



Organisational capability

The CMC strives to be an effective and productive organisation serving all Queenslanders.

Members of the Strategic Management Group. (Clockwise from top left) SMG members Peter Duell, Stephen Lambrides, John Richardson, John Callanan, Daniel Boyle representing Russell Pearce, Len Potts, Helen Couper, Chris Keen, Robert Needham, Susan Johnson and Felix Grayson. (Absent from photo) Greg Rigby.

‘We’re only as good as our staff and we do our utmost to have the best’

Greg Rigby
Acting Executive Director



The capability and productivity of any organisation over the longer term is linked to its corporate governance structure and practice, and to its people, organisational culture and resources. This chapter reports on both of these aspects.

Corporate governance

The CMC's corporate governance structure is based on principles of openness, integrity and accountability. This structure guides us as we plan, manage and monitor our operations, performance and internal controls, and strive to achieve best practice.

The first section of this chapter looks at our internal and external reporting and accountability structures, as well as our legislative compliance and our financial and performance management.

Internal accountability structures

The CMC's most important internal accountability mechanism is the Commission. CMC corporate policy and strategic directions are set by the Commission, implemented by a range of internal committees, and generally overseen by the Strategic Management Group.

The CMC also has an independent internal audit function, which reports directly to the Chairperson. Where necessary, we use additional external resources to ensure effective audit coverage.

The Commission

The Commission has primary responsibility for achieving the purposes of the Crime and Misconduct Act. It consists of five Commissioners – a full-time Commissioner who is the Chairperson and four part-time Commissioners who are community representatives. Two full-time Assistant Commissioners (the Assistant Commissioner, Crime and the Assistant Commissioner, Misconduct) and the Executive Director also participate in Commission meetings, though they have no voting rights.

The Commissioners during this reporting period were:

- Mr Robert Needham (Chairperson)
- the Honourable Douglas Drummond QC (appointed July 2005)
- Ms Julie Cork (appointed November 2004)

- Dr David Gow (appointed October 2005)
- Ms Ann Gummow (appointed August 2006).

See page 55 for background details on the Chairperson and part-time Commissioners who served during this reporting period.

Each fortnight the Commission meets formally with the Assistant Commissioners and the Executive Director to consider issues relating primarily to the strategic direction of the organisation. When urgent matters arise, special meetings, either in person or by telephone, are convened at short notice. The Commission also meets regularly with the CMC's overseeing body, the Parliamentary Crime and Misconduct Committee (PCMC).

In guiding and maintaining the focus of the organisation, the Commission discusses matters affecting all areas of the CMC, including financial, staffing and managerial issues; specific crime and misconduct operations; research and intelligence projects; and capacity development and misconduct-prevention activities. During 2006–07 the Commission met 24 times (of which one was a special meeting) and met with the PCMC four times (see Table 13).

In addition, the part-time Commissioners chair significant internal committees, participate in others, and represent the CMC on external bodies.

Table 13. Attendance of Commissioners, Assistant Commissioners and Executive Director at Commission meetings 2006–07

	Ordinary meetings (n = 23)	Special meetings (n = 1)	With PCMC (n = 4)
Robert Needham	23	1	4
Douglas Drummond QC	20	1	3
Julie Cork	23	1	4
David Gow	20	1	4
Ann Gummow	19	1	4
John Callanan	18	–	4
Stephen Lambrides	18	–	3
Mark Hummerston	9	1	1
Greg Rigby	13	–	3

Commissioners who served during this reporting period

Robert Needham

(Chairperson since January 2005)

Mr Robert Needham was appointed Chairperson of the CMC in January 2005. Prior to that he practised as a barrister for 35 years, his career spanning periods as a Crown Prosecutor and as a barrister in private practice.

In late 1987 Mr Needham was appointed Counsel Assisting the Fitzgerald Commission of Inquiry. He subsequently became involved in the political corruption investigations arising out of the inquiry, forming a team in the Special Prosecutor's Office to finalise briefs and prosecute the political corruption trials.

Afterwards, Mr Needham was involved in various corporation law prosecutions for the Australian Securities and Investment Commission and the Commonwealth Director of Public Prosecutions, including the Christopher Skase prosecution. He was also involved in complex and lengthy cases in the Land Court and the Planning and Environment Court.

Mr Needham, who has a Bachelor of Laws from the University of Queensland, was the Parliamentary Crime and Misconduct Commissioner from 2002 to 2003.



The Honourable Douglas Drummond QC

(from July 2005)

The Honourable Douglas Drummond QC was a judge of the Federal Court of Australia for more than 11 years before retiring in April 2003.

Mr Drummond's legal experience spans 38 years, and includes a three-year appointment in 1988 as Special Prosecutor with responsibility for the investigation and prosecution of offences arising out of the Fitzgerald Commission of Inquiry. He has also practised as a barrister at the private Bar, specialising in general commercial litigation and arbitration.



Julie Cork

(from November 2004)

Ms Julie Cork has a Diploma in Teaching and a Bachelor of Education Studies, and more than 25 years' experience in organisational management policy and practice. In addition, she has extensive knowledge in the more sensitive areas of human resource management, including the recruitment of Indigenous Australians and people with disabilities.

Ms Cork has undertaken organisational change work, in association with the establishment of employment equity programs, in both the Australian and the Queensland public sectors. In August 1991 she was appointed Manager, Employment Equity, at the Public Sector Management Commission, with responsibility for the Queensland public sector. Since 1996 Ms Cork has worked as a consultant in the private, public and community sectors.



