

# Prevent and combat crime

## Our performance in 2007–08

We report on our performance in preventing and combating crime in 2007–08 against our *Strategic Plan 2007–11*, available at <[www.cmc.qld.gov.au](http://www.cmc.qld.gov.au)>, and the targets or estimates identified in the *Ministerial Portfolio Statement 2007–08*, available at <[www.treasury.qld.gov.au](http://www.treasury.qld.gov.au)>.

This chapter sets out our priorities and challenges, our key achievements and our results against performance indicators. It also details our work in crime, intelligence, research and prevention, and emerging technology, and concludes with our outlook for 2008–09.

### Priorities and challenges

As described in our *Strategic Plan 2007–11*, in 2007–08 we placed specific emphasis on the following.

#### Fighting paedophilia

Our ongoing challenge in fighting paedophilia is to ensure that we use our resources in a way that does not simply duplicate the overall law enforcement effort in this field. We are constantly looking for ways in which we can uniquely add value to that effort.

The Cerberus (formerly Egret) team adopted new strategies to identify and investigate networked and serial paedophilia, including combining resources with other law enforcement agencies where appropriate. For more detail, see page 18.

#### Confiscating proceeds of crime

We recruited additional specialised staff to help meet the current and future demand for these services and expanded educational programs to police. Our challenges included finding adequate resourcing in an expanding field, and meeting the ever-increasing demand for proceeds of crime recovery. For more detail, see page 20.

#### Monitoring trends in organised crime

The priority we placed on monitoring trends in organised crime was reflected in our intelligence products. A major challenge is securing the resources to move beyond identifying and forecasting crime markets which will impact upon Queensland, to identifying the main players (Queensland and national) within those markets, how product will be transported to Queensland, and strategies to combat and disrupt the supply of product before it becomes a major issue in this state. For more detail, see page 21.

### Key achievements

- All 26 organised crime and criminal paedophilia tactical investigations completed in the past year resulted in arrests and charges. Organised crime charges included trafficking in, producing and supplying dangerous drugs as well as money laundering and weapons offences. Paedophilia charges included indecent treatment of children, possession and distribution of child exploitation material, using the internet to procure children for sexual acts, and using the internet to expose children to indecent matter.
- Criminal groups engaged in large-scale drug production and trafficking were targeted by joint investigations with South Australia Police. Two complex organised criminal networks were dismantled with 21 individuals being charged with 47 offences in Queensland and South Australia, including seven charges of trafficking in dangerous drugs.
- The criminal activities of two outlaw motorcycle gangs in south-east Queensland were significantly disrupted through the effective use of CMC investigative hearings in conjunction with investigations undertaken by Task Force Hydra of the QPS.
- We conducted investigative hearings over a record 151 days in Brisbane, Cairns, Townsville and Toowoomba. More than 160 witnesses were called to give evidence in relation to a record 24 major crime investigations including unsolved murders, rape, fraud, drug trafficking, dealing in stolen goods, extortion, arson, child-sex offending, weapons-related activities and associated money laundering.
- We expanded our proceeds of crime activity with assets to the estimated value of \$18.56 million restrained and assets of a total value of \$4.68 million forfeited to the state.

## Results against performance indicators

The data provided in Table 1 enable our performance for 2007–08 to be reviewed in the context of our major targets and estimates for this year, our results over the previous four years, and our expected performance for 2008–09. Data for other relevant performance measures is provided in Table 2 on page 17.

