



CRIMINAL
JUSTICE
COMMISSION

ANNUAL
REPORT

MISSION

To promote justice
and integrity in
Queensland

OUR GOALS

To promote an effective, fair and accessible criminal justice system

To reduce the incidence of misconduct in the Queensland Police Service and official misconduct in other units of public administration

To provide an effective, professional and specialist criminal intelligence service

To make an effective contribution to combating organised crime and major crime

To provide professional and efficient witness protection service

To effectively and efficiently discharge the functions and responsibilities of the Commission

OUR VALUES

Justice
Integrity
Accountability

OUR OPERATING PRINCIPLES

The Criminal Justice Commission:

- acts in the public interest
- operates within the high standards of its Code of Conduct
- is committed to fairness and to accountable processes of consultation and review
- places emphasis on research and prevention as well as control and cure
- provides a stimulating, satisfying and safe work environment free from discrimination on the basis of gender, race, religion or disability
- operates within a set of approved procedures and policies that ensure the administrative and operational integrity of the Commission.

CRIMINAL JUSTICE COMMISSION ANNUAL REPORT

Year ended 30 June 1996

To the Honourable Denver Beanland MLA,
Attorney-General and Minister for Justice

Sir

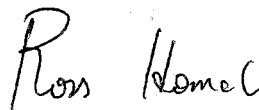
In accordance with the provisions of section 147A of the *Criminal Justice Act 1989* and section 46J of the *Financial Administration and Audit Act 1977*, we submit to you for presentation in Parliament, the Seventh Annual Report of the Criminal Justice Commission, which formally embraces the period 1 July 1995 to 30 June 1996.



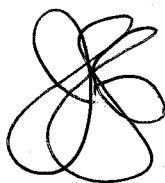
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Mr Robert Bleakley
Commissioner



Professor Ross Homel
Commissioner



Mr James Crowley RFD QC
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ABBREVIATIONS

ATSI	Aboriginal and Torres Strait Islander
BCIQ	Bureau of Criminal Intelligence, Queensland
CID	The CJC's Criminal Intelligence Database
CJC	Criminal Justice Commission
EACC	Enterprise Agreement Consultative Committee
EEO	Equal Employment Opportunity
Fitzgerald Inquiry	Fitzgerald Commission of Inquiry
FOI	Freedom of Information
ICAC	Independent Commission Against Corruption (NSW)
Intsums	Intelligence Summaries (prepared regularly by the Intelligence Division)
JOCTF	Joint Organised Crime Task Force The JOCTF consists of officers of the CJC and QPS; it was established in 1992 to focus on several organised crime groups.
MDT	Multidisciplinary Team There are four MDTs in the OMD (one of which is incorporated into the JOCTF), which investigate the more complex complaints and undertake pro-active investigations into major and organised crime.
NCA	National Crime Authority
OMD	Official Misconduct Division
PCJC	Parliamentary Criminal Justice Committee
PEAC	Police Education Advisory Council Established as a joint initiative of the QPS and the CJC to advise the Commissioner of Police on policy issues relating to the education and training of QPS members.
PID	Public interest disclosure
QPS	Queensland Police Service
RecFind	The CJC's records management package
Review Commissioners	Commissioners for Police Service Reviews
TAFE College	Technical and Further Education College

INTRODUCTION FROM THE CHAIRPERSON

This is the seventh Annual Report of the Criminal Justice Commission and the first I have introduced as Chairperson. It comes at the end of a particularly productive year, as will be apparent from the contents of the Report.

I owe a debt of gratitude, both personally and on behalf of the CJC, to Mr Lew Wyvill QC who took care of the Commission for the first half of the year prior to my taking up office in January. Mr Wyvill is retiring after four years as a part-time Commissioner. He has acted as Chairperson on a number of occasions. His energy and dedication have enabled him to make a very significant contribution to the CJC's work on many fronts.

Also retiring as a part-time Commissioner is Mr Barrie Ffrench. Again a man of energy and dedication, Mr Ffrench has worked tirelessly to put to use his considerable expertise in matters of management—both within the Commission and with the Queensland Police Service. My thanks to both of them and to Mr Charles Brabazon QC who acted as a part-time Commissioner during the period that Mr Wyvill was Acting Chairperson.