Dr David Gow

(from October 2005)

Dr David Gow is currently a senior lecturer at the University of Queensland Business School. He is an honours graduate from the University of Sydney and received his PhD from the University of Hawaii in 1981.

Dr Gow's main expertise is in public administration and political science, in which he has held various academic appointments over the past 23 years. He also has considerable experience in research methodology, having worked extensively as a consultant to the Queensland Government, and to the CJC between 1991 and 2000.



Ann Gummow

(from August 2006)

Ms Ann Gummow has a Bachelor of Laws from the University of Queensland (UQ) and a Graduate Diploma in Legal Practice from what is now the Queensland University of Technology (QUT). She was admitted as a solicitor in 1983 and is currently the appointee fulfilling the requirement that one of the CMC Commissioners be a lawyer with a proven commitment to civil liberties.

the areas of domestic violence and family law, working directly with women, undertaking community legal education and community development, and contributing to legal reform. She was previously a solicitor in private practice. At various times since 1989 Ms Gummow has taught at the School of Social Work and Social Policy at UQ, Griffith University's Law School, and at QUT. From 1992 until 2006 she was a member of UQ's Behavioural and Social Sciences Ethics Review Committee.

Since 1990 Ms Gummow has worked part-time at Women's Legal Service, a community legal service that specialises in



Appointment of Commissioners

The Commissioners (including the Chairperson) are appointed by the Governor-in-Council under the terms of the Crime and Misconduct Act for a period of not more than five years. Their nomination for appointment must have the bipartisan support of the PCMC. They are paid the remuneration and allowances decided by the Governor-in-Council.

Qualifications of the Chairperson

Under the terms of the Crime and Misconduct Act, the Chairperson, who is also the CEO, must be a legal practitioner who has served as, or is qualified for appointment as, a judge of the Supreme Court of any state, the High Court or the Federal Court.

Qualifications of the part-time Commissioners

As representatives of the community, the part-time Commissioners bring a broad range of professional expertise and personal experience to the CMC.

Our Act requires one of the part-time Commissioners to be a practising lawyer with a demonstrated interest in civil liberties. It also requires that one or more have qualifications or expertise in public sector management and review, criminology, sociology, or research related to crime or crime prevention; and that at least one is a woman.

Resignation and termination of a Commissioner

The Governor in Council may terminate the appointment of a Commissioner (including the Chairperson) at any time if the Commissioner becomes incapable of satisfactorily performing the duties of office or is absent from three consecutive meetings of the Commission without prior approval and reasonable excuse.

In addition, the Governor in Council must terminate the appointment of the Chairperson if the Chairperson engages in paid employment outside the duties of office without the minister's approval.

The Governor may terminate the appointment of a Commissioner on a recommendation to the Legislative Assembly made with the bipartisan support of the parliamentary committee and approved by the Legislative Assembly.

A CMC Commissioner (including the Chairperson) may resign at any time by written notice to the minister.

Ethical standards

The CMC must keep a register of each Commissioner's pecuniary interests and personal or political associations.

Assistant Commissioners and senior officers

The Crime and Misconduct Act decrees that Assistant Commissioners and senior officers must not hold office in the CMC for more than 10 years in total (however, under certain circumstances this period may be extended to a maximum of 15 years). A 'senior officer' is an officer whose principal duties relate directly to the performance of the CMC's prevention, crime, misconduct, research or intelligence functions or the giving of legal advice to the Commission, but does not include a senior officer whose duties support the CMC's functions, such as the Executive Director or a human resource, information technology or finance manager.

Internal committees

The CMC has a comprehensive committee structure to comply with corporate governance principles of effective management.

The most significant is the Strategic Management Group (SMG). The other committees are either Commission committees, which are chaired by a member of the Commission or an independent external person; SMG committees, which may be chaired by a CMC staff member; or operational committees.

To ensure that these committees maintain a strategic focus, charters have been developed to define the roles and responsibilities of the committees and their members. Copies of the charters, which are endorsed by the Commission, are available to all staff through the CMC intranet. At the end of each financial year the performance of each committee is evaluated.

The Strategic Management Group

The role of the SMG is to manage the CMC within the delegation structure and strategic directions established by the Commission. In addition, the SMG selects and oversees the major operational and administrative projects undertaken by the CMC, in line with corporate priorities, objectives and statutory responsibilities.

The SMG is led by the Chairperson and comprises 12 members, representing the main areas of the CMC. For membership of the SMG during this reporting period, see the photograph on page 53.

Commission committees

Audit Committee

Chair: Phil Procopis (external member)

The Audit Committee provides independent advice to the Commission on the effectiveness of its enterprise risk management program and where the main thrust of the audit functions should be directed. It also provides a forum for communication between the Commission and its auditors. In 2006–07 this committee:

- endorsed the 2007–11 Internal Audit Strategic Plan
- endorsed the 2007–08 Internal Audit Annual Plan
- reviewed the CMC's financial statements for 2005–06
- reviewed the 2006–07 Client Service Plan provided by the Queensland Audit Office
- reviewed all internal and external audit reports
- reviewed report of actions taken by management on audit recommendations.

