised crime
 - criminal paedophilia
 - serious crime
- > strategic intelligence
- > research and prevention activities
- > law enforcement partnerships
- > confiscation of the proceeds of crime.

Table 3. Performance 2005–06 against outlook in last year's annual report

Last year we said we would:	In 2005–06 we:
Continue to dismantle and disrupt organised crime networks operating in Queensland.	> Finalised 18 organised crime and criminal paedophilia investigations; 17 operations resulted in arrests, charges or restraints.
Proactively identify and investigate networked extrafamilial child–sex offenders, or extrafamilial child–sex offenders who offend against multiple victims, and offenders who use the internet to aid in the commission of child–sex offences.	<ul style="list-style-type: none"> > Began 15 paedophilia investigations, 13 in relation to internet offenders and 2 in relation to networked offenders, resulting in the arrests of 16 offenders on 85 charges. > Attended intensive online child–sex offenders investigation courses in USA using peer2peer software and adapting innovative methodology.
Obtain approximately 35 restraining orders, resulting in the restraint of assets valued at approximately \$8m.	> Obtained 28 restraining orders and restrained assets worth almost \$11m, bringing the total value of assets restrained since the legislation was enacted in January 2003 to \$36.6m; in 2005–06 finalised 26 matters resulting in the transfer of \$2.0m of assets to the state.
Produce strategic assessments in relation to: <ul style="list-style-type: none"> > crime and outlaw motorcycle gangs > property crime in Queensland > networked paedophilia > cocaine use and distribution patterns. 	<ul style="list-style-type: none"> > Produced a detailed assessment and a more concise Intelligence Digest on a prominent outlaw motorcycle gang in February/March 2006. > Produced an assessment of the organised stolen property market in Queensland in December 2005. > Progressed a strategic assessment of networked paedophilia. > Proceeded with a strategic assessment of the cocaine market in Queensland; it will be disseminated in the next reporting period.
Deliver Human Source Operations (HSO) courses.	> Delivered five HSO courses; four were joint CMC–ACC courses for officers of both agencies; the fifth was for QPS officers.
Publish a major report on trends in illicit drug use between 1999 and June 2005 in Queensland and elsewhere.	> Drafted a report on the Drug Use Monitoring in Australia (DUMA) project, which investigates drug use among watch-house detainees in Queensland, New South Wales, South Australia and Western Australia; it will be published during the next reporting period.
Collect information on the prevalence and patterns of illicit drug use among emergency room patients.	> Surveyed 1200 patients in 2005 and entered data into a database; will be analysed and a public report published during the next reporting period.
Publish research findings on trends in the general population regarding the use of illicit drugs.	> Collected household survey data about drug use over several years. Analysis has been carried out and a public report will be released during the next reporting period.
Review the recommendations of the 2003 report <i>Seeking justice: an inquiry into how sexual offences matters are handled by the Queensland criminal justice system</i> .	> Began preparing the review. There were delays in the official response by the QPS and ODPP to the implementation of the recommendations in the <i>Seeking justice</i> report. The report of the review will therefore be published during the next reporting period.
Take part in a coordinated, cross-government sexual victimisation prevention program for Indigenous children.	> Participated in the program. The Child Safety Directors Network auspiced this program, and its progress has been promising. In 2006 we will begin to evaluate its effectiveness.
Contribute to a State Government taskforce examining fear of crime among seniors.	> Compiled a <i>Fear of crime</i> literature review, which was provided to the Queensland Government Seniors Taskforce in November 2005.

Overview of the CMC's crime functions

The CM Act gives the CMC investigative powers that are not available to the police. However, we are not an alternative police service, nor does our Act intend us to be. Our effectiveness depends on our partnerships with the QPS and other law enforcement agencies, our specialist multidisciplinary approach to investigations, and the focused use of our special powers.

See Tables 4–6 below for details of the use of our powers in various types of investigations.

Our resources are directed specifically towards major crime, which encompasses:

- > **organised crime:** criminal activity undertaken with the purpose of gaining profit, power or influence, and involving offences punishable by not less than seven years' jail, two or more people, and planning and organisation or systematic and continuing activity
- > **criminal paedophilia:** criminal activity involving sexual offences against children or child sexual abuse images
- > **serious crime:** crimes such as murder, arson and extortion in which our special powers can assist police
- > **terrorism.**

Multidisciplinary crime investigations

On a multidisciplinary taskforce, police officers work with CMC staff who have skills in a variety of areas: investigation, intelligence, forensic computing, law, information technology, accounting, and surveillance and technical disciplines.