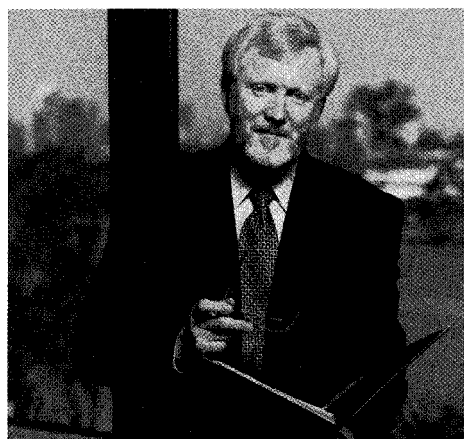
Two new part-time Commissioners will replace Mr Wyvill and Mr Ffrench. They are Mr James Crowley RFD QC, a practising Barrister-at-Law and Ms Dina Browne AO, Manager of the Festival of Television for Australian Children 1995 and 1996 and Consultant on Children's Television for the Seven Network. I look forward to working with Mr Crowley and Ms Browne.

The CJC has been in existence now for over six years. It may well be an appropriate time to review where it has been and to develop a vision for where it is going in the future.

The process that led to its creation was a very painful one—painful not only for the many honest and hard-working members of the Police Service but for all Queenslanders. The Fitzgerald Inquiry over a lengthy period saw almost daily revelations of corruption—corruption that was able to flourish because of public sector incompetence and general public apathy and ignorance.

The crisis of public confidence in the Police Service and other public institutions as a result of these revelations focused attention on the drastic need for reform and led to a deep commitment across the community to the implementation of the detailed blueprint for broad-based reform contained within the Fitzgerald Report.

While the Fitzgerald Inquiry may have been a painful process for Queenslanders, it produced some very valuable results, one of which was the creation of the Criminal Justice Commission. The community was pleased to have this independent body, accountable to Parliament through the Parliamentary Committee, with a unique blend of functions which recognised that the fight against



corruption required not only a reactive investigative approach but also a pro-active role in overseeing reform in the Queensland Police Service and seeking to improve the criminal justice system in other ways.

The Commission's role as 'watchdog' is well balanced by its positive role as 'reformer and educator' on criminal justice issues. Amongst other things, it must continually reinforce the value of prevention—both corruption prevention and crime prevention generally. The Commission has a crucial role to play in this regard because effective prevention measures require a long-term view and governments are always tempted to look only to short-term results.

The Commission is, of course, highly accountable for everything it does. It regularly reports fully to the Parliamentary Criminal Justice Committee and anyone with a complaint is entitled to raise it with that Committee. Its functions are comprehensively reviewed by the Committee every three years.

It is a most valuable institution for all Queenslanders—designed to ensure that there will never again be a repetition of the dark days of corruption which existed in pre-Fitzgerald times. So the CJC is worthy of protection, and ultimately it falls to the public to protect it.

More than anything, it is of great importance that the independence of the Commission remains intact—that is, that it remain independent of party politics, independent of Executive Government and independent of the influence of any powerful pressure group whatsoever.

The great strength of the Commission is that it is independent but highly accountable. This quality must survive—whatever reviews are carried out. If not, such reviews will see the beginning of the end of the hard-won process of reform.

Frank Clair

THE YEAR AT A GLANCE

Police and Criminal Justice Research and Reform		Page
published 10 research papers on policing issues		14
released a summary of our evaluation of the Toowoomba Beat Policing Project		14
published recommendations for improving informal complaint resolution in the QPS		17
provided the QPS with the results from our 1995 Attitudes to QPS Survey		17
reported on the West End Beat Policing Project		18
finalised <i>Beat Policing: A Training Package</i>		18
reached agreement with the QPS South-Eastern Region to conduct a joint pilot project, the Beenleigh Calls for Service Project		23
began the Criminal Justice System Monitor series		23
published four research publications on criminal justice matters		23
completed report <i>Aboriginal Witnesses in Queensland's Criminal Courts</i>		26
Police and Public Sector Integrity		Page
number of complaints received by the CJC passed the twenty thousand mark with 2337 received in 1995–96; 378 matters were outstanding at 30 June		29
this year 234 people were charged as a result of complaints investigations		32
23 people were charged as the result of our exposure of a driver's licence and registration scam		35
conducted an extensive investigation of large-scale theft from a Department of Transport workshop		35
completed three successful prosecutions of people making false complaints about the misconduct of police		37
restructured the Complaints Section to sharpen the focus on the review of QPS investigations of minor misconduct		38
commenced two public inquiries, both conducted by the Honourable Kenneth J Carruthers QC		44
released a report on an independent inquiry, the Hanson Inquiry, into the alleged unauthorised dissemination of information about one of our investigative operations (Operation Wallah)		45
gave 51 ethical decision-making workshops		52
attended 29 ATSI community meetings and gave 47 presentations		54
conducted 11 official misconduct risk management reviews		58
gave assistance to 43 whistleblowers and 29 potential whistleblowers		60