**Table 1. Performance against strategic plan and MPS indicators 2003–04 to 2007–08, and estimated 2008–09**

Performance indicators <sup>a</sup>	2003–04	2004–05	2005–06	2006–07	2007–08		2008–09 (estimate)
					(target or estimate)	(actual)	
Total crime operations commenced	24	23	23	25	20	35	20
Joint agency investigations commenced	24	21	10	12	10	26	15
QPS requests for investigation assistance responded to within 28 days	100%	100%	100%	100%	95%	100%	95%
Stakeholder satisfaction with the effectiveness of joint agency arrangements	100%	100%	100%	100%	95%	100%	95%
Percentage of finalised investigations resulting in charges, restraints or forfeitures	95	95	94	94	95	100	95
Percentage of matters assessed for confiscation potential within 48 hours	81	100	73	82	80	77	80
Proceeds of crime restraining orders issued	33	37	28	50	45	78	60
Estimated net value of assets subject to criminal proceeds confiscation action (\$'000)	10547	8088	10879	11743	10000	18561	12000
Estimated net value of assets forfeited (\$'000)	768	1622	2000	4245	4000	4675	4000
Proceeds of crime matters finalised	2	15	25	26	20	27	20
Intelligence projects finalised	16	13	10	10	10	10	10
Intelligence reports disseminated	391	398	316	376	350	323	300
Percentage of stakeholders satisfied with intelligence reports <sup>b</sup>	95	100	90	100	90	n/a	90
Research and prevention projects finalised	5	6	5	5	6	5	5
Percentage of reviewed research and intelligence publications which meet defined quality standards (external expert reviews) <sup>a</sup>	100	100	100	100	100	100	100
Expenses to achieve strategic goal 'To prevent and combat crime'	\$9.9m	\$10.4m	\$11.5m	\$11.3m	\$12.8m	\$12.2m	\$13.6m

a Where a strategic plan indicator is expressed in general terms, the equivalent MPS indicator (as more specific and measurable) is used instead.

b Reworded in 2005–06 to 'Percentage of stakeholders satisfied with intelligence services (stakeholder survey)'.

## Major crime: key activity areas

The intense level of activity throughout 2007–08 is reflected in Tables 1 and 2 and Figure 3. For example, comparing performance over five years reveals record levels of achievements across many indicators including the number of crime operations, the number of hearing days, and the number and value of proceeds of crime restraining orders issued.

Overall, we commenced 35 tactical operations during 2007–08, considerably more than our estimated target of 20. This followed a higher than estimated number of investigations referred by the Crime Reference Committee and operations approved under broad referrals by the Crime Intelligence and Research Review Committee. In all, 114 persons were charged with 561 offences, resulting from investigations commencing either in 2007–08 or in previous years.

### Organised crime

We seek to disrupt and dismantle organised crime networks and prevent crime through interrupting the flow or continuity of the criminal behaviour and/or enterprises, convicting key individuals, and/or financially incapacitating the networks by confiscating crime-related assets.

Our investigative priorities are based on risk assessment of the threat posed by criminal markets to the people of Queensland. This requires ongoing evaluation of these markets and the rating of networks and individuals operating within them.

The CMC has two multidisciplinary teams, the Gatekeeper and Silhouette teams, to undertake its organised crime investigations, which are frequently conducted jointly with the QPS and other law enforcement agencies. These teams comprise CMC police and civilian staff with skills in areas such as criminal investigation, intelligence analysis, law and forensic accounting. Gatekeeper and Silhouette members also work in partnership with other CMC officers with specialist skills in areas such as forensic computing, surveillance and information technology.

In addition to organised crime investigations instigated by the CMC and conducted by our teams, we frequently become involved in investigations led by the QPS and other agencies, where assistance is requested to progress or enhance investigations by the use of coercive hearings.

The Crime Reference Committee – membership at June 2008



CMC Chairperson  
Robert Needham



CMC Assistant  
Commissioner, Crime  
John Callanan



Commissioner  
of Police  
Bob Atkinson



Commissioner  
for Children and  
Young People and  
Child Guardian  
Elizabeth Fraser



Community  
representative  
Johanna Bakermans



Community  
representative  
Diana Johnston

Requests for assistance of this kind increased markedly in 2007–08 and account, in part, for the number of operations commenced in excess of our annual target. (For examples of this use of hearings, see 'Serious crime and other hearings-based investigations' on page 19.)