The Crime Reference Committee (see page 28) refers major crime to the CMC either on its own initiative or at the request of the Commissioner of Police or the Assistant Commissioner, Crime. Several broad 'umbrella' crime referrals from the Crime Reference Committee allow individual cases of suspected criminal activity to be investigated without the necessity of a specific committee referral. These are:

- > **Freshnet:** criminal activity by members of established criminal networks
- > **Gatekeeper:** criminal activity involving money laundering
- > **Atrax:** criminal activity involving the use of the internet to commit sex offences against children, or offences relating to obscene material depicting children

Table 4. Use of CMC powers for organised crime investigations, 2004–05 and 2005–06

Description	2004–05	2005–06
Hearing days	11	26
Notices to attend	5 issued 5 served	28 issued 25 served
Witnesses legally represented	4	3
Witnesses who applied to the Attorney-General for financial help	1	–
Witnesses giving evidence	5	23

Table 5. Use of CMC powers for paedophilia investigations, 2004–05 and 2005–06

Description	2004–05	2005–06
Hearing days	6	3
Notices to attend	8 issued 8 served	3 issued 3 served
Witnesses legally represented	2	1
Witnesses who applied to the Attorney-General for financial help	–	–
Witnesses giving evidence	7	3

Table 6. Use of CMC powers for serious crime investigations, 2004–05 and 2005–06

Description	2004–05	2005–06
Hearing days	18	75
Notices to attend	38 issued 28 served	88 issued 84 served
Witnesses legally represented	3	12
Witnesses who applied to the Attorney-General for financial help	2	1
Witnesses giving evidence	25	66

Note: In Tables 4–6, differences between numbers of notices issued, notices served and witnesses attending relate to instances in which the attendance of witnesses was rendered unnecessary, either before service or subsequently; and in one instance a series of arrests rendered a hearings program unnecessary.

- > **Artemis:** extrafamilial paedophile activity by networked offenders or by people who offend against multiple victims
- > **Counter-terrorism:** criminal activity involving a terrorist act.

Table 7 summarises the crime referrals to the CMC that were current during 2005–06.

Organised crime

We adopt a holistic approach to our role in the investigation and prevention of organised crime in Queensland, and we draw on a wide range of organisational expertise and resources. In particular, we seek to implement proactive and innovative investigative strategies that have a high probability of tactical success. These strategies are based on sound crime research and accurate, well-timed intelligence, and are undertaken in partnership with other law enforcement agencies.



Table 7. Referrals from Crime Reference Committee current or completed in 2005–06

Referral	Date	Status	Type	Description
Abina	Feb. 2003	Resurrected	Serious crime	Murder
Alpha Cobra	Sept. 2003	Current	Serious crime	Murder
Alpha Washington	June 2005	Current	Organised crime	Fraud
Artemis	July 2003	Current	Criminal paedophilia	An umbrella reference relating to networked, extrafamilial or non-networked extrafamilial offenders who offend against multiple victims
Atrax	Jan. 2002	Current	Criminal paedophilia	An umbrella reference relating to internet-based child-sex offending
Bravo Beanie	Feb. 2004	Completed	Serious crime	Grievous bodily harm
Bravo Laurel	Feb. 2004	Current	Serious crime	Murder
Bravo Settler	Apr. 2006	Current	Serious crime	Multiple murders
Bravo Vada	Dec. 2004	Current	Serious crime	Murder
Caviar	Nov. 2002	Resurrected	Serious crime	Murder
Charlie Caravan	June 2005	Current	Serious crime	Attempted murder
Charlie Caribou	Mar. 2005	Current	Serious crime	Attempted murder
Charlie Dove	Dec. 2005	Current	Organised crime	Fraud
Charlie Raze	June 2005	Current	Serious crime	Double murder
Counter-terrorism	Dec. 2002	Current	Organised crime	An umbrella reference relating to terrorist activities
Counter-terrorism	Sept. 2004	Current	Terrorism	An umbrella reference relating to terrorist activities
Delta Fluid	Aug. 2005	Current	Serious crime	Suspected unlawful homicide
Delta Note	April 2005	Current	Serious crime	Unlawful killing
Deshon	Jan. 2006	Completed	Serious crime	Unlawful killing
Freshnet	Aug. 1998	Current	Organised crime	An umbrella reference relating to established criminal networks
Gatekeeper	April 2000	Current	Organised crime	An umbrella reference relating to money laundering
Have	Aug. 2000	Resurrected	Serious crime	Murder
Ink	Oct. 2003	Current	Serious crime	Murder
Napier	Sept. 2002	Current	Serious crime	Suspected murder
Samian	Feb. 2001	Resurrected	Serious crime	Murder and rape
Tiber	Nov. 1998	Current	Serious crime	Murder

In determining our investigative priorities, we use a risk-assessment method based on the threat criminal markets pose to the people of Queensland. This entails an ongoing evaluation of criminal markets and the rating of networks and individuals operating within those markets. Our objective is to dismantle and disrupt organised crime networks and prevent crime. This entails not merely incarcerating key members of the networks, but also financially incapacitating the networks themselves by depriving them of their crime-related assets.