Intelligence	Page
upgraded the CID database, which currently contains 21 200 discrete pieces of information, so that it will be able to operate in a much faster environment and with a greater storage capacity	63
disseminated criminal intelligence to other law enforcement agencies on 496 occasions	63
began an operation designed to identify the nexus between corruption/official misconduct and organised crime in Queensland	64
participated in three nationally coordinated intelligence operations and two national strategic intelligence courses	66
participated in the Review of Management of Intelligence within the QPS, which resulted in the establishment of a QPS Intelligence Management Board	67

Organised and Major Crime Investigation	Page
24 people were charged as a result of our investigations	70
nine people were successfully prosecuted as the result of an extensive investigation into large-scale cannabis production in North Queensland (Operation Harrier)	70
with the assistance of the NCA, conducted an intensive investigation into an Italian organised crime syndicate involved in drug cultivation and distribution, resulting in the seizure and destruction of two illegal drug crops (Operation Jethro)	70
together with the QPS, assisted the NCA expose the largest amphetamine manufacturing operation ever identified by law enforcement agencies in Australia	71
instigated actions that resulted in the restraining of assets (from organised drug trafficking) valued at more than one million dollars	72

Witness Protection	Page
conducted threat assessments and risk analyses on 134 people in 56 operations, of which 79 people in 31 operations were accepted	76
provided support and protection to 202 people in 79 operations	76
conducted 189 relocations	77

FINANCIAL SUMMARY

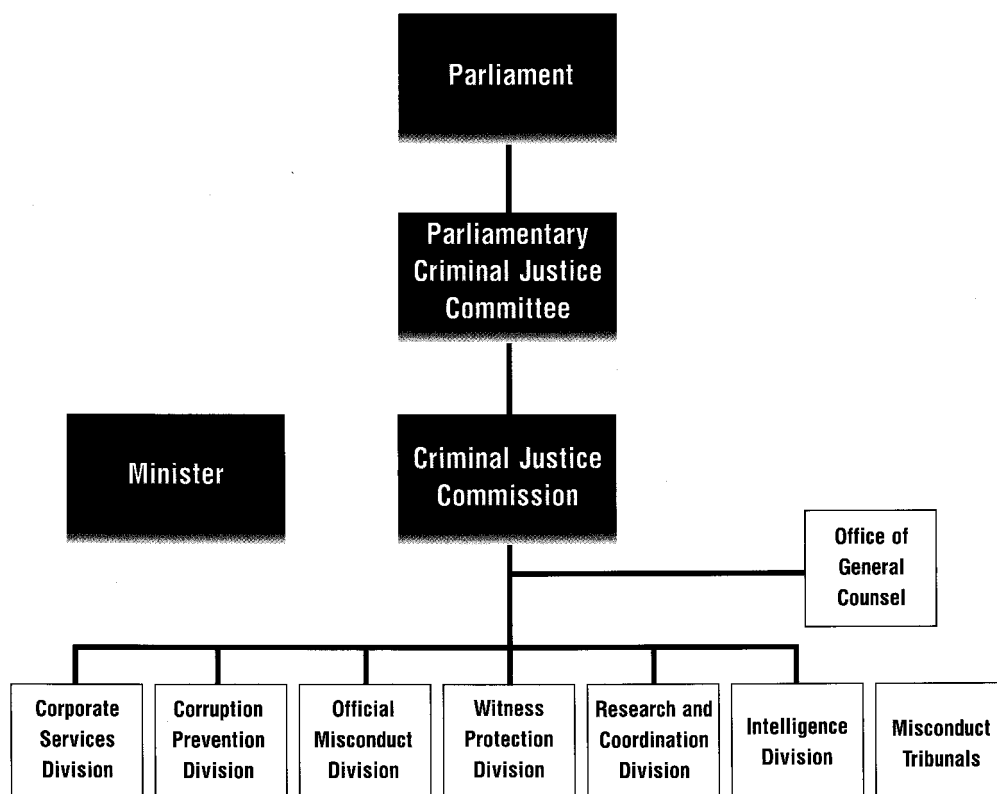
Year Ended 30 June	1996 \$000s	1995 \$000s	Change \$000s	Change (%)
For the year				
Queensland Government Grant	21 614	21 065	549	2.6
Operating Revenue	284	279	5	1.8
Operating Expenses	22 618	20 989	1 629	7.8
Operating Surplus	(720)	355	n/a	n/a
Abnormal Item	(900)	-	n/a	n/a
At year end				
Total Assets	2 624	3 764	(1140)	(30.3)
Total Liabilities	1 685	1 205	480	39.8
Net Assets	939	2 559	(1620)	(63.3)

PROFILE

The Criminal Justice Commission (CJC) was established by the *Criminal Justice Act 1989* on the recommendation of the Commission of Inquiry chaired by Mr G E Fitzgerald QC. The CJC is charged with monitoring, reviewing, coordinating and initiating reform of the administration of criminal justice in Queensland and fulfilling those criminal justice functions that cannot appropriately or effectively be carried out

by the Queensland Police Service (QPS) or other agencies of the State.