- Organised crime investigations in which we were involved resulted in the arrests of 101 individuals who were charged with a total of 398 offences. These included trafficking in and supplying and producing dangerous drugs as well as offences involving money laundering, weapons and violence.
- Court proceedings were finalised in relation to one of Queensland's largest illegal drug syndicates which had been targeted in an earlier joint operation involving the CMC, the QPS and the Australian Crime Commission. During the 18-month operation, one of Queensland's largest illicit drug laboratories was discovered on a 16-hectare property near Miles, with large quantities of pseudoephedrine tablets also found at several properties around the state. These investigations had previously resulted in the jailing of 13 persons, including seven for drug trafficking with sentences ranging from 2½ to 11½ years. After a three-week contested sentence in early 2008 the alleged ringleader of this syndicate was sentenced to 13½ years' imprisonment and will serve 80 per cent of the sentence imposed as a result of being declared a serious violent offender.

### Cross-border cannabis syndicates dismantled

Following information received from South Australia Police (SAPOL) and target development by CMC intelligence, a joint operation with SAPOL targeted a criminal group engaged in the large-scale production (in South Australia) and trafficking (in Queensland) of *cannabis sativa*.

It was established that persons in Adelaide coordinated the hydroponic production of high-grade cannabis by a 'collective' of growers, then packed the drug in sealed bags for transport to Queensland where it was distributed by two separate groups.

Twenty people were arrested and charged with 40 drug-related offences in Queensland and South Australia. Approximately 32 kilograms of cannabis with a value of about \$245 000 as well as \$268 000 in cash were seized during the operations, while crime proceeds action resulted in the restraint of assets to the value of about \$2.75 million.

The successful outcome of these operations highlights the need for diverse skills, including intelligence analysis and target development, covert surveillance, investigation, financial analysis of offenders, property portfolio and proceeds of crime recovery, in dismantling complex criminal networks.

**Table 2. Results of investigations and use of CMC powers: 2002–03 to 2007–08**

Performance measures	2003–04	2004–05	2005–06	2006–07	2007–08
Arrests	80	143	52	109	114
Charges laid	407	915	323	433	561
Drugs seized – estimated street value	\$0.082m	\$17.215m	\$0.327m	\$0.318m	\$0.284m
Investigative hearing days	87	35	104	81	151
Notices to attend hearing	86	41	113	75	177
Witnesses attending	81	37	92	66	163
Witnesses legally represented	31	9	17	26	64
Witnesses applying for financial assistance	1	3	2	6	4
Surveillance warrant operations	16	31	31	28	10

## Criminal paedophilia

The CMC contributes to the fight against criminal paedophilia through the work of its multidisciplinary Cerberus (formerly Egret) team which comprises police investigators and civilians with legal and intelligence analysis skills. Like the organised crime teams, Cerberus works closely with other CMC officers skilled in physical and covert surveillance and forensic computer analysis as well as officers of the QPS, particularly officers of Task Force Argos and regional child protection and investigation units, and officers of other state and federal agencies.

In investigating criminal paedophilia we strive to add value to the work of other law enforcement agencies by focusing on networked or recidivist extrafamilial child-sex offenders and the use of the internet by child-sex predators.

- In 2007–08, as a result of internet-based investigations seven people were charged with a total of 24 offences, including using the internet to expose a child under 16 to indecent matter, using the internet to procure a child under 16 to engage in a sexual act, and the possession and online distribution of child exploitation material.
- Non-internet-based investigations resulted in six persons being charged with 139 offences, including indecent treatment of children under 12, 14 and 16 and possession of child exploitation material.

### Courts tough on child pornography offenders

Strategic investigation and targeting of offenders possessing and distributing large quantities of child exploitation material within the online file-sharing environment resulted in the identification and arrest of four significant offenders this year. One offender was sentenced in the Brisbane District Court in February 2008 for possessing and distributing more than 11 000 child abuse images, movies and stories, and received a custodial sentence of 3½ years' imprisonment. In September 2008, the Court of Appeal upheld the sentence of 3½ years' imprisonment but added a recommendation for early release on parole.

