



## Appendixes

**Appendix A:** Functions of the CMC

**Appendix B:** Significant external presentations 2006–07

**Appendix C:** Public interest disclosures received in 2006–07

**Appendix D:** EEO statistics 2006–07

**Appendix E:** Overseas travel 2006–07

**Appendix F:** Significant publications 2006–07

**Appendix G:** Consultancies 2006–07

## 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—
- (a) to combat and reduce the incidence of major crime; and
  - (b) to continuously improve the integrity of, and to reduce the incidence of misconduct in, the public sector.

#### 5 How the 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—

- (a) analysing the intelligence it gathers in support of its investigations into major crime and misconduct; and
- (b) analysing the results of its investigations and the information it gathers in performing its functions; and
- (c) analysing systems used within units of public administration to prevent misconduct; and
- (d) using information it gathers from any source in support of its prevention function; and
- (e) providing information to, consulting with, and making recommendations to, units of public administration; and
- (f) providing information relevant to its prevention function to the general community; and
- (g) ensuring that in performing all of its functions it has regard to its prevention function; and
- (h) 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

- (i) 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—

- (a) investigating major crime referred to it by the reference committee; and
- (b) when conducting investigations under paragraph (a) gathering evidence for—
  - (i) the prosecution of persons for offences; and
  - (ii) the recovery of the proceeds of major crime; and
- (c) 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')—

- (a) to raise standards of integrity and conduct in units of public administration;
- (b) 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—

- (a) 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
- (b) 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
- (c) 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.

## Significant external presentations 2006–07

Date		Audience	Topic
5.7.06	Margot Legosz, Deputy Director, R&P	Australian Winter School Conference	Project Opal
10.7.06	Tony Morgan, Sergeant, Egret Team	JAB Workshop	Role of CMC in paedophilia investigations
10.7.06	Sue Dawson, Operations Coordinator (Inspector) and Brett Lee, Sergeant, Egret Team	Teachers of Brisbane State High School	Internet safety
3.8.06	Tony Morgan, Sergeant, Egret Team	Phase 1 Detective Training Program	Online child-sex offences
3.8.06	Louise Norman, Research Officer, Police Program	QPS Senior Executive Conference	Project Verity: devolution and discipline and sanctions projects
8.8.06	Louise Norman, Research Officer, Police Program	QPS District Officers' Conference	Project Verity: devolution and discipline and sanctions projects
10.8.06	Ray Bange, Senior Misconduct Prevention Officer	Joint presentation to Queensland Purchasing staff and a delegation of visiting Indonesian parliamentary members	Ethics, probity and accountability in procurement (an outline of recent project work carried out between the CMC and QP to revise a key procurement guidelines document)
11.8.06	John Boyd, Principal Project Officer, Public Sector Program	Dewan Perwakilan Daerah, Indonesian parliamentary delegation	Role and functions of the CMC
22.8.06	Alexa VanStraaten, Misconduct Prevention Officer, Police Program	Police recruits at Oxley	Misconduct prevention
23.8.06	Ray Bange, Senior Misconduct Prevention Officer	Joint presentation with Department of Transport to members of the Corruption Prevention Network Queensland	Implementing best-practice fraud and corruption control
25.8.06	Alexa VanStraaten, Misconduct Prevention Officer and Laurie Paul, Senior Sergeant, Police Program	Townsville police recruits	Misconduct prevention
30.8.06	John Melit, Principal Adviser, Misconduct Prevention	Delegates of LGAQ conference	Fielding general queries from conference delegates
1.9.06	Sue Dawson, Operations Coordinator (Inspector) and Brett Lee, Sergeant, Egret Team	Ten students from Stuartholme School	Internet safety and dangers
4.9.06	Alexa VanStraaten, Misconduct Prevention Officer, Police Program	Police recruits at Oxley	Misconduct prevention
6.9.06	Dominic O'Connell, Witness Protection	Phase 1 Detective Training Program	Witness protection
12.9.06	Shane Neilson, Strategic Intelligence Unit	QPS advanced intelligence training course	Tactical and strategic intelligence
12.9.06	Dominic O'Connell, Witness Protection	Police trainees	WPU presentation to the Queensland Police Prosecutors Course
19.9.06	Brett Lee, Sergeant, Egret Team	Students in Years 8 & 9 at Clontarf State High School	Internet safety and dangers
21.9.06	Ray Bange, Senior Misconduct Prevention Officer	Heads of Procurement Network comprising principal procurement officers and management	Ethics, probity and accountability in procurement (an outline of recent project work carried out between the CMC and QP)