The Commission is headed by a Chairperson and four part-time Commissioners. It reports to a Parliamentary Committee (PCJC) and performs its functions through five operational divisions. Employees comprise civilians and police officers.

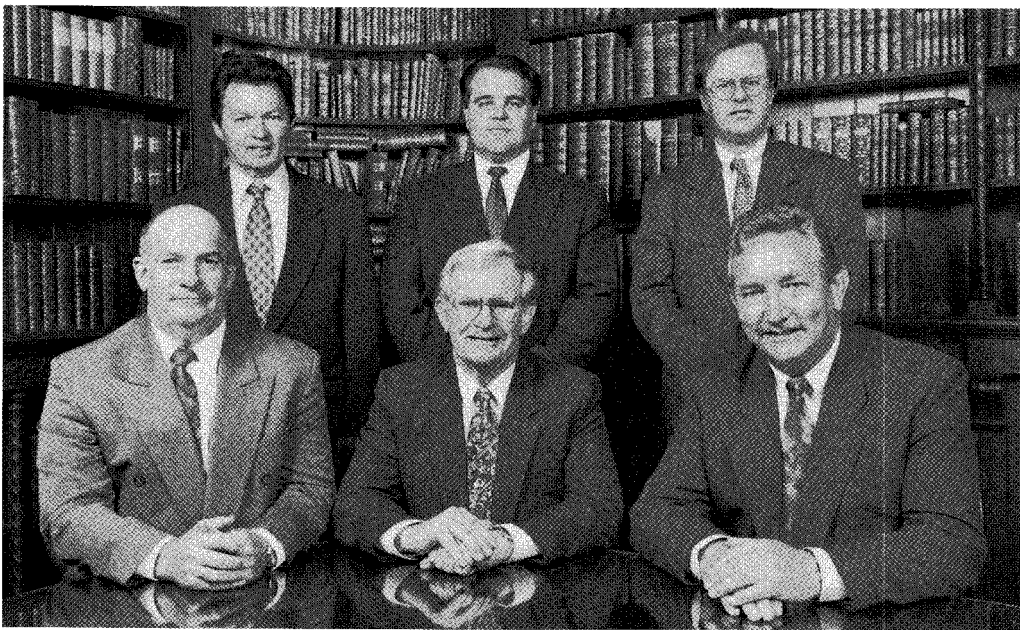


PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE (PCJC)

The *Criminal Justice Act* makes the CJC free of Executive control. However, we are fully accountable to Parliament, the courts and the community. We report, in writing and in person, to our Parliamentary Committee at formal meetings and provide numerous other written reports. Thus, the PCJC is our direct link to Parliament and, ultimately, to the people of Queensland.

Established under the *Criminal Justice Act*, the PCJC is a six-member all-party committee of the Queensland Legislative

Assembly. It monitors and reviews the activities of the CJC and reports to Parliament. The PCJC may request the Commission to elaborate on specific issues raised in its written reports or to address matters that have come to the Committee's attention. The PCJC is also empowered to hold public hearings on issues related to the activities of the CJC. Further, it can receive complaints from anyone who feels aggrieved by the activities or investigations of the CJC.



Seated (left to right): Mr Gordon Nuttall MLA (Sandgate), the Hon. Vince Lester MLA (Keppel), Mr Ray Hollis MLA (Redcliffe); standing (left to right): Mr William Baumann MLA (Albert), Mr Luke Woolmer MLA (Springwood); Mr Stephen Robertson MLA (Sunnybank)

THE CHAIRPERSON

The current Chairperson of the CJC is Mr Frank Clair, who was appointed to the position in May 1995 and took up duties in January 1996. Mr Lewis Wyvill QC was Acting Chairperson in the interim.

Mr Clair was admitted to the Bar in February 1971 after completing a BA and LLB at the University of Queensland. During 25 years at the Bar, he practised extensively in criminal law, holding at one time the position of Senior Crown Prosecutor in this State and, during later years in private practice, an appointment

as Special Prosecutor. He has been involved in a number of very significant criminal trials and appeals, including some important matters arising out of the Fitzgerald Inquiry. He has practised in various other areas of law including other inquiries, being twice Counsel Assisting the Warden's Inquiry into Explosions at the Moura Coal Mine.

As CJC Chairperson, Mr Clair follows Sir Max Bingham QC (Dec. 1989–Nov. 1992) and Mr Robin O'Regan QC (Dec. 1992–May 1995).

THE COMMISSIONERS

The part-time Commissioners, appointed by the Governor-in-Council on the recommendation of the Minister, bring a broad range of professional and practical experience to the Commission.