- A significant focus on the investigation of networked high-risk child-sex prisoners released with Dangerous Prisoners (Sexual Offenders) Act (DPSOA) orders led to the establishment in May 2008 of a joint investigation by the Cerberus team, Task Force Argos of the QPS and Queensland Corrective Services. The operation has already shown results in the arrest and reincarceration in late May of 2008 of a DPSO releasee for breaches of his orders and for possession of child exploitation material.
- Presentations relating to internet safety and criminal paedophilia were provided to police detective training courses as well as to schools, community groups and others supporting children.
- We directed resources to continuing skills development for investigating offences committed within the online internet environment.

## Terrorism

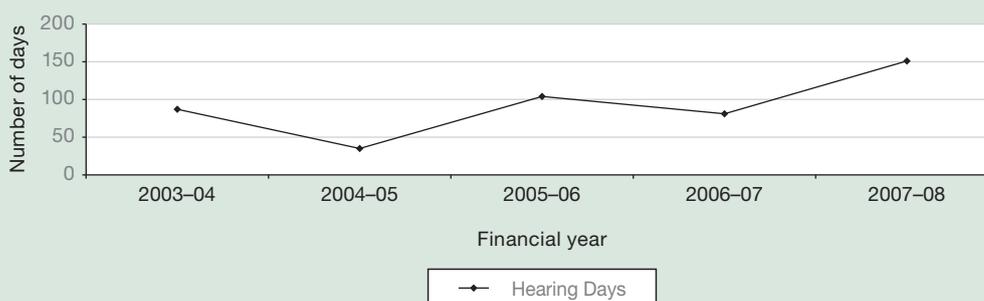
By statutory definition, our major crime role includes the investigation of suspected terrorist activity and we have a standing referral in relation to such activity. Any CMC investigation of terrorism will occur in response to a request from the QPS or other law enforcement agency, and we maintain a high state of readiness to respond to any such request.

## Serious crime and other hearings-based investigations

The CMC joins with police in conducting hearings-based investigations into serious crime such as murder, arson, extortion and rape, and other kinds of major crime, when it is considered that ordinary police powers and methodologies are unlikely to be effective in gathering sufficient evidence to warrant a prosecution with reasonable prospects of success. Such investigations entail the use by the CMC of its coercive hearings power.

- During the year the CMC conducted several lengthy hearings programs in relation to a series of alleged acts of violence and property damage committed by members of two rival outlaw motorcycle gangs in south-east Queensland. The incidents under investigation occurred as part of an ongoing feud between the two clubs, and included a violent affray at Ningi and the arson of an OMCG clubhouse in Brisbane. The hearings significantly progressed the respective investigations, and all persons involved in the arson have since pleaded guilty and have been sentenced by the courts. One person has also pleaded guilty to a charge of perjury arising from evidence given by him at a CMC hearing. Numerous serious charges have since been laid against the persons allegedly involved in the Ningi incident and these matters are still before the courts.
- In late 2007 the CMC investigated the circumstances surrounding the murder of an 18-year-old man on a rural property in south-west Queensland. The man's 16-year-old brother had been charged with the murder and an older associate had been charged with being an accessory after the fact to the murder. At the request of the QPS, the CMC held hearings to explore a suspicion that the associate may have had a greater involvement in the matter than had been established by the police investigation. In the event, the hearings did not yield any evidence to substantiate the suspicion.
- Hearings were also held in relation to the following:
  - suspected criminal activity including murder, attempted murder and drug trafficking by persons based on the Gold Coast
  - the alleged gang rape of a 17-year-old female in Brisbane
  - a suspected real estate fraud on the Gold Coast
  - the investigation of two separate networks allegedly engaged in the hydroponic production of cannabis in north Queensland
  - the suspected existence of a network of child-sex offenders in north Queensland
  - an alleged extortion on the Gold Coast in 2006
  - an unsolved suspected murder on the Sunshine Coast.