Finance Committee

Chair: Chairperson Robert Needham

The Finance Committee assists the Commission with managing the budget process and ensures that there are appropriate and effective financial management practices. In 2006–07 all of its recommendations were accepted by the Commission. During the year this committee:

- monitored expenses and, where necessary, made recommendations to vary financial strategies to ensure that expenses remained within budget
- prepared budget estimates and other financial information for the Ministerial Portfolio Statements, the Parliamentary Estimates Committee and the minister
- conducted both an internal and an external mid-year review of the revenue and expense budgets for the CMC and ensured that approved budgets were aligned with the CMC's priorities
- prepared successful budget enhancement bids for the Proceeds of Crime function, the CMC's relocation, and general operational increase
- determined current and future resourcing options for the CMC, having regard to the outcomes to be delivered
- considered Commission proposals that had a significant financial effect.

Information Steering Committee

Chair: Chairperson Robert Needham

The Information Steering Committee provides advice concerning the development of the CMC's strategic plan for its information systems and information infrastructure, and ensures that the deployment of resources is directed towards supporting and enhancing the business functions of the CMC. In 2006–07 this committee:

- approved required alterations to the 2006–07 Information Management Operational Plan
- monitored progress with major information management projects.



Responsibility for corporate governance is held within the Office of the Commission.
(Above) Acting Executive Director Greg Rigby and (below) Manager, Corporate Governance, Gary Adams and Adviser, Corporate Governance, Therese Flynn.



Legislation Committee

Chair: Chairperson Robert Needham

The Legislation Committee monitors state and federal changes to legislation and activities that are likely to affect the work of the CMC. In 2006–07 this committee:

- ensured that the legislation governing the CMC's activities was conducive to meeting the organisation's stated objectives
- ensured that the CMC complied with all legislation relevant to its operations.

SMG committees

Commission Consultative Committee

Elected chair: Craig Doran

Vice chair: David Honeyman

The Commission Consultative Committee provides a forum for employees and senior management to exchange ideas, concerns and points of view. In 2006–07 this committee met eight times and:

- considered representations from staff on such matters as career planning and progression through higher duties/relieving opportunities and sound succession planning; air conditioning; energy conservation measures; lift problems; corporate uniforms; and car pool arrangements

- reviewed several policies relating to the CMC's Work, Family and Life Balance program.

Equal Employment Opportunity Consultative Committee

Chair: Commissioner Julie Cork

The EEO Consultative Committee provides advice to management in relation to discrimination and EEO matters, and a forum where staff can raise matters of interest and concern. In 2006–07 this committee:

- assisted in the production of the 2006–08 Equal Employment Opportunity Management Plan
- supported the conduct of training sessions on Indigenous Cultural Awareness
- supported the conduct of focus group sessions with members of the EEO target groups
- continued to promote staff awareness of significant EEO events during the year, such as International Women's Day, International Day of Families, International Day of People with Disability and International Day of Indigenous People
- supported the integration of EEO principles into Certificate IV of Government and Diploma of Management (Government) accredited training.

See also Appendix D for EEO statistics relating to all CMC staff, except seconded police officers from the QPS.



EEO Consultative Committee. Committee members at May 2007: (back row from left) Lorelle Noble, Narelle George, Kristine Rankin, Stephen Firth, Tony Clowes, Trudie Broderick; (middle row from left) Julie Cork, Cheryal Kyle, Anne Philtrip; (front row from left) Mandy Ross, Rosanne Jaunitis, Barbara McKenzie and Alisha Rankin (minutes). (Absent from photo) Greg Rigby, Shane Neilson, Margaret Patane and Helen Couper.

Risk Management Committee

The CMC is currently reviewing its Risk Management Committee as part of the review of the CMC's risk management framework.

Workplace Health and Safety Committee

Chair: Acting Executive Director Greg Rigby

The Workplace Health and Safety Committee monitors the CMC's performance in providing a safe and healthy environment for its employees. In 2006–07 this committee:

- facilitated the election and training of additional workplace health and safety representatives
- continued to provide a forum for staff to raise workplace health and safety issues
- achieved excellent results in the 2007 biennial Compliance Audit
- conducted the biennial review of the workplace health and safety policies and procedures manual
- implemented a formal risk management system (HAZNET) and conducted initial assessments of all immediately evident hazards
- formally reviewed and adjusted the information contained in the evacuation procedures and the visitors brochure.

Operational committees

The following committees deal specifically with operational matters, so the details of their work cannot be published:

- Misconduct Operations Review Committee
- Misconduct Assessment Committee
- Crime Operational Review Committee
- Crime Intelligence and Research Review Committee
- Witness Protection Advisory Committee
- Misconduct Activities and Project Committee.

Internal audit

Internal Audit operates under a formal charter approved by the Commission and its activities are monitored by the Audit Committee. Its fundamental role is to conduct independent audits as a service to management, and to help management achieve sound managerial control. The Internal Auditor acts independently of, but works cooperatively with, the Audit Committee and has a standing invitation to attend committee meetings. The function also liaises

regularly with the Queensland Audit Office (QAO) to ensure that there is adequate audit coverage across the organisation.

The Internal Auditor:

- undertakes regular appraisals within the CMC to ensure the reliability of accounting and financial management information, the adequacy of the internal control structure, and the protection of assets and resources
- offers independent and confidential advice on action to improve organisational effectiveness, efficiency and economy
- checks actions taken by line management on recommendations reported and accepted by the Chairperson
- contributes to the integrity of the annual financial statements
- provides advice to management on governance, management and accounting issues.

In 2006–07 the Internal Auditor:

- completed the 2006–07 Audit Program
- conducted audits of the following procedures and processes:
 - management information, with emphasis on the use of financial information in management reports
 - payroll review
 - assets management at the offsite premises and the Witness Protection program
 - covert operations expenditure
 - staff travel claims
 - hospitality expenditures
 - spot cash checks
 - review of annual financial statements under section 78 of the Financial Management Standard
- attended the QAO client information briefing session and the briefing on the annual financial statements update
- met with QAO auditors for discussions on contemporary audit issues
- managed and participated in the workplace health and safety audit and the review of network security performed by external consultants.