Our organised crime investigations resulted in 29 arrests and 226 charges laid during 2005–06 (see Table 8 below).

Table 8. Organised crime investigations 2005–06

Operations	Arrests	Charges laid	Drug seizures	Notices to produce	Assets restrained	Hearing days	Witnesses
Alpha Submission Barrier	7	11	348 g amphetamine	98	\$0.47m	5	2
Candid	5	14	-	-	-	1	1
Alpha Washington	-	-	-	-	-	9	13

Criminal paedophilia

Investigation of criminal paedophilia continues to be an area of specific and significant focus for the CMC, where we contribute in the following niche areas:

- > networked or recidivist extrafamilial child-sex offenders
- > the use of the internet as a tool for locating and grooming potential child victims.

The multidisciplinary Egret Team is responsible for the CMC's paedophile investigations. Comprising four police officers, an intelligence analyst, an assistant intelligence analyst and a lawyer, its work is also supported by technical surveillance and other investigative resources from within the CMC.

Our investigations continue to be greatly assisted by the Chat-Trak software, developed by the CMC, which makes it possible to target paedophiles operating through internet chat rooms.

During 2005–06 our paedophile investigations resulted in the arrest of 16 people and the laying of 85 charges (see Table 9, facing page).

For example, a CMC operation culminated in the arrest and subsequent conviction of a 28-year-old US citizen for using the internet with intent to procure a child and exposing a person under the age of 16 to indecent matter (see case study, page 41).



Members of the Egret Team

The CMC's Egret Team remains at the forefront of Australian law enforcement in the investigation of internet child abuse. Pictured here are team members Inspector Sue Dawson and Detective Senior Sergeant Carey Stent.

Serious crime

'Serious crime' is not a term defined in the CM Act, but is commonly used to refer to criminal activity, other than organised crime or criminal paedophilia, that involves an indictable offence punishable on conviction by a term of imprisonment not less than 14 years.

The CMC helps police with serious crime investigations that have not resulted in sufficient evidence to identify offenders or to start prosecutions. An otherwise effective police investigation might, for example, meet a wall of silence set up by uncooperative potential witnesses. In such cases we can use our special hearings power to overcome the obstacle (see Table 10 below). Typically, the Crime Reference Committee, at the request of the Police Commissioner, refers to us unsolved murders and other serious offences such as arson and extortion.

A noteworthy feature of our work in serious crime during 2005–06, in addition to our receiving three new referrals for investigation, was our involvement in investigations arising from old referrals. Operations Have, Samian, Alpha Cobra, Caviar and Abina were all referred to us several years ago and some of these matters were finalised. However, because of new developments in these investigations, we revived the referrals and held further extensive hearings during the year.

Table 10. Serious crime hearings 2005–06

Operation	Hearing days	Witnesses	Offences
Have/Samian	13	20	Double murder and rape
Napier	3	1	Suspected murder
Alpha Cobra/Caviar	8	5	Double murder
Abina	9	17	Murder
Bravo Vada	1	1	Murder
Delta Fluid	2	1	Suspected unlawful homicide
Charlie Caravan	21	9	Attempted murder
Charlie Raze	18	12	Double murder
Totals	75	66	

Terrorism

As for any other type of major crime, we are able to use our coercive powers (particularly the hearings power) to assist in the investigation of terrorist threats and terrorist-related activity in Queensland. Initially, the Crime Reference Committee permitted this under an 'umbrella' referral in the general category of organised crime. However, the CM Act was amended in 2004 to specifically include terrorism within our major crime jurisdiction, so we sought and obtained a fresh umbrella referral from the Crime Reference Committee under that jurisdiction.

Any CMC investigation of terrorism, acts preparatory to the commission of terrorism, or acts undertaken to avoid detection of or prosecution for terrorism, will occur in response to a request from the QPS. We maintain a high state of readiness to respond to any such request.

Table 9. Arrests and charges in 2005–06

Type	Offenders	Charges
Organised crime	29	226
Paedophilia	16	85
Serious crime	4	5
Terrorism	–	–
Total	49	316

Strategic intelligence

Our Strategic Intelligence Unit (SIU) monitors various crime markets in Queensland to identify emerging trends or changes in threat levels. Where matters are found to be of concern, we generate well-timed, accurate and useful intelligence, both for our own use and for sharing with other stakeholders.

As well as using intelligence in support of our own work, we try to share relevant intelligence with other agencies and, where appropriate, with the public. One way we do this is through producing and disseminating:

- > **Crime Bulletins** – unclassified documents for public consumption, designed to heighten community awareness of organised-crime issues, trends and forecasts
- > **Intelligence Digests** – classified 'in-confidence', produced for law enforcement use only, and presenting information about emerging trends in Queensland and the risk they pose.