Figure 3. Investigative hearing days 2003–04 to 2007–08



## Proceeds of crime

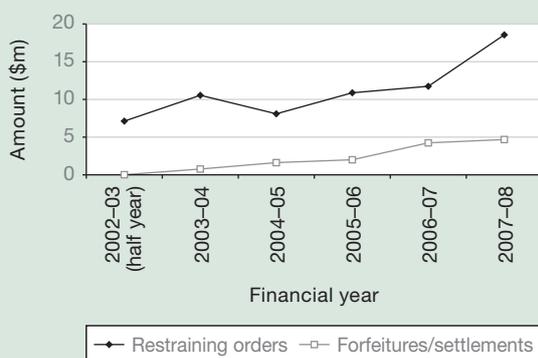
Through our proceeds of crime team, we work to remove the financial incentive for crime by identifying and recovering assets gained through illegal activity. We undertake proceeds of crime restraint and forfeiture action in relation to proceeds derived from criminal activity investigated by us and by other law enforcement agencies.

The CMC has responsibility for administering the civil confiscation scheme under the *Criminal Proceeds Confiscation Act 2002*. Under the Act, property is liable to be restrained if it belongs to, or is under the effective control of, someone who is suspected of having engaged in serious criminal activity in the past six years. Restrained property is liable to be forfeited unless a person proves, on the balance of probabilities, that it was lawfully acquired.

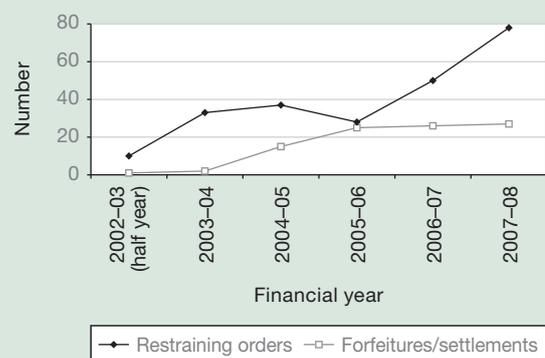
- In 2007–08, the CMC exceeded its targets across all of its performance measures relating to proceeds of crime recovery.
- As planned in 2006–07, we expanded our proceeds of crime activity. As a result we obtained 78 orders from the Supreme Court, resulting in the restraint of assets valued at \$18.561 million, well exceeding our target of \$10 million (see Figures 4 and 5).

- We finalised 27 matters (exceeding the target by seven), resulting in \$4.675 million being forfeited to the state through negotiated settlements. (The making of a restraining order by the Supreme Court represents the initial step in confiscation proceedings under the civil confiscation scheme. As with any other form of litigation there is a time lag between the initiation of proceedings and the final determination.)
- Since the Criminal Proceeds Confiscation Act commenced on 1 January 2003, there has been a progressive annual increase in restrained and forfeited funds through activity by the CMC and partner agencies. Since 2003 \$66.951 million in assets have been restrained and \$13.3 million forfeited to the state.
- We recruited additional specialised staff to assist the CMC to meet the current and future demand for its services. We also expanded our information program, with educational lectures given to detective training courses and additional presentations delivered in QPS regions.

**Figure 4. Estimated net value of assets restrained and forfeited, 2002–03 to 2007–08**



**Figure 5. Restraining orders made and matters finalised, 2002–03 to 2007–08**



## Intelligence

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Strategic reporting, target development and operational support are key functions for intelligence officers across the CMC. We also register, review and audit the collection of CMC human source intelligence.

### Strategic intelligence assessments

Strategic intelligence assessments interpret trends and predict changes in the criminal environment and assess the risks posed by particular criminal activities and networks. They help the CMC, other law enforcement agencies and policy makers to make decisions about priorities and resourcing, and to develop legislative, policy and operational responses to current and emerging threats in the criminal environment.

