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Our Reference: CO-16-1130
Trim Reference: 16/116773
Contact Officer: [REDACTED]

5 August 2016

PRIVATE AND PERSONAL

[REDACTED]

[REDACTED]

Dear [REDACTED]

RE: YOUR CONCERNS

Thank you for your telephone call and email of 23 June 2016 in which you raised concerns about the conduct of Senior Constable Neil Punchard of the Queensland Police Service (QPS) Road Policing Command, Gold Coast.

We also note your subsequent telephone calls on 24 and 27 June 2016 and 3 August 2016 with Crime and Corruption Commission (CCC) officers.

We have carefully considered the information you gave us. We understand your concerns are that:

- Senior Constable Punchard has accessed your personal information on the QPS database (QPRIME) over a 2 year period between 2013 and 2015 during which time a domestic violence protection order was in place between you and your former partner [REDACTED].
- Senior Constable Punchard has disclosed your personal information to your former partner [REDACTED] over a 2 year period between 2013 and 2015 during which time a domestic violence protection order was in place between you and your former partner.
- Senior Constable Punchard has accessed personal information of [REDACTED] [REDACTED] (your brother) on the QPS database (QPRIME).
- Senior Constable Punchard has disclosed personal information of [REDACTED] [REDACTED] to your brother's former partner, who is the sister of [REDACTED].
- Senior Constable Punchard told [REDACTED] in your presence that he knew someone who could put a bullet in someone for \$5,000.

Though we may have used different words to describe your concerns or not referred to every issue that you raised, please be assured that we have considered all the information you gave us.

Under the *Crime and Corruption Act 2001* (the Act), the CCC's role is to ensure that complaints involving suspected 'corruption' on the part of members of the QPS are dealt with appropriately.

Attached, for your information, are excerpts from the Act that define the terms 'corrupt conduct' and 'police misconduct' and outline the role of the CCC.

In making a decision about the way to deal with a complaint, we must consider the circumstances of the case and the 'corruption principles' set out in section 34 of the Act. In particular we have regard to the devolution principle, which recognises the responsibility of the Police Commissioner through his senior managers to manage the QPS, including dealing with inappropriate behaviour of members of the Service. In effect it provides that, generally, action to deal with corruption should be taken by the QPS. The CCC, in performing its corruption function, must focus on more serious cases of corrupt conduct and systemic corruption in accordance with section 35(3) of the Act.

The CCC considers that it is appropriate for the QPS to take responsibility for dealing with your concerns.

We further note your telephone call on 4 August 2016 with [REDACTED] of the CCC who provided you information regarding this decision. We further acknowledge that you also provided consent for your details to be forwarded to the QPS.

A copy of your email and a report of the information you provided to the CCC in your telephone conversations has been forwarded to the Ethical Standards Command of the QPS.

The QPS will then:

- consider all the information you have provided;
- decide on the most appropriate way of dealing with your concerns (e.g. conducting an investigation; taking management action; or reviewing their practices, policies or procedures); and
- keep you informed about the handling of your matter.

Under section 42 (7) of the Act, the QPS is required to provide you with a response to your complaint. They must advise you of the action taken to deal with your complaint, the reason they considered the action to be appropriate and any results that are known at the time of the response to you.

Should you be dissatisfied with the response from the QPS you should raise your further concerns with the QPS.

Although the QPS will not advise the CCC of the outcome we may include your complaint in a future integrity and compliance audit.

Our audits are a way of meeting our statutory obligation to promote public confidence by ensuring complaints or information involving corruption are dealt with appropriately by an agency. We do not consider the outcomes of individual matters, and as a result will not change the outcome provided to you by QPS.

You should be contacted in due course by the police officer who has been given responsibility for dealing with your concerns.

Yours sincerely

[REDACTED]

Kylee Rumble
 Director, Integrity Services