We also produce more substantial strategic intelligence assessments on specific issues that could affect law enforcement in Queensland. We research and analyse past and current developments and assess the current and future threat, or risk level, posed by the issue. The findings help determine priorities for deployment of CMC resources.

The SIU adopts a multidisciplinary approach to the preparation of its products and calls on other experts in strategic intelligence, research and financial investigation. Some of the SIU's products are disseminated in two or more forms, with each version targeted to a specific audience (e.g. a detailed assessment may be summarised in an

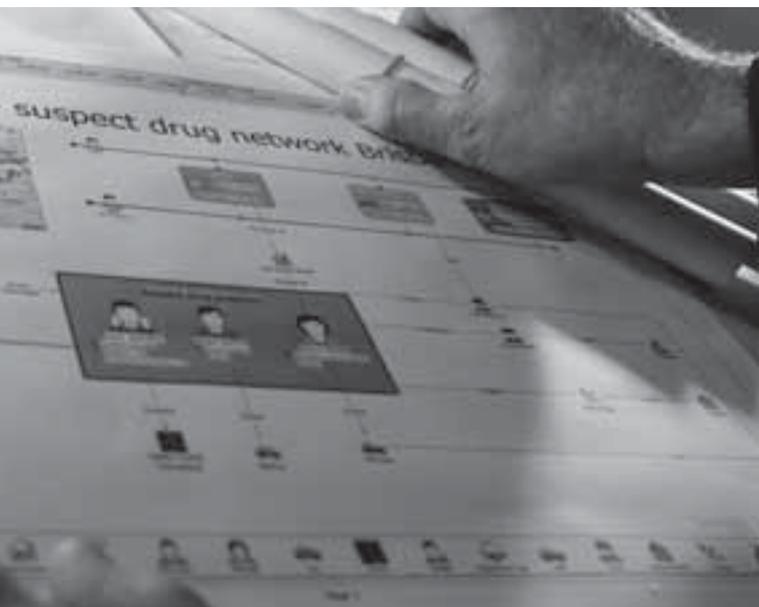


The SIU monitors crime markets in Queensland.

Chris Keen (Director, Intelligence) with Susan Sinclair (Supervisor, Information Retrieval)

Intelligence Digest for policy makers and a 'sanitised' version of the assessment may be publicly released).

- > During 2005–06 the SIU completed an assessment of the organised stolen property crime market in Queensland. This revealed that, although most property offenders are opportunistic, a few are becoming more skilled in planning, preparing and executing property offences. The assessment found a very strong link, consistent with similar studies elsewhere, between the property crime market and illicit drug markets. There was little evidence to suggest that traditionally recognised organised crime groups are controlling the stolen property market. It appears instead that most organised or networked property crime offenders operate independently as a cohesive unit.
- > The SIU completed a detailed assessment of a prominent outlaw motorcycle gang (OMCG) in Queensland, some members of which have been implicated in acts of violence, extortion, drug trafficking, money laundering and property offences. The assessment was disseminated to law enforcement agencies and government departments, to inform stakeholders of the risk posed by the particular OMCG members.
- > Apart from strategic reporting, the SIU also responds regularly to requests from the Australian Crime Commission (ACC) for contributions to their strategic assessments of organised crime matters of national importance. For example, CMC officers prepared a submission to, and gave evidence before, the Parliamentary Joint Committee Inquiry into the ACC's Amphetamines and Other Synthetic Drugs Determination.



- > In addition, more than 70 per cent of tactical intelligence reports produced by the CMC are generated from within the SIU, mostly from human source reporting.

Target development

The SIU forms a vital bridge between the Crime and Misconduct areas of the CMC and is in a position to identify any overlap in investigations that can occur when crime investigations uncover corruption or when misconduct investigations uncover organised crime.

Target development involves identifying indicators of potential significant criminal activity by one or more individuals, and collecting and analysing data. This frequently involves close liaison with a number of partner law enforcement agencies such as the QPS, the ACC, the AFP and other interstate agencies.

- > During 2005–06 the SIU referred an organised crime matter to the CMC's Organised Crime teams for investigation, after concerted target development over a period of months. Another organised crime matter was referred by the SIU to federal law enforcement agencies for appropriate action and led to the arrest of an individual for importing drugs into Queensland.
- > The SIU worked closely with members of tactical teams in the CMC's Misconduct area throughout 2005–06 on several matters involving allegations against serving QPS officers. A number of complaints generated by the SIU are now the subject of inquiries by the Misconduct area.

Human source program

An important investigatory and intelligence tool, in both the Crime and Misconduct areas, is the use of individuals who are in a position to provide confidential information. These 'human sources' have the potential to provide timely and accurate information that is not available from other sources. However, finding, recruiting and handling such sources is difficult, and poses risks to both the individuals and the officers involved.