External accountability structures

Although the CMC is an independent statutory body separate from the government of the day, it is accountable for its actions through a variety of mechanisms, the principal one being the Parliamentary Crime and Misconduct Committee (PCMC).

The PCMC

The PCMC is a seven-member, all-party committee of the Queensland Legislative Assembly established to:

- monitor and review the performance of the CMC
- review CMC reports, including the annual report and research reports
- request reports on matters that have come to the PCMC's attention through the media or by other means
- receive and consider complaints against the CMC and deal with issues concerning the CMC as they arise.

The appointment of the CMC Chairperson and Commissioners may occur only with the support of a bipartisan majority of the PCMC.

The Commission formally meets with the PCMC on a regular basis (usually every two months) to discuss current activities and performance. A report detailing the CMC's activities during the period is prepared for the PCMC in advance of these meetings. For membership of the PCMC during this reporting period, see the photograph on page 8.



PCMC members visited CMC work areas in November 2006.

Other mechanisms

Parliamentary Crime and Misconduct Commissioner

The Parliamentary Crime and Misconduct Commissioner (Parliamentary Commissioner) assists the PCMC in its role of monitoring and reviewing the CMC. The current Parliamentary Commissioner is Mr Alan MacSporran SC.

The Parliamentary Commissioner, at the PCMC's direction, investigates complaints against the CMC or its officers, and conducts audits and reviews of the CMC's activities. The Parliamentary Commissioner's powers include the ability to require CMC officers to give evidence at a hearing, and to require the production of records, files and other documents.

The PCMC may also direct the Parliamentary Commissioner to audit and review the CMC's activities. Each year the Parliamentary Commissioner carries out an audit of the CMC and reports on the audit to the CMC and the PCMC.

The minister

The Honourable Kerry Shine MP, Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland, is the CMC's minister.

The minister participates in the selection of the Chairperson, Commissioners and Assistant Commissioners, approves staff remuneration conditions, and approves the CMC's budget. Our legislation also requires the minister to ensure that the CMC operates in accordance with best-practice standards.

To assist the minister in this regard, the CMC reports on the efficiency, effectiveness, economy and timeliness of its operational processes every six months through a written report under section 260 of the Crime and Misconduct Act.

Crime Reference Committee

The Crime Reference Committee, established under section 274 of our Act, has responsibility for referring major crime to the CMC for investigation. It also has a coordinating role for investigations into major crime conducted by the CMC in cooperation with any law enforcement agency.

The committee is chaired by the Assistant Commissioner, Crime and consists of the Chairperson of the CMC, the Commissioner of Police, the Commissioner for Children and Young People and Child Guardian, and two community representatives.

Public Interest Monitor

The Public Interest Monitor monitors applications for, and the use of, surveillance warrants and covert search warrants under our Act and the *Police Powers and Responsibilities Act 2000* (PPRA). The Public Interest Monitor has the following functions for surveillance warrants and covert search warrants:

- monitor compliance by the CMC in relation to matters concerning applications for surveillance warrants and covert search warrants
- appear at any hearing of an application to a Supreme Court judge or magistrate for a surveillance warrant or covert search warrant, or to test the validity of the application
- gather statistical information about the use and effectiveness of surveillance warrants and covert search warrants
- whenever it is considered appropriate, give to the Commission and the PCMC a report on noncompliance, if any, by the CMC.

Supreme Court

Many of the CMC's coercive powers may be exercised only with the approval of a Supreme Court judge. These include:

- a search warrant (where structural damage may occur)
- a covert search warrant
- a surveillance warrant
- a notice requiring immediate attendance at a hearing
- monitoring and suspension orders on financial institutions
- an arrest warrant for non-attendance
- an additional powers warrant.

The CMC is also subject to review in the Supreme Court in the following cases:

- A person who believes that they are being investigated unfairly by the CMC may apply to the Supreme Court for relief.
- The Supreme Court may decide issues of privilege raised by a person under investigation either at first instance or by reviewing a decision made by a presiding officer at a CMC hearing.

There have been no successful applications against the CMC during the reporting period.

Controlled Operations Committee

The Controlled Operations Committee was established under the PPRA to consider and make recommendations about applications for 'controlled operations' to be undertaken by the QPS or the CMC. Controlled operations are investigations of serious indictable offences, misconduct or organised crime that involve police officers and others engaging in activities that may be unlawful.

The committee, chaired by a retired District Court judge (the independent member), comprises the Commissioner of Police (or nominee) and the Chairperson of the CMC.

In the case of any controlled operation by the CMC that involves the investigation of a police officer, the Chairperson may approve the application without referring it to the Committee, but must first contact the independent member and obtain their agreement to the proposed operation.

Legislative compliance structures

The Commission and operational areas of the CMC receive independent legal advice on varied topics, including administrative and criminal law, contracts, personal injuries litigation and statutory interpretation.

General Counsel

The role of General Counsel involves:

- providing independent legal advice to the Chairperson, Commissioners and senior officers in the administrative and operational areas of the CMC
- representing the CMC before courts and tribunals and presiding at in-house investigative hearings
- representing the CMC on various intergovernmental and interdepartmental committees and working groups, including groups examining new cross-border investigations legislation, whistleblower protection legislation, and the development of proposed Queensland legislation to allow telecommunications interception
- liaising with Queensland Government departments in respect of amendments required to the Crime and Misconduct Act and other legislation to ensure the continued effective operation of the CMC.