- In September 2007 we released Crime Bulletin number 8 entitled *The cocaine market in Queensland: a strategic assessment*. The report examined trends and issues for cocaine use and the status of the market in Queensland.
- A classified assessment of organised crime involving persons of Middle-Eastern ethnicity was produced for law enforcement agencies in April.
- As part of our intelligence sharing with other Australian law enforcement agencies, we provided information about criminal networks and activities in Queensland for the Australian Crime Commission's national criminal threat assessments as well as its principal strategic intelligence product, *Picture of criminality in Australia*.
- Enhanced intelligence sharing including through the OMCG National Intelligence Task Force contributed to the successful targeting this year of OMCGs in Queensland and nationally.
- Intelligence and information collection has begun on our 2008–09 organised crime markets assessment for Queensland (Krystal 3), a key strategic intelligence resource produced by the CMC every four years. The assessment will describe the current organised crime landscape and discuss the main illicit markets that drive organised criminal activity in Queensland.

### Target development

Target development involves identifying indicators of potential significant criminal activity or misconduct by one or more individuals, and collecting and analysing data to determine the nature, level and extent of activity by an individual or network. During 2007–08 our strategic intelligence area referred three crime matters to the CMC's organised crime teams for investigation as well as referring a number of matters to the Australian Crime Commission, the QPS and other agencies.

### Intelligence collection

Due to loss of key staff over the last year our human source coverage was limited compared to previous years. This will be addressed as a priority in 2008–09.

- During 2007–08 we provided advice and assistance to the QPS as it reviewed its human source policy and operations. We also provided specialised human source operations training for officers from the Office of Police Integrity in Victoria.
- While our human source policies and specialised training remain well regarded nationally, we are reviewing them to ensure that CMC practices reflect recent changes and developments.

### Intelligence disseminations

In 2007–08 we uploaded 190 reports, such as information reports, offender profiles and post-operational assessments to the Australian Criminal Intelligence Database. We also disseminated intelligence and information to other law enforcement and misconduct agencies in response to their requests for information.

We contributed to state and national crime and corruption intelligence and investigation forums including:

- the National Criminal Intelligence and Operations Forum
- the Australasian Human Source Working Group
- OMCG National Intelligence Task Force
- Parliamentary Joint Committee on the Australian Crime Commission.

## Research and prevention

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During the 2007–08 year we finalised several long-term projects on the use of illicit drugs; others will continue over the next several years. In the future the Research and Prevention area will be focusing more on child sexual abuse.

### Child sexual abuse

Our Research and Prevention unit is examining the most recent policy and legislative developments, services, early intervention and treatment programs, and issues about child sexual offences in Queensland and other jurisdictions (including interstate and international jurisdictions).

Research and Prevention staff represent the CMC on the Child Responsive Communities (CRC) Working Group, a whole-of-government working group tasked with implementing a pilot study in an Indigenous community. The study aims to encourage disclosures of child sexual abuse and to enhance the response by local services to those disclosures.

We also support our anti-paedophilia Cerberus team in relation to child sexual abuse issues.

### Crime prevention

In August 2007 we released the results of Project Opal (Offending Persons across the Lifecourse). Its major report, *Breaking the cycle: a study of victimisation and violence in the lives of non-custodial offenders*, was disseminated to key agencies such as Queensland Corrective Services; results have also been presented to a variety of audiences at universities and conferences. The report continues to attract attention, being accessed approximately 60 times a month from our website.

The data collected for Project Opal has also been used to produce two research and issues papers and a conference paper:

- *Childhood physical abuse and adult offending: are they linked and is there scope for intervention?* (August 2007) reveals that physically abused offenders report higher rates of violent, property and total offending than non-abused offenders, and discusses practical opportunities for minimising or preventing the criminogenic consequences of physical child abuse.
- *Mandatory treatment and perceptions of treatment effectiveness: a Queensland study of non-custodial offenders with drug and alcohol abuse problems* is in

preparation. It considers the relative impacts of voluntary or mandatory treatment for drug and alcohol abuse on perceptions of treatment effectiveness among study participants. The study concludes that mandatory treatment may be as effective as voluntary. The paper is intended to assist policy makers and treatment providers implement appropriate programs, and will be released early in the next reporting period.