In recognition of the importance of using such sources and the risks involved, we have developed a comprehensive policy and related procedures for handling human sources. We also provide specialised training for our officers. Our successful 'Human Source Operations Course', or 'HSO course', developed and run in partnership with the ACC, has been presented 10 times since it began in 2002; the most recent course was conducted in March 2006. The course is highly regarded, and has attracted the interest of a number of police services from other jurisdictions.

In August 2005, at the request of the Queensland Commissioner of Police, we provided focused human source training to eight QPS officers who were part of or associated with the newly established QPS Dedicated Source Unit (DSU). We are committed to remaining active in this area and encouraging the attainment of best-practice standards not only among our own officers but also in other law enforcement agencies.

Research and prevention activities

Our Research and Prevention unit operates through three distinct programs: crime, police, and public sector. Within the crime program, research focuses particularly on:

- > illicit drug use
- > crime-prevention programs
- > programs to combat sexual abuse of children.

Illicit drug use

Amphetamine research

The CMC continues to work collaboratively with Queensland Health in drug-related research aimed at crime prevention. In 2002 we undertook a statewide research project aimed at expanding our knowledge of the nature and extent of amphetamine markets in Queensland. This project employed an innovative research design to access a usually invisible population of more than 600 (primarily injecting) amphetamine users. The project provides detailed



Illegal amphetamine

A pill press used in illicit amphetamine production

information about illicit drug use, price structures, market distribution patterns, the drugs–crime nexus and drug-related victimisation. We hope to replicate this study in the next reporting period. The replication will provide a way to monitor any change in the characteristics, usage patterns, behaviours and socioeconomic environment of amphetamine users in the period between the two projects.

Data from the project are being used to provide a strategic assessment of the Queensland amphetamine market. The report will be published in late 2006.

Cocaine research

A research project relating to cocaine use in Queensland was completed in 2006. Using qualitative research techniques, this project sought to:

- > determine how cocaine users avoid contact with law enforcement and health authorities
- > develop an understanding of cocaine distribution and supply networks
- > gain an understanding of the perceived risks and benefits associated with cocaine use, and
- > understand the different sociocultural contexts of cocaine use.

Information for the study was collected from cocaine users in Brisbane and the Gold Coast. The project was conducted in conjunction with an intelligence assessment by the SIU, and the report remains confidential. However, we anticipate publishing a brief report about the study in late 2006.

Monitoring drug use

The CMC has ongoing involvement in a national drug research project conducted by the Australian Institute of Criminology – referred to as 'DUMA' (Drug Use Monitoring in Australia). Data are collected quarterly from detainees in police watch-houses, through interviews and urinalyses. The information collated provides a unique source of trend data about market characteristics, as well as drug-user profiles and information on the nexus between drugs and crime. Our analysis of the data was initially undertaken in 2002 and has been replicated in 2005–06. The report will be released in the second half of 2006.

We also work collaboratively with the Queensland Alcohol and Drug Research Education Centre on a project that measures the prevalence of alcohol and illicit drug use among individuals seeking medical assistance at the Southport Hospital Emergency Department. The study was

undertaken in 2002 and the results were published in 2004 in the report *Exploring drug use: prevalence and patterns among emergency department patients*. The project established the value of using hospital emergency departments as effective sources of population drug-use information and valid research sites, and was repeated in 2005 to monitor any changes over time. A public report will be released in late 2006.

Household survey

In 2005 we carried out the next in an annual series of surveys of Queensland households (the first having been conducted in 2002) to determine indicators of illicit drug use and attitudes across the state. Each new wave of survey data is building up an increasingly valuable source of information. Used in conjunction with data from other illicit drug use monitoring exercises, such as the emergency department and watch-house surveys, it allows us to offer comprehensive and accurate information about trends in illicit drug use in Queensland to crime prevention, law enforcement and health agencies. The report is due for release later in 2006.



Telephone surveys are an important source of data.

Methods of collecting data include questionnaires, face-to-face interviews and telephone surveys.

Crime-prevention programs

We are working on a project that examines violence across the life-course and the nature, extent and consequences of sexual victimisation during childhood for offenders serving non-custodial sentences in Queensland. Face-to-face interviews have been conducted with 480 female and male offenders. The interviews were designed to elicit information about a range of related domains, including demographic status, childhood experiences of violence, adult perpetration of violence, adult victimisation, parental drug use and criminal history, and detainees' own past and present drug use. This project will help the Department of Corrective Services to design appropriate programs for offenders that may ultimately reduce the frequency of reoffending and expose some of the underlying causes of offending, drug use and mental health issues among offenders. Some of the results have been presented at relevant conferences (e.g. the Australian Winter School), and the project report will be published during the next reporting period.

Programs to combat sexual abuse of children

Sexual abuse of children is an issue in many communities, but is especially a concern in Indigenous communities. The nature of the problem is complex. In summary, it relates to poverty, community deterioration and disorder, familial breakdown, and alcohol and substance abuse, as well as deficiencies in the delivery of vital services in law enforcement, health and welfare, and education.