<b>Date</b>	<b>Audience</b>	<b>Topic</b>
28.9.06	Narelle George, Misconduct Prevention Officer	CMC Liaison Officers Meeting, Brisbane Is your information really secure? Keeping sensitive information confidential
28.9.06	Ray Bange, Senior Misconduct Prevention Officer	CMC Liaison Officers Meeting, Brisbane Sponsorship management: achieving mutually beneficial outcomes
28.9.06	Ray Bange, Senior Misconduct Prevention Officer	Presentation to members of the Institute of Internal Auditors Fraud and corruption control; organisational inertia and change management
30.9.06	Carey Stent, Senior Sergeant, Egret Team	Detective training at the QPS Police Academy Role of the CMC in criminal investigations
27.10.06	Wayne Robson, Senior Financial Investigator	CPA Australia congress on forensic accounting in the public sector The CMC and public sector fraud and corruption investigations
11.10.06	Mark Docwra, Principal Legal Officer, Public Sector Program	Old Transport staff Role and functions of the CMC
12.10.06	John Richardson, Manager, Financial Investigations	Presentation to the Australian Environmental Law Enforcement and Regulators Network Proceeds of Crime legislation and its application in an environmental context
19.10.06	Andrew Stapleton, Manager, Intelligence	QPS intelligence training course Human source operations
19.10.06	Mark Docwra, Principal Legal Officer, Public Sector Program	Department of Natural Resources and Water, South West Region field staff The role and functions of the CMC
23.10.06	Mark Docwra, Principal Legal Officer, Public Sector Program	Brisbane City Council Dealing with poor performance, misconduct and official misconduct
31.10.06	Alexa VanStraaten, Misconduct Prevention Officer, Police Program	About 90 QPS recruits The CMC's role and functions
2.11.06	Theresa Hamilton, General Counsel	Sixth National Investigations Symposium, Sydney Independence, influence and integrity in local government: aspects of an investigation conducted by the CMC
7.11.06	Dennis Budz, Team Leader, Police Program	Police beat officers' course, QPS Police Academy Beat policing: past and future
3.11.06	Carey Stent, Senior Sergeant, Egret Team	Online investigators workshop, Police Headquarters The CMC's role, function, resources and investigative parameters
3.11.06	Brett Lee, Sergeant, Egret Team and Tony Morgan, Sergeant, Egret Team	Online investigators workshop, Police Headquarters Online and internet-based investigations and investigative techniques
7.11.06	Brett Lee, Sergeant, Egret Team	Phase 3 Detective Training Program CMC paedophile investigations and internet-based investigations
14.11.06	Brett Lee, Sergeant, Egret Team and Carey Stent, Senior Sergeant, Egret Team	Lecture to 150 Year 9 students at Mt St Michaels College, Ashgrove Internet safety: making MySpace and Messenger safe
14.11.06	John Boyd, Principal Prevention Officer	Ipswich and West Moreton CPA and NIA Accountants Discussion Group The CMC and fraud and corruption prevention
14.11.06	Narelle George, Misconduct Prevention Officer	Longreach Shire Council staff Ethics and accountability (covering disposal, purchasing, information security)
22.11.06	Carey Stent, Senior Sergeant, Egret Team and Brett Lee, Sergeant, Egret Team	Lecture to 110 Year 10 students at Lourdes Hill College, Hawthorne Internet safety: making MySpace and Messenger safe

