



Protecting witnesses

The CMC is committed to providing an effective witness protection service.

We have maintained a 100 per cent success rate in keeping witnesses safe.

‘We pride ourselves on delivering a timely, professional and effective witness protection service’

Felix Grayson
Director, Witness Protection and Operations Support



The CMC has primary responsibility for the protection of witnesses for the state of Queensland through its Witness Protection Unit, which is staffed largely by sworn QPS officers attached to the CMC.

These officers provide witnesses in the program with the necessary protection and security to ensure their safety, including during court appearances. They have responsibility for changes of identity to, and relocation of, protected witnesses.

As well, the CMC ensures that protected witnesses receive any necessary professional assistance and guidance. This enables people who enter the witness protection program with drug or alcohol addictions or other mental or physical afflictions to address these issues. Numerous witnesses have been rehabilitated as a direct result of being included in our program.

Our plan in 2006–07

Through the Strategic Plan 2006–10, we adopted the following strategies to protect witnesses:

- Provide quality, timely, cost-effective support to protected witnesses.
- Develop methodologies for providing effective witness protection.
- Proactively develop working relationships with client law enforcement agencies.

In fulfilling these responsibilities during 2006–07, we focused particularly on:

- developing effective witness protection methods
- providing high-quality training
- liaising with other Australasian agencies that provide witness protection
- carrying out research in collaboration with the CMC's Research and Prevention unit.

Table 10 outlines our overall performance in 2006–07 against the outlook in last year's annual report.

Overall performance 2006–07

Indicator	Performance
Applications received and assessed	130
Number of admissions to program	78
Percentage of eligible people offered interim protection within two days	81
Number of witnesses provided with court security	39
Percentage of protected witnesses who met court commitments	100
Cost for 'protecting witnesses' output	\$4.285m

Overview of witness protection

The CMC continued to maintain its 100 per cent success rate in protecting witnesses this year. It protected 106 people in 44 operations, including 28 who were already receiving protection at the start of the year – none came to any harm. At the end of the reporting period, 41 people were receiving protection (see Tables 11 and 12).

During the year, 74 threat assessments were conducted and 39 witnesses were protected while giving evidence in court.

Examples of court matters involving protected witnesses

- In proceedings against two defendants, close personal protection was afforded for two witnesses. The defendants pleaded guilty to charges including robbery and assault, and both received substantial terms of imprisonment.
- A CMC-protected witness gave evidence in relation to charges of rape and related offences. The accused was sentenced to several years' imprisonment.
- Three CMC-protected witnesses gave evidence at a committal hearing for a matter that saw a defendant charged with a number of rape offences and committed for trial.
- Close personal protection was provided for a witness who gave evidence against a number of defendants in relation to charges of trafficking in dangerous drugs. While one is still awaiting trial, other defendants were sentenced to more than 10 years' imprisonment.
- In another matter, two CMC-protected witnesses gave evidence in a trial against one accused who was sentenced to a lengthy term of imprisonment for drug trafficking and related offences.

Table 10. Performance 2006–07 against outlook in last year’s annual report

Last year we said we would:	In 2006–07 we:
Continue to develop new and better ways of protecting witnesses, both generally and in specific cases.	<ul style="list-style-type: none"> • Saw changes enacted to the Witness Protection Regulations 2001 to incorporate approved authorities for witness protection including Western Australia’s Crime and Corruption Commission and Victoria’s Office of Police Integrity. • Researched national and international best practice in the provision of video evidence by protected witnesses.
Continue to deliver education and awareness/marketing sessions to client agencies throughout Queensland to promote awareness of the Witness Protection Unit and the services it provides.	<p>Conducted training, information and marketing sessions for:</p> <ul style="list-style-type: none"> • QPS prosecutors • QPS detectives in training courses • criminal investigators • regional police commands.
Offer interim witness protection to 95 per cent of eligible people within two days, assess 150 applications for witness protection, and admit an estimated 70 people to the witness protection program.	<ul style="list-style-type: none"> • Protection offered to 81 per cent of eligible people within two days. • Assessed 130 applications. • Admitted 78 people to the program.
Continue to pursue the recognition of the <i>Witness Protection Act 2000</i> with other states and to develop memoranda of understanding and working relationships with state and federal departments to assist in the application of the Act.	<ul style="list-style-type: none"> • Began developing memoranda of understanding with other Australian witness protection agencies. • Negotiated with state government departments and agencies to develop memoranda of understanding for mutual arrangements and benefits.
Liaise with other Australasian agencies undertaking witness protection activities to share information on methodologies, trends, technological and legislative developments, and other issues likely to affect the strategic management of witness protection in Queensland.	<ul style="list-style-type: none"> • Attended a National Witness Protection Training Group meeting in Canberra, to further review and develop national competencies of witness protection officers. • Liaised with interstate and federal counterparts on matters relating to training identification processes, technology and equipment, and court security issues.

Developing witness protection methods

Through their involvement in the Australasian Heads of Witness Protection Forum, our Witness Protection staff keep abreast of developing trends in protection nationally and internationally, with issues and methodologies examined within the forum meetings. Improvements in operational methodologies and techniques are also achieved through constant monitoring of changing criminal methodologies and practices.

Providing specialist training

The CMC leads witness protection training in Australasia. Our nationally accredited Witness Protection course is registered as an Advanced Diploma in Public Safety (Police – Witness Protection) through Queensland’s Department of Education, Training and the Arts, and was the first police course awarded such a standing.

The course includes practical and theoretical training in various skills and techniques needed for the effective protection of witnesses. Elements include:

- legislation
- policy and procedures
- operations and court security management
- firearms operation and tactics
- advanced driving
- physical fitness.