In 1995–96, membership was:

Mr Lewis Wyvill QC (Acting Chairperson June 1995–January 1996)

Mr Robert Bleakley

Mr Barrie Ffrench

Professor Ross Homel

Mr Charles Brabazon QC (Acting Commissioner June–November 1995)



Mr Robert Bleakley, Mr Frank Clair (Chairperson), Professor Ross Homel, Mr Lewis Wyvill QC, Mr Barrie Ffrench

Mr Lewis Wyvill QC graduated with a BA and LLB from the University of Queensland in 1956. He was admitted to the Bar in November 1956 and has practised mainly, but not exclusively, in the areas of common law, criminal law and administrative law. His main interests in the area of criminal justice lie in the detection and prevention of official misconduct and the reform of the QPS. He was appointed Queen's Counsel in 1983. From May 1988 to March 1991, he was one of the Commissioners who inquired into Aboriginal Deaths in Custody. In 1993, he presided for the CJC in the Yock Inquiry. He has been a part-time Commissioner for the CJC since August 1992 and has acted as Chairperson three times, most recently from June 1995 to January 1996. For most of that time, Mr Charles Brabazon QC replaced him as a Commissioner. (Mr Brabazon resigned on

24 November 1995 to take up duties as a judge of the District Court.)

Mr Robert Bleakley holds a BSocWk from the University of Queensland and a postgraduate Diploma in Criminology from the University of Melbourne. He has served as Chief Social Worker for the Division of Psychiatric Services and as Deputy Chief of the then Probation and Parole Service. Following the Kennedy Review into Corrective Services in 1989, he was appointed Director of Community Corrections. Aside from his Commission activities, he is an Australian Team rowing coach.

Mr Barrie Ffrench has a BA from the University of Sydney and is a freelance consultant who was formerly Director, Human Resource Consulting, KPMG Peat Marwick. His background is primarily in

personnel management where he has served as an executive and consultant, providing direction and advice on executive recruitment, organisational review and management training. He assisted the Kennedy Commission in the establishment of the new Queensland Corrective Services Commission.

Professor Ross Homel is a criminologist and Professor of Justice Administration at Griffith University. He holds a PhD in

Behavioural Sciences from Macquarie University, as well as degrees in sociology and statistics. His special interest is in crime prevention, and his current projects include the prevention of alcohol-related violence, sentencing in the Magistrates Courts and the optimisation of random breath-testing. He is a former editor of the *Australian and New Zealand Journal of Criminology*, and Deputy Director of the NSW Bureau of Crime Statistics and Research.

THE DIVISIONS

The CJC has five operational divisions:

- Official Misconduct
- Research and Coordination
- Intelligence
- Witness Protection
- Corruption Prevention

These operational divisions are assisted by the Corporate Services Division and the Office of General Counsel.

The Official Misconduct Division (OMD) is our largest division, comprising approximately half of all employees. The OMD investigates allegations of misconduct against members of the QPS and of official misconduct against officers of other units of public administration. It can investigate

complaints made to the CJC and also investigate matters on its own initiative.

Complaints requiring detailed investigation are referred to teams in the Complaints Section or, for complex or prolonged investigations, to the multidisciplinary teams known as MDTs.

MDTs also deal with those investigations into organised and major crime that are not appropriate to be discharged or cannot be effectively discharged by other Queensland agencies. For example, an investigation may require substantial access to the CJC's compulsory powers, or specialist input such as financial analysis. In addition, the MDTs support public inquiries conducted by the CJC.



The Executive: (standing, left to right) Dr David Breton (Director, Research and Coordination Division); Mr Mark Le Grand (Director, OMD); Mr Robert Hailstone (Director, Corruption Prevention Division); (seated, left to right) Assistant Commissioner John McDonnell APM (Director, Witness Protection Division); Mr Paul Roger (Director, Intelligence); Mr Frank Clair (CJC Chairperson); Mr Graham Brighton (Executive Director)

MDTs comprise investigators, lawyers and accountants, supported by intelligence analysts. There are four teams, and a Proceeds of Crime Unit. One of the teams is part of the Joint Organised Crime Task Force (JOCTF), a cooperative venture with the QPS that conducts investigations into a number of organised crime groups.

The Research and Coordination Division researches matters affecting the administration of criminal justice and the enforcement of criminal law in Queensland. It also:

- recommends reforms of criminal law and criminal justice administration
- reviews and monitors the programs and methods of the QPS.

The Intelligence Division provides a specialist criminal intelligence service enabling an integrated approach to the investigation of organised and major crime, official misconduct and other criminal activities that exceed the bounds of normal police investigations. It performs this role by:

- building and maintaining a database of intelligence, from lawful sources, on criminal activities and those who participate in them
- ensuring the security and confidentiality of its database and records
- providing support to CJC investigations and those of other law enforcement agencies as required
- monitoring trends in organised crime, and preparing strategic assessments
- overseeing the performance of the QPS's Bureau of Criminal Intelligence, Queensland (BCIQ).