In 2006–07, General Counsel has been counsel assisting in private investigative hearings, consulting regularly with CMC operational teams on legal issues. A particular focus this year has been two major Misconduct operations, which are still active.

General Counsel also monitors and reviews new developments in the law to advise the CMC and its staff of any impact on its operations. The Commission has sought assistance from General Counsel with its work on the first stage of development of its corporate governance policy.



General Counsel Jan Speirs (right) and Commissioner Ann Gummow.

Legal Services Unit

The core tasks of the Legal Services Unit are to:

- represent the CMC in litigation before any court or tribunal and, in appropriate cases, instruct counsel (or external solicitors) to appear
- provide independent and objective legal advice to the CMC and its officers
- determine applications for access to documents under the *Freedom of Information Act 1992* (FOI Act)
- handle matters concerning the 'privacy' regime.

Freedom of information

The CMC is subject to the FOI Act, which means that members of the public are entitled to apply for access to our documents under that Act (see Table 14).

However, the *Freedom of Information and Other Legislation Amendment Act 2005* introduced a new exemption provision that limits access. Section 42(3A) exempts information obtained, used or prepared for an investigation by the CMC or another agency where the investigation is in performance of the CMC's Crime and Misconduct functions. It also applies to such information obtained, used or prepared by its predecessors, the CJC and the Queensland Crime Commission, in the performance of the equivalent functions.

The exemption does not apply if a person seeks information about themselves and the investigation has been finalised.

The exemption provision is considered necessary to ensure that the CMC can protect from disclosure information it receives from public sector employees who voluntarily assist it in the course of an investigation. This ensures that the CMC remains effective and that confidence in it is maintained so that such employees continue to cooperate with its investigations, rather than obliging the CMC to invoke its coercive powers in every investigation.

Table 14. FOI applications and reviews 2006–07

On hand at 1 July 2006	3
Applications for access	
Personal applications received	39
Non-personal applications received	16
Applications for amendment	
Total applications	59
Access	
Full access granted (personal)	24
Full access granted (non-personal)	6
Partial access granted (personal)	7
Partial access granted (non-personal)	6
Access refused (all matter exempt)	2
No documents located	6
Withdrawn/lapsed (fee not paid)	3
Earlier application for same documents	1
Amendment	
Application to amend (refused)	1
Outstanding at 30 June 2007	3
Reviews	
Internal	8
External (to Information Commissioner)	5
Total reviews	13

Most applications are requests by misconduct complainants for access to documents concerning their own complaint. Although the number of applications received was considerably more than last year (an increase of 27 per cent), the number received was generally consistent with the previous few years.

Privacy

Since 2001, when the Queensland Cabinet approved Information Standard 42 (IS42), agencies have been required to review the way they handle personal information to ensure that they comply with the requirements of the 11 Information Privacy Principles (IPPs) contained in IS42.

The CMC is exempt from IPPs 2, 3, 9, 10 and 11 for all functions except administrative ones. Personal information about a witness who is included in a witness protection program under the *Witness Protection Act 2000* and personal information about a person arising out of an investigation of misconduct or official misconduct under our Act is also exempt. As a result, most of the CMC's core activities are excluded from the privacy scheme.

In accordance with the requirements of IS42, the CMC has nominated a privacy contact officer, developed a privacy plan to give effect to the IPPs, and published the plan on the website. There were no complaints of breaches of privacy in the reporting period.

Charter of Service

The CMC's Charter of Service sets out the standards that we undertake to meet when dealing with complaints about misconduct in the Queensland public sector. The charter also explains the service the complainant can expect from us, and their recourse if this service is not received. The Charter of Service reflects the evolving role of the CMC and agencies in the management of complaints. It is published in print form and on our website. It is also reproduced on the inside back cover of this report.

Financial and performance management systems and structures

The CMC operates in an accrual-output-based financial management framework where all senior managers are responsible and accountable for the achievement of corporate goals and objectives within approved budget allocations. The Finance Committee assists the Commission in its role of managing the budget process and ensuring

that there are appropriate and effective financial management practices.

The organisation reports through:

- the annual Ministerial Portfolio Statement
- financial statements for inclusion in the annual report (as attached)
- an internal budget reporting regime
- six-monthly reports under section 260 of our Act.

We report on operational performance through narrative reports and statistical information. Narrative reports on the success of investigations and projects are provided through the annual report, CMC publications and our website. Statistical information about our activities can be found in the annual report.

Operational performance targets are reported to the minister and the Queensland Treasury through the CMC's annual Ministerial Portfolio Statement (part of the State Budget Papers). These include a range of measures relating to aspects of quantity, quality, timeliness and cost. Quarterly performance reports are also provided to Queensland Treasury.



Finance Manager Stephen Firth and Acting Administration Manager Bill Parada.

Our people and resources

This section of the chapter reports on issues relating to our staff and working environment, including the work of the Commissioners for Police Service Reviews, support areas such as communications and information management, and infrastructure developments.

Human resources

The CMC is dedicated to providing the best working environment it can for its diverse staff of lawyers, police, accountants, investigators, intelligence analysts, social scientists, computing specialists, support officers and administrators. It also recognises that a good working environment directly contributes to a more stable and productive workforce.