Accordingly, we are engaged in a comprehensive project that will attempt to confront all these problems simultaneously. The project is designed to equip Indigenous communities to better help themselves, and to improve their future resilience. The sheer complexity of the problem has necessitated a long period of planning and negotiation between the various agencies involved. The Child Safety Directors' Network – established as a result of a recommendation in the CMC's *Protecting children* report – will manage the project.

The CMC continues to provide resources on its website for victims and survivors of sexual abuse, including links to various websites and publications that provide information about child sexual abuse and its prevention.

The site has five sections:

- > paedophilia
- > relevant Queensland legislation
- > resources for victims of child abuse
- > service agencies for children and families
- > reporting sexual abuse.

The CMC's Egret Team regularly conducts Internet Safety lectures for high school students and their parents. These lectures promote safe internet use by children and increase parents' awareness of the potential dangers present for children and how to safeguard their child.



Promoting safe internet use

We distribute free information material, such as this 'magic cube' and our popular pen holder, to encourage young people to use the internet safely. We receive constant requests for pen holders from all around Australia, New Zealand and North America.

Law enforcement partnerships

We recognise that, to achieve our outputs and maintain relevance and credibility within the community and the law enforcement environment, the CMC must forge enduring strategic partnerships with a wide range of government and non-government agencies.

This is particularly so with regard to our fight against major crime, which crosses state and national boundaries. To combat organised and serious crime and criminal paedophilia effectively, we have fostered strong partnerships with the QPS and numerous other state, federal and international law enforcement agencies. Through regular liaison with these agencies and membership of a variety of state and national law enforcement forums (listed below), we have been able to share intelligence and operational resources to achieve significant results.

We participate in the following state and national forums:

- > **National Criminal Intelligence and Operations Forum** – works towards developing a 'picture of criminality' in Australia
- > **Queensland Joint Intelligence and Operations Group** – facilitates the sharing of intelligence and investigative resources between law enforcement agencies within Queensland
- > **Law Enforcement Advisory Committee** – ensures that law enforcement and national security issues are not compromised in the regulation of the telecommunication industry by the Australian Communications and Media Authority (ACMA)
- > **Operational Management Board of the QPS** – determines priorities for operational resources with State Crime Operations Command (SCOC), and considers approval of joint operational undertakings by the QPS and CMC into major and organised crime and criminal paedophilia
- > **QPS–CMC Joint Executive Team** – facilitates and oversees effective partnership between SCOC and the Office of the Assistant Commissioner, Crime, on major crime issues
- > **Queensland Joint Senior Law Enforcement Liaison Group** – brings together at a strategic level senior officers of the CMC, QPS, ACC, AFP and ACS (Australian Customs Service)
- > **Paedophile Investigation Coordination Committee** – facilitates effective partnership between the QPS and CMC on criminal paedophilia investigations
- > **Human Source Working Group** – brings together key people in Australasian law enforcement with a

background in human source management, with the aim of creating an extended human source intelligence network that will ultimately be capable of operating across the region.

The CMC's closest partner is the QPS, with which it conducts operations under joint multidisciplinary taskforce arrangements.

The CMC also conducts ad hoc meetings with other key agencies such as the Department of Corrective Services, AUSTRAC, the New South Wales Crime Commission and interstate law enforcement agencies. In particular, the CMC often seeks to involve national law enforcement agencies that have the capacity, under federal legislation not available to Queensland law enforcement agencies, to intercept telecommunications between suspected crime syndicate members.

Proceeds of crime

The CMC has responsibility for administering the civil confiscation scheme under the *Criminal Proceeds Confiscation Act 2002*. We undertake proceeds of crime restraint and forfeiture action in relation to criminal activity investigated by us and by other law enforcement agencies. By this means, we take away the financial incentive for crime by identifying and targeting assets gained through illegal activity.

Under the Act, property may be restrained if it belongs to, or is under the effective control of, someone who is suspected of having engaged in serious criminal activity in the past six years.



Confiscating the proceeds of crime

Since the *Criminal Proceeds Confiscation Act* came into operation in January 2003, we have restrained a total of \$36.6 million in assets.

Property suspected of having been derived from serious criminal activity can also be restrained even if the particular person suspected of having engaged in the activity cannot be identified. Restrained property is liable to be forfeited unless a person proves, on the balance of probabilities, that it was lawfully acquired.

