

Provide an effective witness protection service

Our performance in 2007–08

We report on our performance in protecting witnesses in 2007–08 against our *Strategic Plan 2007–11*, available at <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>.

This chapter sets out our priorities and challenges, our key achievements and our results against performance indicators. It also details our work in protecting witnesses, developing witness protection methods and liaising with client law enforcement agencies, 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.

Dealing with the impact of advanced technology

Changing criminal practices and advancing technologies present a continuing challenge in ensuring the safety of witnesses. We monitored these changes as well as actively liaising with other Australasian agencies involved in witness protection to identify emerging trends and share improvements in operational methodologies and techniques. For more detail, see page 37.

Addressing new threats from a changing environment

We continued to build intelligence networks to develop operational capacity, including liaising with relevant areas of the QPS. We progressed the establishing of memorandums of understanding with other agencies to further develop our capacity to meet cross-jurisdictional issues. For more detail, see page 37.

Increasing awareness of our services

In light of a decline in the number of requests for witness protection services, we took a range of measures to promote awareness of our capability and the benefits we offer to client law enforcement agencies. For more detail, see page 37.

Key achievements

- We ensured that all of our protected witnesses were kept safe and were in a position to give evidence in court, maintaining this 100 per cent success rate for the twentieth successive year. Over 1500 people have been successfully protected since inception of the program.
- The evidence given by our protected witnesses played a key role in prosecutors being able to secure convictions across a wide range of organised and serious crime cases.
- Through the presentation of affidavits, we applied to courts to enable protected persons' evidence to be presented in court proceedings via video conferencing. This process reduces the risk of harm to the protectee, judiciary and general public during court proceedings, and puts protectees at ease when providing evidence. It is also much more cost-effective than undertaking a full court security operation.

Results against performance indicators

The data provided in Table 5 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 additional relevant performance measures are provided in Table 6 and Figure 6.

Table 5. Performance against strategic plan and MPS indicators 2003–04 to 2007–08, and estimated 2008–09

Performance indicators ^a	2003–04	2004–05	2005–06	2006–07	2007–08		2008–09 (estimate)
					(target or estimate)	(actual)	
Applications for witness protection assessed (persons) ^b	143	156	89	130	120	96	100
Admissions to witness protection (persons)	52	70	57	78	55	42	78
Percentage of eligible people offered interim protection within two days of receipt of application ^c	100	99	100	81	95	92	95
Protected witnesses provided with court security (measure introduced in 2006–07)	n/a	n/a	n/a	39	40	30	40
Percentage of protected witnesses who met court requirements	100	100	100	100	100	100	100
Threat assessments prepared for protection operations (measure introduced in 2006–07)	n/a	n/a	n/a	74	74	62	70
Expenses to achieve strategic goal 'To provide an effective witness protection service'	\$3.9m	\$4.1m	\$4.3m	\$4.3m	\$4.6m	\$4.4m	\$4.9m

- a Where a strategic plan indicator is expressed in general terms, the equivalent MPS indicator (as more specific and measurable) is used instead.
- b 'Applications' refers to all persons referred for witness protection by law enforcement agencies. While offers of protection are made to all assessed as eligible for the program, some persons may not accept the offer. Thus, 'admissions' refers to persons who are both eligible and accept the offer of protection.
- c We offered interim protection within two days to 100 per cent of those who were available for interviewing (some eligible people were not available within two days).

Table 6. Additional performance measures 2003–04 to 2007–08

Additional performance measures	2003–04	2004–05	2005–06	2006–07	2007–08
Total people protected ^a	121	115	136	106	83
Total operations ^b	55	61	70	44	42
People whose protection arrangements were concluded	78	76	69	62	66
People under protection at the end of the reporting year	45	42	28	41	19

- a Includes people still under protection at the beginning of the relevant year as well as those admitted during that year.
- b Includes operations still continuing at the beginning of the relevant year as well as those undertaken during that year. Note that an operation can contain more than one person.

Witness protection: key activity areas

Protecting witnesses

The function of our witness protection area is to protect eligible people who are in danger as a result of assisting a law enforcement agency such as the QPS.

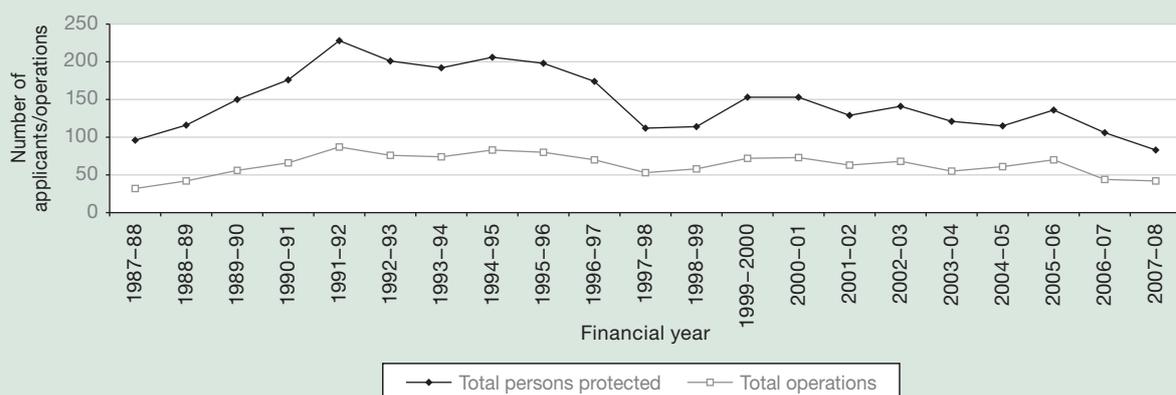
The evidence given by our protected witnesses assisted prosecutors in securing convictions in cases that included murder, attempted murder, serious assaults, robbery, rape, indecent dealing, drug trafficking, production and possession of drugs, arson, and serious property and weapons offences.