We offer state public service working conditions, including enterprise bargaining, and we adhere to government policies on equal employment opportunity and workplace health and safety. In addition, we provide an employee support program, a training service, staff achievement awards, avenues for regular internal communication, and a mechanism for staff to have their concerns heard by senior management.

During 2006–07 the number of established positions at the CMC grew to 316 (see Tables 15 and 16). This was an increase of 5.6 per cent over the previous 12 months, created from additional positions in Complaints Services, Corporate Governance, Information Technology, Proceeds of Crime, Forensic Computing and Research and Prevention.

The number of actual staff in June 2007 was 266.2. This variance between established positions and actual staff on hand was influenced by a large number of vacancies. Many of these were in Proceeds of Crime, Research and Prevention, and Misconduct, all of which had a reasonably high turnover for the year.

Organisational climate

The second CMC Organisational Climate Survey was conducted in June 2007. The survey instrument was designed by Professor Victor Callan from the University of Queensland after consultation with employee focus groups. A total of 228 completed surveys were received, representing about 80 per cent of available staff. Once the survey results have been analysed, a comparison with the results from the 2004 survey will be made across 20 measures of effectiveness.

Organisational restructures

From time to time it is necessary to review how an organisation, or part of an organisation, is performing and assess whether its organisational structure is best suited to meeting the needs of its clients.

During 2006–07 we reviewed the structure of our Research and Prevention section. The revised structure was effective from 1 July 2007.

Work, Family and Life Balance Program

This year the CMC continued to implement its Work, Family and Life Balance Program, which incorporates flexible working hours, leave provisions and employment arrangements, and contributes to a workplace culture that supports employees in balancing their work and family and other responsibilities. As part of this, we will undertake a comprehensive review of our current working hours arrangements in the first half of 2007–08.

Substantial information is now available on the impact of work, family and life balance programs in the public and private sectors. The benefits of such programs include improved retention rates, higher productivity, strengthened loyalty and morale, improved job satisfaction, and a competitive edge in recruiting skilled staff.

The chief challenge associated with implementing such a program is accommodating it with operational demands. Therefore, a series of workshops will be arranged for supervisors and managers to outline the 'business case' for more flexible working arrangements and ways to manage a flexible workforce. Managers will be encouraged to employ strategies such as effective use of salary budgets, relieving arrangements and changed workflows to balance the changes brought about by increased flexibility.

Table 15. Staff establishment as at 30 June 2007

	Approved establishment	Actual staff (including temporary)
Executive	19	21.8
Crime	49	40.8
Misconduct	91	77.3
Witness Protection and Operations Support	56	43
Research and Prevention	30	18.3
Intelligence	21	18.2
Corporate Services	50	46.8
Total	316	266.2

Table 16. Number of established positions within each discipline as at 30 June 2007

Discipline	Number
Police officers	84
Administrative officers	56
Operational support officers	25
Legal officers	19
Intelligence analysts	21
Financial investigators	22
Registry officers	16
Computer system officers	13
Investigators (civilian)	10
Research officers	16
Strategic management	11
Prevention officers	7
Complaints officers (incl. one Indigenous Complaints Officer)	11
Librarian	2
Technical officers	1
Indigenous liaison officers	2
Total	316

Workforce management planning

We are developing a new Workforce Management Plan covering the period 2007–09 that will continue to focus on attracting and retaining highly skilled staff, and enhancing leadership and management competency throughout the organisation. This new plan will build on the strategies contained in the previous plan and incorporate strategies to address issues arising from the second organisational climate survey of the CMC.

Employee relations

Award employment

On 4 August 2006, the Queensland Industrial Relations Commission approved the Crime and Misconduct Commission Employees Award – State 2006, which provides coverage for staff employed at levels up to A05 and equivalent.

Enterprise bargaining

On 5 February 2007, the Queensland Industrial Relations Commission approved the Crime and Misconduct Commission Certified Agreement 2006, which provides for wage increases for award employees over the next three years.

Staff accountability

Our Act requires the Chairperson to report to the PCMC any conduct of a CMC officer that the Chairperson suspects involves or may involve improper conduct (section 329). The Act also provides for a wider definition of CMC officers, by including former officers, and specifically allows the PCMC to request reports in respect of these matters.

Taking into account the definition in section 329, we have reviewed our staff protocol for dealing with complaints against CMC officers. The revised protocol is currently with the PCMC for consideration.

Staff training

Leadership and Management Development Program. This six-month program, which was attended by 44 senior officers, including the Chairperson and senior leaders, was completed in November 2006. A review of the program will be conducted in the first half of 2007–08.

Management Essentials Program. This program was selected as a strategy for increasing management competency at middle levels of management. It was aimed at staff from the A05/PO3 levels to the A08/PO6 levels, and involved completion of a number of competency-based workshops leading to a Diploma of Government (Management). The program, which began in May 2006, was completed in March 2007.



Jeffrey Farrah, Hilary Fisher and Deborah Blythe attended a two-day project management course.

Other accredited training. The CMC's Certified Agreement 2006 continues to provide an opportunity for staff at the AO2, AO3 and AO4 levels to study towards an accredited qualification at the Certificate IV (AO2), Diploma (AO3) or Advanced Diploma (AO4) level at no cost to the employee.

During 2006–07, a number of staff at these levels completed a series of competency-based workshops during normal working hours on CMC premises. The program, which began in May 2006 and was completed in March 2007, provided participants with an opportunity to attain a Certificate IV in Government.

Table 17 lists a range of courses held in-house during 2006–07.