The Witness Protection Division provides an effective service to people who have assisted the CJC or other Queensland law enforcement agencies. It does this by:

- maintaining a 24-hour 'lifeline' for witnesses

- providing on-call protection and close personal protection
- relocating people, or providing new identities, or both.

The Corruption Prevention Division seeks to prevent corruption in the public sector and the community by:

- advising senior managers on reporting official misconduct in their organisation
- carrying out risk assessments and systems reviews at the request of Chief Executive Officers, and assisting them to develop a strategic approach to preventing official misconduct
- encouraging the community, through public awareness programs, to help reduce corruption
- providing advice and counselling for whistleblowers who are assisting the CJC.

The Corporate Services Division supports the CJC's operational divisions by:

- developing and implementing administrative and logistical policies and procedures
- making recommendations to meet organisational, staffing and overall budgetary needs
- establishing procedures for external and internal accountability in compliance with legislation and standards.

The Office of General Counsel provides legal advice to the CJC on a wide range of issues. It has administrative responsibility for the Misconduct Tribunals. The Tribunals investigate and determine disciplinary charges of official misconduct and review decisions (other than those of a court or Misconduct Tribunal) on disciplinary charges of misconduct against police and other 'prescribed' persons who are made subject to their jurisdiction by regulation.

For more information on the functions of the CJC, see appendix 4: Statement of Affairs.

Programs

PROGRAM STRUCTURE

PROGRAMS	SUBPROGRAMS	DIVISION RESPONSIBLE
<p>1 Police and Criminal Justice Research and Reform</p>	<p>1 Police Research, Reform and Monitoring</p>	<p>Research and Coordination</p>
<p>2 Police and Public Sector Integrity</p>	<p>2 Criminal Justice Research, Reform and Monitoring</p>	<p>Official Misconduct</p>
<p>3 Intelligence</p>	<p>1 Complaints Investigation and Review</p>	<p>Corruption Prevention</p>
<p>4 Organised and Major Crime Investigation</p>	<p>2 Misconduct Prevention</p>	<p>Intelligence</p>
<p>5 Witness Protection</p>		<p>Official Misconduct</p>
<p>6 Corporate Management and Accountability</p>		<p>Witness Protection</p>
		<p>Corporate Services</p>

Police and Criminal Justice Research and Reform

Goal: To promote an effective, fair and accessible criminal justice system

SUBPROGRAM 1

Police Research, Reform and Monitoring

OBJECTIVES

To monitor and enhance the professionalism, effectiveness and responsiveness of the QPS

To contribute to informed public discussion on policing issues

PROJECTED ACTIVITY	OUTCOME
<p>Complete our evaluation of the Fitzgerald Inquiry reforms of the police complaints and disciplinary process.</p>	<p>We have delayed the release of this report to allow the inclusion of 1995-96 data. However, during the year we published two research papers arising from this project: <i>External Oversight of Complaints against Police in Australia: A Cross-Jurisdictional Comparison</i> and <i>Ethical Conduct and Discipline in the Queensland Police Service: The Views of Recruits, First Year Constables and Experienced Officers</i>.</p>
<p>Follow up our research on the use of informal complaint resolution by the QPS.</p>	<p>In April 1996, we published <i>Informal Complaint Resolution in the Queensland Police Service: Follow-up Evaluation</i>. The QPS has indicated that it intends to implement most of the recommendations contained in this report.</p>
<p>Release the findings of research on assault complaints made against police to help reduce the incidence of this type of complaint.</p>	<p>Preliminary findings from this research have been provided to the QPS. We will publish a report later in 1996.</p>
<p>Produce a research paper summarising our research on public attitudes towards the QPS.</p>	<p>In July 1995, we published <i>Public Attitudes towards the Queensland Police Service: June 1995 Survey: Summary of Findings</i>.</p>
<p>In conjunction with the QPS, develop strategies for monitoring the implementation of the proposed new police powers legislation.</p>	<p>We conducted a survey of arrestees to collect baseline information to assist in the monitoring of proposed new police powers legislation. Results will be published later in 1996.</p>