In addition to protecting witnesses, the CMC also ensures that they 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. Many witnesses have been rehabilitated as a direct result of being included in our program.

- This year we received and assessed 96 applications for protection, 34 below the 130 received in 2006–07. Since use of the service depends on requests from law enforcement agencies, the number of applications can fluctuate considerably. The numbers are also affected by the decisions of individual protectees, since witness protection is undertaken voluntarily.

- Figure 6 highlights this fluctuation in witness protection numbers over the 20 years from 1987–88. Numbers peaked in 1991–92 and since then have declined to numbers similar to those in the late 1980s.
- We offered interim protection within two days to 92 per cent of eligible persons, almost meeting our target of 95 per cent. (We offered interim protection to 100 per cent of applicants; however, not all were available for interviewing within two days.)
- We prepared 62 threat assessments and 42 persons were admitted to protection during the year. The total number of persons protected, which includes those under protection at the beginning of 2007–08 as well as those admitted in the course of the year, was 83.
- We provided court security in a number of trials where the evidence of a protected witness was considered crucial. Thirty (30) protected persons were provided with court security, directly contributing to successful prosecutions for a number of serious criminal matters.

Figure 6. Total persons protected and total operations between 1987–88 and 2007–08



Developing witness protection methods

The CMC places a high priority on developing witness protection methods through providing specialist training, monitoring emerging threats, and liaising with peer organisations in Australasia.

The CMC leads witness protection training in Australasia through our nationally accredited witness protection course, which includes practical and theoretical training in various skills and techniques needed for the effective protection of witnesses. We are also actively involved in the continuing evolution of the qualification. This year, tools to assess workplace competencies were further developed for all Australasian jurisdictions.

Earlier this year, senior witness protection officers attended the Australasian Heads of Witness Protection Forum in Adelaide, which examined trends in advanced technologies and their potential impact on witness protection. Through involvement with this forum and continuing liaison with counterparts in Australia and overseas, we were able to develop responses to the issues and methodologies that were identified.

We also progressed the establishing of memorandums of understanding with other agencies, including Victoria Police, Western Australia Police, Tasmania Police and the New South Wales Police Integrity Commission. Formalised relations with these and other agencies will further develop our capacity to meet cross-jurisdictional threats.

Liaison with client law enforcement agencies

Throughout the year we worked with client law enforcement agencies throughout Queensland to promote awareness of our witness protection capability and services, and the potential benefits for both law enforcement agencies and the criminal justice system. We delivered training in accessing and utilising protection services to QPS detectives and police prosecutors, and marketing presentations to criminal investigators and regional police commands.

Witness protection: outlook 2008–09

In 2008–09, we expect to:

- Offer interim protection to 95 per cent of eligible people within two days, assess 100 applications and admit 78 new people to the program.
- Continue to deliver education and marketing presentations to promote witness protection services to client agencies throughout Queensland.
- Continue to develop memorandums of understanding and working relationships with government departments to assist in implementing the *Witness Protection Act 2000*.
- Liaise with other Australasian witness protection agencies to share information on the methodologies, trends, technologies, legislative developments and other issues likely to impact on the management of witnesses.

Operations support

Operations Support provides specialist services in physical surveillance, technical surveillance and forensic computing. The unit provides these services in response to requests from the CMC's major outputs.

Operations Support comprises the following three groups.

Physical Surveillance obtains evidence and intelligence on people who are suspected of involvement in CMC-related investigations, through approved surveillance operations.

Technical Surveillance deploys electronic surveillance technologies and methodologies in operations, resulting in enhanced intelligence and evidence product. It also provides technical support in the CMC's hearing and interview rooms.

Forensic Computing establishes and maintains effective operating procedures, resources and equipment for delivering 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.

In 2007–08:

- We provided expert advice and assistance to the Crime (including paedophilia and proceeds of crime investigations) and Misconduct areas of the CMC. In particular, significant resources were provided to a misconduct investigation involving a former director-general of the Department of Education and Training.
- We assisted the QPS by providing surveillance and technical assistance to a number of their operations.
- Along with servicing all requests relating to CMC investigations, we assisted Western Australia Police by conducting surveillance on a suspect believed to be involved in illegal drug activity.
- We successfully completed a 10-day training course in close personal protection. The skills attained from the course allows for the units to assist the witness protection area in times of resource-intensive operations.