Table 17. HR courses held in-house 2006–07

Course name	No. of participants
Workplace Conflict Management	10
Senior First Aid	16
Microsoft Outlook	7
Certificate IV in Government	21
Diploma of Government (Management)	42
Newstext: Finding Newspaper Articles Retrospectively	15
Media Training	11
Legal Advices and Precedents Database	7
Clear and Meaningful Communication	57
Balanced Approach to Work and Life	8
Application Writing and Interview Skills	37
Anti-Discrimination Training	8
Time Management Essentials	22
Project Management	10
Project Management (Advanced)	13
People Skills for Supervisors	16
Leadership and Management Development	44
Introduction to Records Management	14
Indigenous Cultural Awareness	9

Internship program

We continued our arrangement with the Queensland University of Technology to assist final-year law students with one of their final units of study. The internship program requires students to work at the CMC for one day a week for 12 weeks. Two students participated in this program during first semester 2007. Both students were allocated to the Legal Services Unit.

EEO program

The Equal Employment Opportunity (EEO) program, including measures to eliminate sexual harassment and workplace harassment, will have a continuing impact on retention rates of EEO target group members, particularly women, who comprise half of the CMC workforce. It is anticipated that our Work, Family and Life Balance Program will increase return rates of women from parental leave and generally increase retention rates of employees with family responsibilities.

The continuing use of exit interviews highlights any systemic issues that require attention from a staff retention perspective.

Appendix D presents EEO statistics for CMC staff for 2006–07.

Workplace health and safety program

Over the last five years we have significantly developed our Workplace Health and Safety Management Program. This program incorporates comprehensive policies and procedures, the implementation of annual action plans, and the facilitation of regular performance assessment measures.



Workplace health and safety representatives, Executive Assistant Stephanie Rogan and Security Supervisor Peter Delaney.

Our role with the Commissioners for Police Service Reviews

Commissioners for Police Service Reviews arbitrate on any grievances police officers may have about promotions, transfers or disciplinary action. The Commissioners are independent of the CMC and the Queensland Police Service but are nominated by the CMC Chairperson under the *Police Service Administration Act 1990*.

To be eligible for appointment, a Review Commissioner must be:

- a CMC Commissioner, past or present
- a Commissioner of the former CJC
- a person qualified for appointment as Chairperson of the CMC, or
- a person who has demonstrated an interest and ability in community affairs.

Through the Office of the Commissioner for Police Service Reviews, the CMC coordinates review hearings and provides administrative and secretarial support to the Commissioners.

During the reporting period, the Review Commissioners were former CMC Commissioners Ms Kathryn Biggs and Ms Dina Browne and practising solicitor Mr Pat Mullins. Ms Julie Cork, a current CMC Commissioner, continues to liaise between the Commissioners for Police Service Reviews and the CMC.

In addition to their primary role to arbitrate on grievances, Review Commissioners also monitor the progress of any changes to the Queensland Police Service merit-based policy. Monitoring occurs as issues are identified during reviews and addressed through recommendations. Further monitoring occurs when the CMC's Police Service Reviews Unit liaises with the QPS Central Convenors Unit and the QPS Human Resource Management Branch on matters as they arise.

The transparency and independence of the review process are enhanced by the standing invitation to the Queensland Police Union of Employees to attend promotion, transfer and disciplinary review hearings as observers. During the reporting period the Police Commissioner has supported all recommendations made by Review Commissioners.

Through representation at the annual national Public Sector Appeals Conference, the Office of the Commissioner for Police Service Reviews stays informed of best practice and emerging trends in other jurisdictions.



Secretary, Police Service Reviews, Karyn Worth (left) with Review Commissioners Dina Browne and Pat Mullins.

Table 18. Types of applications lodged, 2005–06 and 2006–07

Type	2005–06	2006–07
Promotion	94	49
Transfer	7	12
Lateral transfer	3	1
Stand-down	1	1
Suspension	-	2
Disciplinary	-	-
Dismissal	-	-
Total	105	65

Table 19. Status of applications lodged, 2005–06 and 2006–07

Status	2005–06	2006–07
Matters lodged	105	65
Matters withdrawn before hearing	73	35
Matters out of jurisdiction	1	-
Matters awaiting hearing at 30 June	14	8
Matters heard	32	22

Table 20. Results of matters heard by Review Commissioners, 2006–07

Type	Affirmed	Varied	Set aside	Total
Promotion	16	-	2	18
Transfer	3	-	1	4
Lateral transfer	-	-	-	-
Stand down	-	-	-	-
Total	19	-	3	22

Departures and appointments

In this reporting period, several significant departures and appointments occurred.

Departures

November 2006: Mark Hummerston (Executive Director) had been with the organisation since September 2005.

November 2006: Assistant Commissioner Ron Vincent (Director, Witness Protection and Operations Support) was one of the hand-picked police investigators on the Fitzgerald Inquiry and had worked with the organisation for extended periods since 1990.

January 2007: Theresa Hamilton (General Counsel) had been with the organisation since April 1990.

Appointments

August 2006: Ann Gummow (part-time Commissioner)

December 2006: Jan Speirs (General Counsel)

February 2007: Assistant Commissioner Felix Grayson (Director, Witness Protection and Operations Support)

May 2007: Chief Superintendent Len Potts (Director, Operations, Crime).

Staff awards

The following staff were recognised for 10 years of service: Karel Weimar, Rosemarie Holder, Monica Chaplain, Mick McMullen, Jodie Boland and Frank Van Den Elsen.

