

# About the CMC

## Our vision

That the CMC make a unique contribution to protecting Queenslanders from crime and to promoting a trustworthy public sector

## Our purpose

To combat major crime and promote public sector integrity

## Our values

- Integrity
- Accountability
- Respect
- Excellence and innovation
- Collaboration

## Who we are

The Crime and Misconduct Commission (CMC) is an independent statutory body, established under the *Crime and Misconduct Act 2001* (Qld) to fight major crime and enhance public sector integrity in Queensland.

The CMC came into existence on 1 January 2002 with the merger of the Criminal Justice Commission and the Queensland Crime Commission.

The CMC is led by a five-member group referred to as the Commission, comprising a full-time Commissioner who is the Chairperson (and the Chief Executive Officer) and four part-time Commissioners who represent the community.

## Our people

As at 30 June 2014, the CMC had 329 full-time equivalent staff, including lawyers, investigators, sworn police officers, financial investigators, intelligence analysts, social scientists, information technology and surveillance specialists, administrators and support officers.

Total staff		
2011–12	2012–13	2013–14
<b>358</b>	<b>303</b>	<b>329</b>

## Our services

The CMC delivers its services to Queenslanders through a range of investigative, law enforcement, prevention and witness protection activities. The CMC also undertakes intelligence and research activities. The CMC's activities contribute to the government's objectives – specifically, to revitalise frontline services and restore accountability in government.

### Crime fighting and prevention

We investigate serious and organised crime such as drug trafficking, fraud, money laundering and networked paedophilia.

We conduct coercive hearings and intercept telecommunications in investigating crime, disrupting criminal syndicates and confiscating proceeds of crime. Our work complements that of other state, national and international law enforcement agencies.

### Public sector integrity

We receive and investigate allegations of misconduct to ensure that Queensland's public institutions are accountable for their conduct.

We also work with public sector agencies to ensure that they and their employees receive clear, consistent and practical advice about integrity issues and misconduct prevention.

### Witness protection

We provide protection for eligible people who are in danger as a result of helping a Queensland law enforcement agency. In our fight against crime and corruption, it is imperative that we keep witnesses and informants safe as their evidence is vital for successful prosecutions and the suppression of major crime.

## Our powers

The Crime and Misconduct Act gives the CMC unique powers to gather vital evidence and information to combat crime and misconduct falling within our jurisdiction. Through these powers we are able to hold public inquiries and conduct coercive hearings. We can also undertake a range of searches, surveillance activities, seizures and telecommunications interceptions in prescribed circumstances.

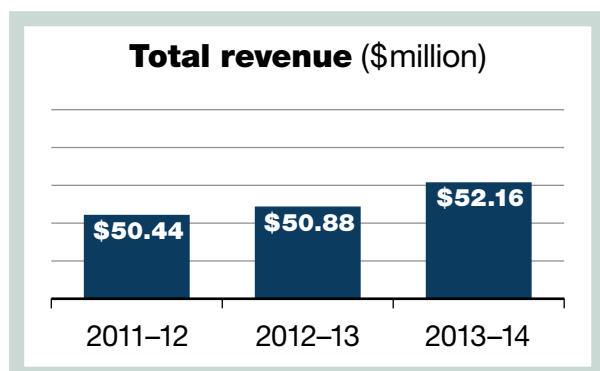
In addition to the Crime and Misconduct Act, the following legislation supports the CMC's primary functions and powers:

- *Criminal Proceeds Confiscation Act 2002*
- *Witness Protection Act 2000*
- *Police Powers and Responsibilities Act 2000*
- *Telecommunications (Interception and Access) Act 1979* (Cwlth)
- *Telecommunications Interception Act 2009* (Qld).

## Our finances

Our total revenue for 2013–14 was \$52.16m (our main source of revenue is the operating grant received from the Queensland Government). (See pages 51–6 for more detail.)

In November 2013, the CMC acquired additional funding of \$6.679m over four years to support legislative amendments resulting in more activity related to criminal motorcycle gangs (CMGs), including increased crime hearings, investigations, surveillance and civil confiscations. Some specific-purpose funding for CMG initiatives was for 12 months only.



## Our operating environment

Various legislative changes during the year resulted in a broadening of the CMC's activities. Firstly, in September 2013, the *Criminal Proceeds Confiscation Act 2002* was amended to introduce unexplained wealth order provisions and a serious drug offender confiscation scheme; these provide additional avenues for confiscating proceeds of crime. Under the serious drug offender confiscation order scheme, for example, the property of a person convicted of a qualifying drug offence is liable to forfeiture, even if the property was acquired lawfully. The CMC was given responsibility for administering both schemes. (For more detail, see page 11.)

Additionally, in October 2013, the Queensland Government introduced new laws targeting the illegal activities of criminal organisations in the state, in response to incidents of violence involving CMGs. Amendments to the Crime and Misconduct Act gave the CMC new functions enabling it to hold hearings to gather intelligence about criminal activity by these organisations or associated misconduct by public officials. The powers also enable the CMC to have an immediate response function relating to CMG-related incidents that threaten public safety or an anticipated incident that may threaten public safety.

In July 2013 the Queensland Government tabled its response to two reviews of the CMC: the review of the *Crime and Misconduct Act 2001* by the Independent Advisory Panel (Callinan/Aroney) and the inquiry by the Parliamentary Crime and Misconduct Committee into the CMC's release and destruction of Fitzgerald Commission of Inquiry documents. An Implementation Panel was tasked with implementing the government-accepted recommendations. The CMC continued to report to the Parliamentary Crime and Misconduct Committee (PCMC) separately on recommendations not included in those considered by the Implementation Panel.

Additionally, in response to the first recommendation of the review by the Independent Advisory Panel, Mr Michael Keelty AO conducted an administrative review of the CMC on behalf of the Public Service Commissioner. Mr Keelty's report, which contained 15 recommendations for consideration by the Implementation Panel, was submitted to the Implementation Panel chair in November 2013. The panel, in turn, provided advice on its considerations to the government.

These initiatives resulted in the government instituting amending legislation, leading to the *Crime and Misconduct and Other Legislation Amendment Act 2014* receiving assent on 21 May 2014.

The CMC has been heavily focused on implementing the changes arising from these recent administrative and legislative reviews and transitioning the agency to ensure it operates effectively under the new structure and governance arrangements to take effect on 1 July 2014.

## Accountability

Although independent of the government of the day, the CMC is fully accountable to the people of Queensland through the PCMC. This is an all-party committee that monitors and reviews CMC activity and deals with complaints against it. The CMC provides budgetary information to the Department of Justice and Attorney-General and six-monthly performance reports to the Minister.

## Our main stakeholders

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### Queensland

All members of the Queensland public

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**State legislature:** Parliament, government, Minister, Parliamentary Commissioner, Parliamentary Crime and Misconduct Committee, Public Interest Monitor

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**Public sector agencies:** state government departments, Queensland Police Service, local governments, universities, prisons, courts, tribunals, state politicians, government-owned corporations

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**Peer agencies:** Office of the Director of Public Prosecutions, The Public Trustee, Queensland Ombudsman, Queensland Audit Office, Privacy Commissioner, Integrity Commissioner, Public Service Commission, Health Quality and Complaints Commission

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### Australia-wide

**Peer agencies:** Australian Crime Commission, Australian Commission for Law Enforcement Integrity, New South Wales Crime Commission, Independent Commission Against Corruption (NSW), Police Integrity Commission (NSW), Independent Broad-based Anti-Corruption Commission (Vic), Office of Police Integrity (Vic), Integrity Commission (Tas), Corruption and Crime Commission (WA), and other state and national law enforcement agencies.