<b>Date</b>	<b>Audience</b>	<b>Topic</b>	
24.11.06	Carey Stent, Senior Sergeant, Egret Team and Brett Lee, Sergeant, Egret Team	Lecture to 160 Years 8 & 9 students at Stuartholme School, Bardon	Internet safety: making MySpace and Messenger safe
26.11.06	Carey Stent, Senior Sergeant, Egret Team and Brett Lee, Sergeant, Egret Team	Lecture to 100 Year 8 students at Lourdes Hill College, Hawthorne	Internet safety: making MySpace and Messenger safe
27.11.06	Carey Stent, Senior Sergeant, Egret Team and Brett Lee, Sergeant, Egret Team	Lecture to 100 Year 9 students at Lourdes Hill College, Hawthorne	Internet safety: making MySpace and Messenger safe
27.11.06 – 30.11.06	John Callanan, Assistant Commissioner, Crime and Felix Grayson, Director, Operations (Chief Superintendent)	State Crime Forum at Police Headquarters	Continuous improvement through networking
9.1.07	Laurie Paul, Senior Sergeant, Police Program	QPS Police Academy	Recruits presentation
22.1.07	John Boyd, Principal Project Officer	Rotary Club of Windsor, Italo-Australian Club, Foster Street, Newmarket	The CMC's role and function
28.1.07	Carey Stent, Senior Sergeant and Brett Lee, Sergeant, Egret Team	Lecture to 250 parents and boarder students at Stuartholme School, Bardon	Internet safety: making MySpace and Messenger safe
5.2.07	Chris Keen, Director, Intelligence and Paul Doyle, Director, Operations (Acting Chief Superintendent)	Australian Crime Commission conference on national outlaw motorcycle gang strategy, Sydney	Outlaw motorcycle gangs
6.2.07	Dianne McFarlane, Assistant Director, Public Sector Program	Dalby Town Council	Presentation on the role and functions of the CMC
6.2.07	Mark Docwra, Principal Legal Officer, Public Sector Program	Brisbane City Council, Customer and Community Services Division	Joint CMC–BCC seminar on dealing with with poor performance, misconduct and official misconduct
7.2.07	Carey Stent, Senior Sergeant and Brett Lee, Sergeant, Egret Team	Internet forum for parents and students at Stuartholme School	Cyber bullying: consequences
13.2.07	Carey Stent, Senior Sergeant and Tony Morgan, Sergeant, Egret Team	Phase 1 Detective Training Program	The role of the CMC in paedophilia and serious crime investigations, online investigations and hearing processes
20.2.07	Jeffrey Farrah, Senior Legal Officer, Complaints Services	Queensland Transport (new transport inspectors)	The role of the CMC in investigating and dealing with misconduct
26.2.07	David Goody, Principal Financial Investigator and Damien Wilson, Senior Financial Investigator, Proceeds of Crime Unit	Detective training course, QPS Police Academy	Proceeds of crime
1.3.07	Laurie Paul, Senior Sergeant, Police Program	QPS Police Academy	The role and functions of the CMC
1.3.07	Carey Stent, Senior Sergeant and Tony Morgan, Sergeant, Egret Team	Phase 2 Detective Training Program	The role of the CMC in paedophilia and serious crime investigations, online investigations and hearing processes
13.3.07	Narelle George, Misconduct Prevention Officer and John Melit, Principal Adviser, Misconduct Prevention	Redland Shire councillors and senior staff	Ethics and accountability: underpinning good corporate governance



<b>Date</b>	<b>Audience</b>	<b>Topic</b>
19.3.07	Mark Docwra, Principal Legal Officer, Public Sector Program	Brisbane City Council officers The CMC Act and the Whistleblowers Protection Act
22.3.07	Andrew Stapleton, Manager, Intelligence	QPS intelligence training course Human source operations
23.3.07	Jeffrey Farrah, Senior Legal Officer, Complaints Services	Queensland Transport (new transport inspectors) Presentation to new transport inspectors on the role of the CMC in investigating and dealing with misconduct
27.3.07	Carey Stent, Senior Sergeant and Brett Lee, Sergeant, Egret Team	QPS Police Academy The role of the CMC in paedophilia and serious crime investigations, online investigations and hearing processes
27.3.07	Sue Dawson, Operations Coordinator (Inspector)	Child Protection Unit Investigation Course, QPS Police Academy Role of the CMC in paedophilia investigations
29.3.07	Felix Grayson, Director, Witness Protection and Operations Support	Criminal justice students, Griffith University CMC crime investigations and relevant CMC legislation
20.4.07	Helen Couper, Director, Complaints Services and Mark Docwra, Principal Legal Officer, Public Sector Program	Queensland Audit Office Contract Auditors Workshop The Crime and Misconduct Act and the audit role
16.5.07	David Goody, Acting Manager, Proceeds of Crime	Students from St Pauls School, Aspley The role of the CMC
17.5.07	David Goody, Acting Manager and Damien Wilson, Proceeds of Crime	Detective training course Recovering the proceeds of crime
8.5.07	Carey Stent, Senior Sergeant, Egret Team	Brisbane Boys College Parents & Friends Assoc. Internet safety
9.5.07	Carey Stent, Senior Sergeant, Egret Team	600 students from Faith Lutheran College Internet safety
9.5.07	Carey Stent, Senior Sergeant, Egret Team	Parents of students at Faith Lutheran College Forum on internet safety and personal safety for children
11.5.07	Narelle George, Misconduct Prevention Officer	Workshop at CQ area Regional Initiatives Program, Rockhampton Ethics and accountability: underpinning good corporate governance
15.5.07, 16.5.07	Narelle George, Misconduct Prevention Officer	Workshop at Townsville area Regional Initiatives Program Identifying and managing conflicts of interest
7.6.07	Chris Keen, Director, Intelligence and Liz Foulger, Manager, Intelligence	Parliamentary Joint Committee on the Australian Crime Commission The future impact of serious and organised crime on Australian society
19.6.07	Narelle George, Misconduct Prevention Officer	Burdekin Shire Council staff Identifying and managing conflicts of interest
19.6.07	Carey Stent, Senior Sergeant, Egret Team	Year 10 students at All Hallows School Internet safety
28.6.07	Narelle George, Misconduct Prevention Officer	SEQ Regional Animal Management Group Identifying and managing conflicts of interest