- In September 2007 we presented at the Australian and New Zealand Society of Criminology (ANZSOC) conference in Adelaide. The presentation examined the prevalence among Project Opal offenders of sexual victimisation in both childhood and adulthood.

### Illicit drug use

Our report entitled *Drugs and crime: trends among watch-house detainees* (March 2008) examined the drug use patterns and criminal behaviour of detainees from various watch-houses in Queensland, New South Wales, Western Australia and South Australia through the Drug Use Monitoring in Australia (DUMA) data collected by the Australian Institute of Criminology, state police services and local researchers. It is believed to be the first report of its kind to make direct state comparisons on illicit drug use in watch-house detainees, and to monitor drug usage in watch-house detainees in Queensland over time.

Research work continues on the following projects:

- Natural History of Young Amphetamine Users – a collaborative project with the University of Queensland (Queensland Alcohol and Drug Research and Education Centre) and Queensland Health to undertake a longitudinal study of young amphetamine users.
- Alcohol and Illicit Drug Use by People Presenting at Emergency Departments – the second survey in a series which monitors illicit drug use in a random sample of emergency department patients in Queensland. The report will be released early in the next reporting period.
- Post Release Recidivism (Drug Offender) Study – a joint project with the Australian Institute of Criminology (AIC) which assesses the rates of recidivism amongst male inmates who participated in the DUCO (Drug Use Career Offending) study conducted by the AIC in 2001.

Further detail about our research publications and projects may be found on our website at <[www.cmc.qld.gov.au](http://www.cmc.qld.gov.au)>.

## Emerging technology

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The emergence of e-crime and identity crime requires that law enforcement agencies like the CMC, both alone and in strategic partnerships, maintain a level of technical sophistication which at least matches that of offenders. This is particularly the case in the area of internet offending by paedophiles, where the willingness of offenders to adopt new technology and use newly developed encryption devices presents a constant challenge. The CMC has responded by continual training of its staff and enhancement of its technical capabilities. We welcome the Queensland Government's announcement of its intention to provide the CMC with TI powers.

The adoption of new and efficient technology is crucial to the CMC's commitment to preparing high-quality electronic court briefs in all its investigations to facilitate the presentation of complex cases to defendants and their lawyers and, ultimately, the courts.

The benefits of the e-brief beyond its primary law enforcement function has been explained to various stakeholders in presentations at the 2008 Law and Order Symposium and the 2008 Annual Queensland Magistrates Conference, as well as in demonstrations to other law enforcement agencies.

An early version of the e-brief was used in presenting the prosecution case in a complex contested drug trafficking sentence in March 2008. The judge in that matter particularly acknowledged the enormous assistance that the court derived from having evidence in complex and protracted investigations presented in this manner, resulting in substantial savings of court time.

## Crime: outlook 2008–09

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In 2008–09 we will:

- Devote increased resources to providing an efficient, increased and timely hearings service to meet partner-agency demand.
- Continue to focus on 'niche' areas of child-sex offending without duplicating the work of other agencies. This includes working with other agencies to explore innovative ways of combating paedophilia.
- Continue to play a lead role in the civil confiscation scheme.
- Complete a strategic assessment of organised crime markets in Queensland. The resulting trends and issues paper will assist the CMC, law enforcement agencies and others in their responses to counter the threat of organised crime.
- Continue our involvement with the Child Responsive Communities (CRC) Working Group.
- Begin an evaluation of the intervention proposed by the CRC working group in an Indigenous community.
- Recruit participants into the Natural History of Young Amphetamine Users joint project and begin data collection.
- Continue our review of the latest information about child-sex offence issues; we expect to publish a series of brief research and issues papers during 2008–09.
- Continue our analysis of drug offending recidivism rates with the Australian Institute of Criminology and begin a study of sex-offending recidivism among the same sample of offenders.