

Our operating environment

It is clear that the environment in which the Queensland public sector operates today is far different from that which faced Tony Fitzgerald in 1989. Nevertheless, there continue to be significant challenges to preventing crime and promoting integrity within Queensland public life.

The criminal environment

Illegal drugs, particularly those based on amphetamines, continue to be at the forefront of criminal activity, with organised crime gangs commonly being involved in their production and distribution. Another challenge confronting all law enforcement agencies is greater offender sophistication and the increasing tendency of criminals to form networks across state and national borders.

In response, we sought to combat major crime through multidisciplinary investigations, targeted use of our coercive powers to secure key evidence, applying our proceeds of crime function to reduce the profitability of criminals, and upgrading technical capabilities. Together with the Queensland Police Service, we strengthened ties with both national and international law enforcement agencies to combat drugs, paedophilia and other serious crime.

Development and commercialisation pressures and a changing public sector

Continued population and economic growth in Queensland may increase misconduct risks for local government authorities. Council amalgamations and amendments to the *Local Government Act 2009* have also meant a larger financial base and greater autonomy for some local councils, exposing them to greater risks of misconduct.

At the same time, initiatives by government to meet service demands through corporatisation, privatisation, outsourcing and public-private partnerships are placing significant public funding and public assets in the hands of commercial interests. The government has expanded the jurisdiction of the CMC over some of these entities, such as government-owned corporations (GOCs).

Since its inception in 2002, the CMC has sought to increase the capacity and accountability of public agencies themselves to handle misconduct within their ranks, in accordance with principles in the *Crime and Misconduct Act 2007*. In 2009-10 this work continued to mature in much of the traditional public sector, but it is only at a preliminary stage in relation to newer entities such as the GOCs and the larger councils.

Police service environment

There is no evidence of systemic high-level corruption within the Queensland Police Service. However, this year we have drawn the attention of police to risks such as improper associations, improper use of weapons, substance abuse, and some apparent failures of supervision.

The CMC has sought to work with police supervisors to provide swift, credible and effective dispute resolution services, particularly with respect to minor complaint issues. In response to coronial recommendations, the CMC is negotiating with the QPS and the State Coroner about investigating all deaths in police custody.

The CMC's stakeholders

Legislature

Parliament, government, Minister, Parliamentary Commissioner, Parliamentary Crime and Misconduct Committee, Public Interest Monitor

Queensland community

Public sector

Including state government departments, QPS, local governments, universities, prisons, courts, tribunals, elected officials, government-owned corporations

The CMC's powers

The Crime and Misconduct Act has given us powers to enable us to gather vital evidence and information in the fight against crime and misconduct. These include a range of search, surveillance and seizure powers as well as the power to conduct coercive hearings and the power to hold a public inquiry.

Information about how our investigations and operations are overseen by external bodies is found on pages 54–56. More detail about our powers can be obtained at <www.cmc.qld.gov.au>.

New telecommunications interception power

Legislative initiatives in 2009 were taken to provide the CMC and the Queensland Police Service with the powerful investigative tool of telecommunications interception, bringing Queensland law enforcement agencies into line with their counterparts in other states.

In October 2009 the CMC was funded to establish an efficient and accountable interception capability. Achieving this was a significant CMC priority for this year. The use of these powers has considerably enhanced our investigative capability and greatly assisted the CMC's fight against crime and misconduct.

Use of our powers in 2009–10

Crime investigative hearings. Concurrent hearings have been run on several occasions to maximise effective use of this power.

Proceeds of crime. Given the potency of this function to disrupt criminal activity, we focused this year on maximising results in a timely way.

Amendments to legislation. In response to recommendations by the Parliamentary Crime and Misconduct Committee in April 2009, we are working with the Department of Justice and Attorney-General on amendments to the Crime and Misconduct Act to achieve administrative consistency between its Crime and Misconduct powers.

Public hearings in misconduct matters. We have selectively used public hearings to bring important matters affecting the public interest to the community's attention.

Table 2, page 15 and Table 4, page 31 show how we used our powers in crime and misconduct investigations this year.

Peer agencies Australia-wide

Independent Commission Against Corruption (NSW), Corruption and Crime Commission (WA), Office of Police Integrity (VIC), Police Integrity Commission (NSW)

Government-owned corporations

Peer agencies in Queensland

Ombudsman's Office, Queensland Audit Office, Privacy Commissioner, Integrity Commissioner, Public Service Commission

Media

Regional, state and national

State and national law enforcement agencies