PROJECTED ACTIVITY	OUTCOME
<p>Promote the development of further community policing projects and other crime prevention initiatives.</p>	<p>We continued to be involved in promoting beat policing as a pro-active policing strategy. We released a summary of our evaluation of the Toowoomba Beat Policing Project, reported on the West End Beat Policing Project, and prepared a training resource kit for beat officers.</p>
<p>Provide the QPS with an overview of the findings of the 1995 Attitudes to Police Survey that we conducted, as well as statistics on complaints trends.</p>	<p>We provided the QPS with the results from our 1995 Attitudes to QPS Survey, which the Service used in preparing its annual Performance Review. We also analysed complaints data and provided relevant statistics to the QPS.</p>
<p>Work with the QPS to enable calls for service data to be utilised in the development of pro-active, problem-solving policing strategies.</p>	<p>In March 1996, we published the research paper <i>Utilising Calls for Service Data</i>. In conjunction with the QPS South-Eastern Region, we also commenced work on the Beenleigh Calls for Service Project, which will put into effect some of the ideas contained in the paper.</p>
<p>Undertake an evaluation of changes to the First Year Constable program. Conduct research on the experiences and career progression of graduates and female officers in the QPS.</p>	<p>In June 1996, we published a paper entitled <i>Regional Delivery of First Year Constable Training: An Evaluation</i>, and undertook some preliminary research for a project on graduates in policing.</p>

PERFORMANCE INDICATORS

Number and type of Commission initiatives and recommendations adopted by the QPS

Progress made by the QPS in addressing key issues identified in CJC reports

Independent expert review of research output

Reader response to relevant issue papers

STRATEGY 1

Conduct independent research on policing issues.

In 1995–96, our research staff released 10 research publications specifically on policing issues, and a further three that contained policing-related material. In addition, we presented a total of five papers on policing issues to academic conferences.

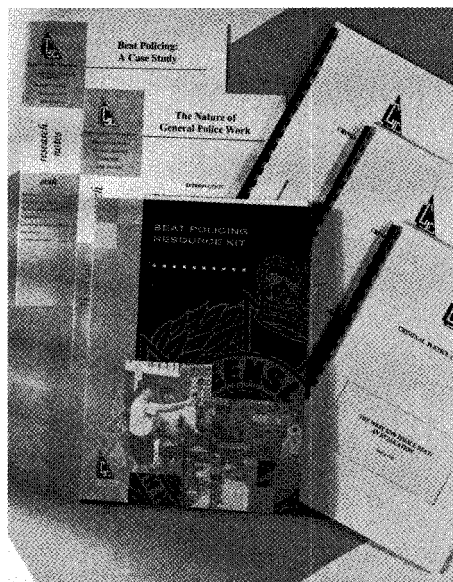
Research papers on policing issues:

Beat Policing: A Case Study—presents the key findings of our evaluation of the Toowoomba Beat Policing Project. The project, a joint initiative of the QPS and the CJC, was set up in May 1993 to trial a new method of delivering policing services to urban communities.

Ethical Conduct and Discipline in the Queensland Police Service: The Views of Recruits, First Year Constables and Experienced Officers—describes findings of a survey of police views on ethical conduct and the disciplinary process in the QPS and concludes by discussing possible strategies for promoting ethical conduct by police officers.

External Oversight of Complaints against Police in Australia: A Cross-Jurisdictional Comparison—describes and compares the key features of eight Australian agencies currently overseeing complaints against police. We provide a useful overview of the major differences and similarities between the various agencies to help the reader to see where particular bodies fit into the national picture.

Informal Complaint Resolution in the Queensland Police Service: Follow-up Evaluation—follows our 1994 evaluation of informal resolution as a method of dealing with minor complaints against police. That earlier evaluation recommended several changes to improve the procedures. This follow-up report measures the impact of those changes and makes further recommendations for improvement.



The Nature of General Police Work—looks at how the public image of ‘police work’ accords with the common, day-to-day work of police. Aspects examined are the amount of time police on patrol spend on various activities, the types of calls they handle, and the pattern of demand for police services. In this paper we aim to promote better public understanding of the police role in the community and to assist policy-makers to make informed decisions about police management and resource issues.

Police Recruit Selection: Predictors of Academy Performance—assesses the validity and utility of current recruitment selection criteria in predicting performance at the Queensland Police Academy and concludes that the current process used by the QPS should be reviewed.

Public Attitudes towards the Queensland Police Service: June 1995 Survey: Summary of Findings—summarises the key findings of the most recent of our regular surveys of Queenslanders about their attitudes towards the QPS.

Regional Delivery of First Year Constable Training: An Evaluation—reports on the impact of a 1995 policy change in the QPS affecting the allocation of First Year Constables to the regions.

Utilising Calls for Service Data—illustrates how analysis of calls for service

data can facilitate the better management of police resources, particularly in relation to problem solving and crime prevention. The paper relies primarily on data collected as part of our evaluation of the Toowoomba Beat Area Policing Project, but the points have general relevance.

The West End Police Beat: An Evaluation—makes several recommendations for modifications and presents some key findings that may be relevant in the design of other beat policing projects.