In April 2007 we gave awards to employees who had performed outstanding work during the year. They were:

- the members of the Forensic Computing Unit for their professionalism and dedication, and for the quality of support they provide to the delivery of an efficient and effective service to operations
- the members of the Operation Grand team for their achievements in investigating the conduct of certain candidates in local authority elections
- Bob Dowling and Lorelle Noble for their commitment and dedication in ensuring the success of three significant developmental programs during 2006–07
- Suzanne Sweeper for her commitment and hard work in managing the acquisition and roll-out of digital hand-held records to replace analogue tape recorders and other related dictation equipment.

Communications

The CMC places great importance on ensuring that our biggest stakeholder, the Queensland public, is kept informed about the organisation. Our other three main stakeholders are parliament, public sector agencies, including the QPS, and CMC staff.

We release information through research, intelligence and investigative reports, crime bulletins, brochures, media releases and interviews. All printed material can be accessed on the CMC's website.

Due to the nature of the CMC's work, the organisation attracts significant interest from both the public and the media. During the reporting period we received 937 media queries on varied topics such as:

- the jailing of former minister Merri Rose for extortion
- the charging of former minister Gordon Nuttall and Queensland businessman Ken Talbot relating to secret commissions
- public inquiry into policing in remote Indigenous communities
- escort services report
- trends in the Queensland amphetamine market
- closure of two major crime operations involving drug trafficking
- prosecutions arising from the public inquiry into the Gold Coast City Council investigation
- the marking of the Fitzgerald Inquiry's 20th anniversary.

We gave 64 media interviews and held four media conferences.



Award for efficient and effective service support to operations. Director, Witness Protection and Operations Support, Felix Grayson with members of the Forensic Computing Unit: (left to right) Senior Sergeant Tony Clowes, Sergeant Jason Wright and Sergeant Mark Camilleri.



CMC marks the 20th anniversary of the start of the Fitzgerald Inquiry. Records Manager Janet Legg, holding an exhibit from the Inquiry, and Media Adviser Leanne Hardyman.

We also receive requests from stakeholder and community groups for CMC officers to speak about the organisation. In 2006–07 our public presentations included addresses to schools on internet safety, to Rotary clubs on the CMC's role and functions, and to university students on crime investigations. See Appendix B for a list of significant external presentations.

Each year the CMC takes part in events or activities that help raise awareness of the organisation among members of the public and other stakeholders. This financial year we participated in NAIDOC Week and Child Protection Week.

In 2006–07 the key publications produced included:

- a survey on public attitudes to the Queensland Police Service
- an investigative report into an alleged police assault of an Aurukun resident
- a report following up on recommendations contained in our 2004 publication *Protecting children*
- a profile of the Queensland amphetamine market.

See Appendix F for a list of all of our publications.

In addition, we initiated an organisational plain language strategy, Clear and Meaningful Communication at the CMC, to assist staff to communicate more effectively.

Information management

The CMC's operational work relies heavily on an effective information management infrastructure to support investigations, analysis and decision-making. Major initiatives taken during 2006–07 include the following.

- A range of network infrastructure upgrades were completed, including an upgrade of data storage facilities and communication links, and a replacement of network servers and switch equipment.
- The first practical implementation of the digital migration project was completed with the successful replacement of hand-held analogue audio recorders with digital technology. The conversion from analogue to digital capture equipment in interview rooms and hearing rooms will continue over the next two years with corresponding upgrades to the network storage infrastructure.
- Despite significant resources being devoted to the project to implement an electronic document and records management system, it was agreed to suspend the project in February 2007 following ongoing problems with the core software.



The hand-held digital recorder and accessories.

Consultancies

The CMC contracted the services of 10 external consultants at a total of \$136 420 (compared with eight consultants at a total cost of \$111 424 last year). See Appendix G for further details.



Infrastructure development — relocation to Green Square

Relocation of the CMC to Green Square, Fortitude Valley in 2008 will not only provide a larger and more functional work environment but also vastly improve our organisational capabilities.

It has been apparent for several years that the CMC's future operational requirements could not be met in its current accommodation at Terrica Place in the Brisbane CBD.

Green Square was selected as the most viable long-term alternative after numerous options were considered in consultation with the Queensland Government Accommodation Office. In early 2007 a Relocation Project Team was set up to plan, manage and coordinate the CMC's move to Green Square's North Tower.

Green Square is a corporate office park currently under construction by Leighton Properties. The CMC has been working closely with Leighton Contractors, Cox Rayner Architects and the Department of Public Works to design a practical and secure working environment for the organisation.

Green Square Project Team. Looking over the plans to Green Square are (left to right) Senior Project Officer Graeme Catling; Project Support Officer Sally Doyle; Project Officer (Change Management) Suzanne Sweeper; and Project Officer Matthew Chiswell. (Absent from photo) Project Manager Don Jeppersen.

As the building is still under construction, the CMC has a unique opportunity to create a tailor-made and highly functional work environment while also achieving considerable financial savings. In addition, Green Square conforms to environmentally sustainable design principles and will deliver environmental initiatives consistent with a 5 Green Star rating and 4.5 Star Australian Building Greenhouse Rating, a relatively new concept implemented by the construction industry and endorsed by government.

During the course of the project, the CMC is expected to move from its current analogue systems to digital technology for both investigative and corporate applications. Developing the specifications for the associated security infrastructure, digitisation and specialist operational infrastructure will constitute a significant aspect of the relocation project.

The relocation project will continue throughout 2007–08, aiming to relocate the CMC in September–October 2008.