## Public interest disclosures received in 2006–07

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		48	177*	11	91	27	354
16 Public officer complaining of maladministration			1*				1
17 Public officer complaining of improper management		3	3*	4	2		12
18 Public officer complaining about health/environment matter		1					1
19 Any person complaining about public health or safety matter			5*				5
20 Any person complaining about reprisal		9	30*		6		45
<b>Totals</b>		<b>61</b>	<b>216*</b>	<b>15</b>	<b>99</b>	<b>27</b>	<b>418</b>

Note: There were 110 complaints received that comprised 418 allegations. This table details the status of the allegations.

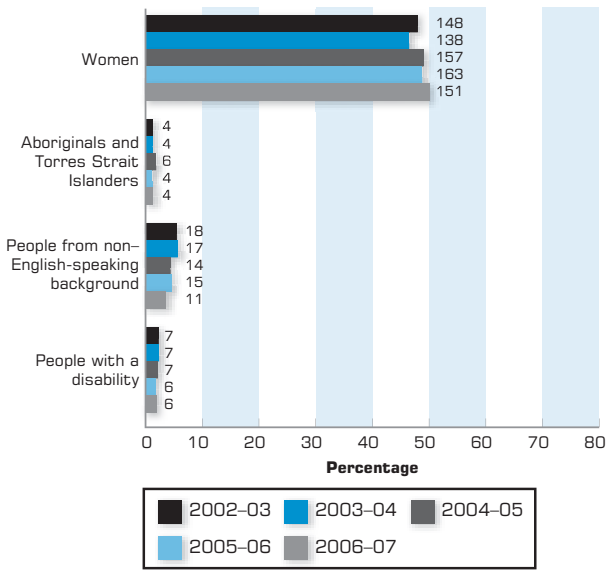
\* The outcomes of the allegations in this category may not be known at this stage.



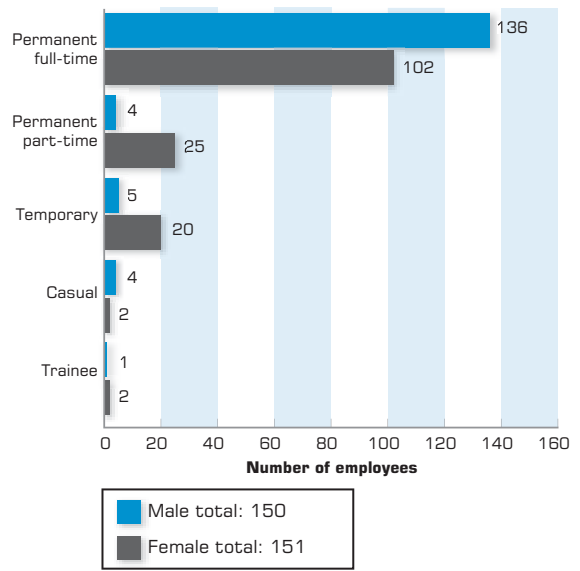
## EEO statistics 2006-07

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

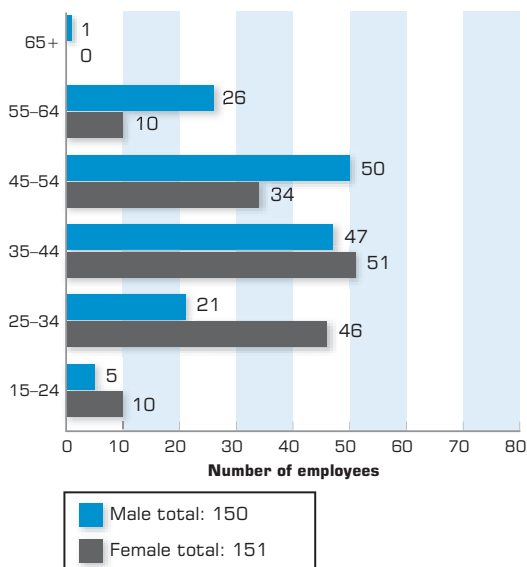
**Figure D1. Membership of EEO target groups 2002-03 to 2006-07**