- > During the reporting period, 28 proceeds of crime restraining orders were obtained, restraining assets valued at approximately \$10.9 million, which exceeded the target for the year.
- > Since 1 January 2003, when the Act came into operation, \$36.6 million in assets have been restrained as a result of civil confiscation procedures. These restraining orders arose from investigations carried out by the CMC, or were the result of matters referred to the CMC by the QPS and other law enforcement agencies operating within Queensland, including Commonwealth agencies.
- > As is the case with most relatively new law enforcement powers, all aspects of the legislation are being challenged through the courts. During 2005–06, the first fully contested matter was dealt with by the courts. The decision is now subject to appeal and cross-appeal by both the state and the respondent.
- > The CMC finalised 25 matters during 2005–06 (exceeding the target by 2), resulting in approximately \$2.0 million being forfeited to the state. Eight other matters are in the final stages of settlement, with a further estimated \$0.7 million expected to be forfeited to the state in the near future.
- > Other proceeds of crime matters are being litigated and are taking longer than anticipated to be finalised. It is expected that the processes will become quicker as legal precedents are established and matters are decided by the courts.
- > The CMC has been allocated special funding by the government to cover the costs of engaging legal counsel in related civil proceedings.

Table 11 below shows proceeds of crime data since the Act commenced on 1 January 2003.

Table 11. Proceeds of crime comparative data

	2002–03 (half year)		2003–04		2004–05		2005–06		Total
	Number	Amount (\$m)	Number	Amount (\$m)	Number	Amount (\$m)	Number	Amount (\$m)	
Restraining orders	10	7.12	33	10.55	37	8.09	28	10.88	36.64
Applications for forfeitures	9	6.75	30	9.56	41	9.44	28	10.88	36.63
Forfeitures/settlements	1	0.02	2	0.77	15	1.62	25	2.00	4.41

Emerging technology

One area of particular importance is the impact of new technology on the preparation of briefs in complex criminal cases after the close of protracted investigations. The issue arises primarily in relation to organised crime investigations, the court briefs for which can consist of thousands of pages of evidence and hundreds of exhibits. We have started producing briefs in electronic form, thereby reducing the volume dramatically; however, the capacity of the Office of the Director of Public Prosecutions (ODPP), the courts and legal representatives to work with such 'e-briefs' has been problematic. Nonetheless we intend to continue promoting the advantages of e-briefs. Accordingly, we are represented on the reference group established to assist the ODPP Case Management System Project in relation to technical and operational matters.

The adoption of time-saving technology is crucial to the CMC's commitment to the preparation of high-quality court briefs in joint agency investigations. Experience has established that better all-round outcomes are achieved when the CMC remains involved throughout the brief-preparation process, resource-intensive though this may be.

While emerging technologies offer opportunities for increasing the impetus of the fight against organised crime and paedophilia, their use by criminals and crime syndicates represents an ongoing challenge. The emergence of e-crime and identity crime requires that law enforcement agencies like the CMC, both alone and in strategic partnerships, maintain a level of technical sophistication which at least matches that of offenders. Particularly in the area of internet offending by paedophiles, the willingness of offenders to adopt new technology and use newly developed encryption devices presents a constant challenge. The CMC's response lies in its commitment to continual training of its staff and enhancement of its technical capabilities, together with its pursuit of telecommunications interception powers.



Case studies 2005–06

Organised crime

Operation Navan

This operation, which began in September 2005, targeted suspected organised criminal activity involving large-scale trafficking and supply of illicit drugs – in particular, amphetamines. The operation took place in partnership with the QPS, with some involvement from national and interstate law enforcement agencies. Covert methodologies were used and confidential information was accessed. Financial profiling of the key syndicate members was undertaken.

The investigation led to the identification of the people at the upper levels of the syndicate and the gathering of evidence against them in relation to ongoing involvement in trafficking amphetamine, cocaine and ecstasy. The operation closed with the arrests of 13 people, who were charged with a range of offences.

Operation Candid

This operation began in July 2005 and proceeded jointly with the QPS as a consequence of the receipt and analysis of confidential information relating to the activities of a group of drug offenders on whom the CMC had intelligence holdings.

Through the use of a range of covert investigative strategies, evidence was gathered implicating the principal targets in drug trafficking and property offences.

Search warrants were ultimately executed and five people were arrested on trafficking and other drug-related offences. Further evidence was gathered by the use of the CMC's coercive hearings power.

Serious crime

Operation Abina

In early 2003 a man was found murdered on the premises of a known drug dealer in a regional Queensland centre. Due to the refusal of various witnesses to cooperate with police the matter was referred to the CMC and extensive hearings were held in 2003, resulting in significant additional evidence being obtained.

A man had been charged with the murder but the prosecution was later discontinued for legal reasons.

At the request of the police, the CMC held a series of further hearings in early 2006. These hearings resulted in important new evidence coming to light, implicating the original defendant in the matter.

The new evidence has since been referred to police for consideration of further action.

Paedophilia

US offender charged with offences in Queensland

During the course of a controlled operation, two covert CMC police officers who had assumed the identities of young teenagers in internet chat rooms were targeted by a sexual predator. The offender had several graphic and sexually orientated conversations with the operatives and displayed sexually explicit images to them.