The CMC course continues to evolve. Changes to assessment criteria for course competencies proposed by CMC staff at the recent Australasian Heads of Witness Protection Forum were universally accepted. These changes will further expand the skills sets of personnel attaining the qualification. CMC staff can also attain the qualification through formal processes involving ‘recognition of prior learning’ or ‘recognition of current

competencies'. Staff also constantly upgrade their skills through regular in-house training in firearms, driving skills and operational skills and tactics.

In 2006–07 we worked with client law enforcement agencies throughout Queensland to promote awareness of our witness protection capability and the services we offer. For example, we provided training and education sessions to police officers throughout the state, including delivering regular lectures to trainee police prosecutors and investigators, and providing sessions to regional police at investigators' and crime conferences.

Liaison with other agencies

The CMC maintains close relationships not only with interstate and international counterparts in witness protection but also with other agencies involved in providing protection. In 2006–07, CMC staff fostered relationships through participation in the Australasian Heads of Witness Protection Forum held in Canberra, as well as taking part in the national Witness Protection Training Group that met during the year to continue developing the National Witness Protection Course and the qualification.

Research

During the reporting year the CMC completed a research report into best practice in risk assessment processes and the re-identification of protected witnesses. It analysed responses from Australasian and international jurisdictions, and researched legislation to determine a framework for assessing risk of witness re-identification in appropriate instances.

Table 11. Witness protection statistics, 2005–06 and 2006–07

	2005–06	2006–07
People protected	136	106
Operations	70	44
Protection at court	38	39
Referrals	91	130
Threat assessments	61	74
Acceptances	47	78
Arrangements concluded	69	62
No. on program as at 30 June	28	41

Table 12. Current applicants, current operations and new referrals, between 1987–88 and 2006–07

	Current applicants*	Current operations	New referrals
1987–88	96	32	111
1988–89	116	42	29
1989–90	150	56	53
1990–91	176	66	62
1991–92	228	87	97
1992–93	201	76	86
1993–94	192	74	123
1994–95	206	83	155
1995–96	198	80	138
1996–97	174	70	128
1997–98	112	53	102
1998–99	114	58	136
1999–2000	153	72	165
2000–01	153	73	195
2001–02	129	63	199
2002–03	141	68	190
2003–04	121	55	143
2004–05	115	61	156
2005–06	136	70	91
2006–07	106	44	130

*A person may apply for protection more than once.



Our witness protection program can organise changes of identity, where necessary, to ensure witness safety.

Outlook 2007–08

In 2007–08 we will:

- Continue to develop new and better ways of protecting witnesses, both generally and in specific cases.
- Continue to deliver education and awareness/marketing sessions to client agencies throughout Queensland to promote our witness protection services.
- Offer interim witness protection to 95 per cent of eligible people within two days, assess 120 applications for witness protection, and admit 55 people to the witness protection program.
- Liaise with other Australasian agencies undertaking witness protection activities to share information on methodologies, trends, technological and legislative developments, and other issues likely to impact on the strategic management of witness protection in Queensland.



Operations Support

Operations Support provides the CMC's specialist operational and investigative services through the use of physical surveillance, technical surveillance and forensic computing resources.

The area contributes to all three of the CMC's major areas of activity: 'Combating major crime', 'Reducing misconduct and improving public sector integrity', and 'Protecting witnesses'.

Operations Support comprises three units:

- The **Physical Surveillance Unit** obtains evidence and intelligence on people who are suspected of involvement in CMC-related investigations and are the subject of an approved surveillance operation.
- The **Technical Surveillance Unit** deploys electronic surveillance technologies and methodologies in operations, resulting in enhanced intelligence and evidence product.
- The **Forensic Computing Unit** establishes and maintains effective operating procedures, resources and equipment for delivery of digital intelligence and evidence to investigative areas within the CMC. Its major functions include:
 - searching, seizing and preserving digital evidence, using specialist forensic software products
 - advising management and investigators on methods for handling digital evidence
 - identifying opportunities for digital evidence and/or intelligence to support investigations.

Overview of performance

Among other undertakings, Operations Support contributed significantly to the closure of two major drug-trafficking operations. Various electronic surveillance technologies and

Members of Operations Support. (Left to right) Detective Superintendent Paul Doyle; Inspector Geoff Harold; Executive Assistant Katrina Callanan; and Assistant Commissioner Felix Grayson, Director, Witness Protection and Operations Support.

methodologies were deployed to obtain key audio and video evidence that depicted the activities of a number of suspects involved in drug trafficking and supply. Significant evidence was also obtained through physical surveillance of the primary suspects. After the closure of the operations, support was provided through forensic computing resources.

Forensic computing resources also contributed significantly to a comprehensive Misconduct investigation into the dealings of a former government minister, and protracted investigations into allegations of corruption against sworn members of the QPS. Physical surveillance staff also assisted in a number of Misconduct operations involving allegations of corruption and official misconduct.

Training

Technical surveillance staff undertook a range of training courses through the year, increasing capability in improved operational effectiveness. The knowledge and skills provided to officers via these courses has equipped them to install, service and maintain operational equipment and major infrastructure and system components.

All forensic computing examiners received training in computer operating systems and new forensic software. They also gave a number of presentations, including a lecture on forensic computing awareness to members of Legal Aid Queensland.

The Physical Surveillance Unit hosted a physical surveillance course conducted by qualified and experienced staff members. The new members now form part of the operational teams that respond to requests from Crime and Misconduct investigators for evidence and intelligence gathering.