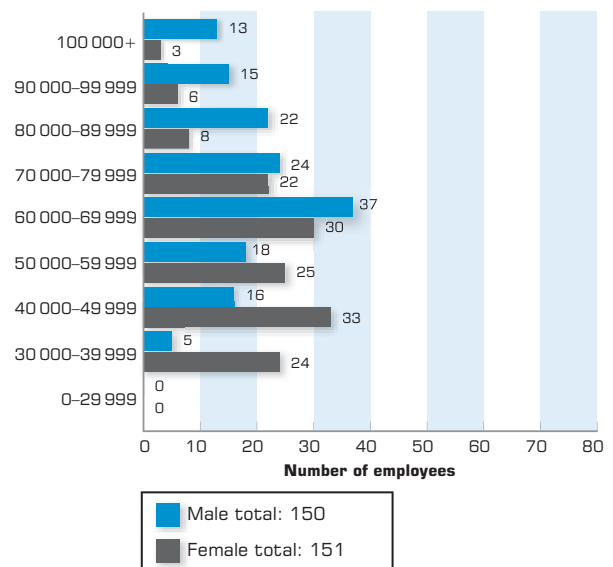
**Figure D2. Employees by gender and employment status as at 30 June 2007**



**Figure D3. Employees by gender and age as at 30 June 2007**



**Figure D4. Employees by gender and annual salary as at 30 June 2007**



## Overseas travel 2006-07

<b>Date of travel</b>	<b>Name of officer</b>	<b>Destination</b>	<b>Reason for travel</b>	<b>Cost</b>	<b>Remarks</b>
23 June – 21 November 2006	Sergeant Brett Lee	USA	Attendance at FBI advanced internet training course; work experience with Immigration and Customs Enforcement Cyber Crimes Centre; attendance at 5th Annual Internet Crimes against Children National Conference.	\$4589	Officer was recalled to duty to attend training course, work experience and conference while on leave, and paid for his own airfare costs.
<b>Total cost:</b>				<b>\$4589</b>	

### Significant publications 2006–07

The following is a list of the significant publications published by the CMC during 2006–07.

#### Corporate

*Strategic plan 2007–11*, June 2006.

*Annual Report 2005–06*, October 2006.

#### Building Capacity series

*Sponsorship management: achieving mutually beneficial outcomes*, no. 9, September 2006.

*Public–private partnerships: identifying governance risks*, no. 10, March 2007.

*Outside employment: risks and remedies*, no. 11, June 2007.

#### Discussion/interim papers

*Inquiry into policing in Indigenous communities: issues paper*, April 2007.

#### Research reports

*Regulating outcall prostitution: should legal outcall prostitution services be extended to licensed brothels and independent escort agencies?*, October 2006.

*Profiling the Queensland amphetamine market*, December 2006.

*Operational Performance Review: how senior police perceive the OPR*, December 2006.

*The Princess Alexandra Hospital Police Beat: an evaluation by the Crime and Misconduct Commission*, February 2007.

*Illicit drug use in Queensland: a survey of households 2002–05*, February 2007.

*Reforming child protection in Queensland: a review of the implementation of recommendations contained in the CMC's Protecting children report*, June 2007.

#### Investigative reports

*CMC investigations into allegations affecting the Douglas Shire Council*, October 2006.

*Actions and reactions at The Prince Charles Hospital: a report of a CMC investigation into allegations flowing from the appointment of a nursing director*, October 2006.

*Alleged police assault of Aurukun resident Warren Bell: a report from the CMC*, February 2007.

#### Other

*A message to all state government candidates*, August 2006.



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

## Consultancies 2006–07

Consultant	Description	\$ (excl. GST)
<b>Management</b>		
Ernst & Young	Risk Management Process Review	59 627
Pivot	Project Planning and Management – Green Square	5 760
Sagacity	Preparation and Facilitation of Business Plan Workshop – Intelligence	1 600
<b>Professional/technical</b>		
Dimension Data	Review of Information and Technology	9 600
<b>Professional/technical</b>		
Gwen Murray	Develop project plan to review Protecting Children recommendations	3 100
John Heath	Preparation of documentation for Operation Spoke	918
<b>Human resources</b>		
Dialogue Consulting	Facilitation and Coaching Processes	10 575
Mercer	Focus Group – Development of Research and Prevention Structural Models, HR	26 240
Ray Dempsey	Application and finalisation of CMC Award	800
Callan Consulting	Organisational Climate Survey	18 200
<b>Total</b>		<b>\$136 420</b>