CMC police officers arrested the offender in Townsville. He was charged with four charges of using the internet with intent to procure a child under 16 to engage in a sexual act, three charges of using the internet with intent to expose a child under 16 to indecent matter, one charge of possessing tainted property and one child pornography charge. CMC inquiries identified that the offender was a citizen of the United States of America and was residing in Queensland on a Student Visa. Further investigations identified that the offender was a convicted sex offender, listed on the Illinois State Police Sex Offender Register in relation to the offence of 'indecent solicitation of a child'. This conviction related to internet engagements with a US law enforcement officer operating online as a 14-year-old girl.

As a result of the information obtained, inquiries were made with the Department of Immigration and Indigenous Affairs Onshore Character Assessment Unit and the offender's Student Visa was immediately cancelled. An application was made for a State Criminal Justice Stay Visa. The offender's bail was revoked, and he remained in custody until he pleaded guilty to the outstanding charges. He was sentenced to seven-and-a-half months' imprisonment, which was the time already served in custody, then taken into custody by immigration officers and deported.

Offenders using multiple identities

A 50-year-old male from the Sunshine Coast engaged three covert police officers from the CMC's Egret Team online. The operatives assumed the identity of fictitious young teenagers within internet chat rooms.

The offender used multiple internet identities to groom the child profiles, and relied on elaborate methods to desensitise the 'children' to sexually explicit content and attempt to procure them to engage in sexual acts. The activity of this offender, who was arrested in September 2005, provides an example of the use of the internet as a vehicle to commit multiple serious criminal offences and maintain anonymity.

In another instance, a 33-year-old Brisbane man engaged four separate covert operatives who were assuming

different young female identities online. The offender used four internet identities to communicate with the four police officers over a period of nearly 10 months, until his arrest in July 2005. He was charged with five counts of using the internet to expose a child under 16 to indecent matter, one count of use of the internet to procure a child under 16 and one count of possessing tainted property.

Egret Team: international training

To ensure that the CMC remains at the forefront of Australian law enforcement regarding the investigation of internet child abuse, during May and June 2006 police officers from the Egret Team travelled to the United States for three weeks' intensive training in innovative methods for investigating online child exploitation.

The officers:

- > undertook training with the Federal Bureau of Investigation – Innocent Images National Initiative, in Washington DC, and observed the work of the Innocent Images International Taskforce, which ensures the sharing of information and identification of offenders overseas
- > received briefings from Supervisory Special Agents in relation to sex tourism, covert methodology, online payment methods and child pornography internet servers
- > attended the quarterly meeting between US federal agencies (FBI, NCMEC, US Immigration and Customs) investigating online child abuse. This included briefings at the Customs and NCMEC Centres and FBI Cyber Crime Unit on cross-border investigations, Cyber Tips Hotline, Child Abuse Image library, and missing person ageing/regression software.

The training concluded with a week at the San Jose Police, Child Endangerment Unit, Internet Crimes Against Children (ICAC) Task Force. The week covered online peer to peer investigations, target development and standing ICAC operational procedures. In addition to establishing a strong international law enforcement network, the Egret Team has returned with an extensive skill base to continue successfully targeting recidivist online child-sex offenders. The team has since generated multiple Australian targets for law enforcement action.

One member of the team remained in the United States for further extensive training and work experience with the Immigration and Customs Enforcement Cyber Crimes Centre, Child Exploitation Section, Washington DC.

Combating major crime

- > Continue to dismantle and disrupt organised crime networks operating in Queensland.
- > Proactively identify and investigate networked extrafamilial child-sex offenders, or extrafamilial child-sex offenders who offend against multiple victims, and offenders who use the internet to aid in the commission of child-sex offences.
- > Obtain approximately 42 restraining orders under the Criminal Proceeds Confiscation Act, resulting in the restraint of assets valued at approximately \$8m.
- > Finalise 20 matters to a value of \$2m to be forfeited to the state.
- > Produce strategic assessments of:
 - cocaine use and distribution patterns
 - an issue in relation to police misconduct.
- > Continue to deliver HSO courses. The QPS is developing its own human source initiative and the CMC will contribute presentations during 2006–07. The CMC will also co-host four HSO courses with the ACC, as in previous years.
- > Report on the prevalence and patterns of illicit drug use among emergency room patients.
- > Publish a major report on trends in illicit drug use between 1999 and June 2005 in Queensland and elsewhere, using data from the Drug Use Monitoring in Australia (DUMA) project.
- > Publish research findings on trends in the general population regarding the use of illicit drugs.
- > Review the recommendations of the 2003 report *Seeking justice: an inquiry into how sexual offences matters are handled by the Queensland criminal justice system*.
- > Take part in a coordinated, cross-government sexual victimisation prevention program for Indigenous children.
- > Continue to promote the advantages of electronic court briefs for complex criminal cases.