Publications containing policing-related material (see subprogram 2 for details):

Children, Crime and Justice in Queensland

Criminal Justice System Monitor, vol. 1 no. 1 in Criminal Justice System Monitor series

Residential Burglary in Queensland

Conference papers on policing issues (see also appendix 1):

‘The Police Code of Silence in Queensland: Assessing the Impact of the Fitzgerald Reforms’, 11th Annual Conference of the Australian and New Zealand Society of Criminology, Wellington, New Zealand

‘Three Sides of the Coin: An Evaluation of Informal Complaint Resolution in the Queensland Police Service’, 11th Annual Conference of the Australian and New Zealand Society of Criminology, Wellington, New Zealand

‘Calls for Service Data: Making Better Use of an Existing Police Resource’, Problem Oriented Policing and Crime Prevention: Towards Best Practice, Griffith University

‘Overcoming Organisational Barriers to the Implementation of Problem Oriented Policing’, Problem Oriented Policing and Crime Prevention: Towards Best Practice, Griffith University

‘Developing an Experimental Design for a Problem Solving Approach Aimed at

Reducing Repeat Calls for Service’, Problem Oriented Policing and Crime Prevention: Towards Best Practice, Griffith University

Apart from preparing a substantial number of research publications and papers, we advised the QPS on a range of research-related matters, including:

- the design of various surveys, such as the QPS Crime Victims Survey and some local community surveys
- the upgrade of the QPS Incident Management System (IMS)
- the evaluation and implementation of an anti-burglary initiative in North Coast Region known as Stopbreak
- the Corporate Planning Section’s measurement of program performance.

We also assisted them with the analysis of:

- a survey of service users undertaken in the Ipswich Police District
- complaints data (including providing the relevant statistics).

INDEPENDENT EXPERT REVIEW

To obtain an objective assessment of the quality of our research, we asked two prominent interstate researchers in the policing field to review the major publications on policing issues that we released in 1995–96. Their observations were as follows:

I am generally very impressed with the scope and depth of your research program, as well as the quality of the research reports. The choice of research areas appears to be well thought out and reflects important aspects of policing and policing reform. The projects are generally well designed with a clear focus on the research questions and a useful mix of statistical, documentary and interview/questionnaire data. The reports are very well presented and clearly written (a joy to read) with appropriate use of graphics and tables. I think that they communicate vital information clearly and concisely.

(Reviewer A)

The reports forwarded for review cover a wide range of both operational and management issues and they target audiences ranging from senior police management and policing researchers to operational police and the general public. All of the reports are of the highest professional standards, addressing each issue objectively and thoroughly within the context of relevant previous research, and reporting the results clearly, simply and logically so that they are accessible to all readers. The studies reviewed use a range of research designs and sources of data as appropriate to the issue under consideration. Indeed, the range of measures utilised in these studies is worthy of note. Too often researchers in policing restrict themselves to traditional sources of data. This is not the case in the current studies. In this way, these studies apply a thoughtful approach to the investigation of some longstanding problems for policing. As such they should be of interest to police and police researchers throughout Australia.

(Reviewer B)

Our two reviewers also provided helpful comments on individual publications, which we will take into account when preparing future reports.

Some of our work is now beginning to attract international recognition. We recently received a request for *Beat Policing: A Case Study* to be reprinted in a book entitled *What Works in Policing*, edited by Professor David Bayley of the State University of New York and to be published by Oxford University Press. A paper on this project, written by Christine Bond (Research and Coordination Division) and Dr David Gow (University of Queensland), has also been accepted for publication in a leading international academic journal, *Crime Prevention Studies*.

READER RESPONSE

Publications issued in our Research Paper series are targeted at non-specialist audiences and are designed to be succinct, informative, and non-technical. Every person or organisation who is sent a copy of

one of these papers also receives a 'Reader Assessment Form', which asks the reader to score the paper from 1 to 5 for its clarity of language, clarity of information presented in graphs, and general usefulness. Table 1 below shows the overall ratings that were obtained.

USE OF OUR RESEARCH

We aim to produce high-quality research that is useful to police and policy-makers. The following are examples of some of the ways in which our research has been used:

- Our research report *Ethical Conduct and Discipline in the Queensland Police Service: The Views of Recruits, First Year Constables and Experienced Officers* included a proposal that the QPS consider creating a pro-active unit with specific responsibility for promoting attitudinal and behavioural change within the Service. This proposal was taken up by the Service, with the establishment of Project Honour in late 1995. Subsequently, Project Honour has made considerable use of our research in developing ethics training strategies.
- Results from our 1995 survey of attitudes to the QPS were used by the Corporate Planning Section of the QPS in preparing the Service's annual Performance Review. We also provided each QPS region with data showing how that region compared with the statewide average on various measures of public satisfaction with police.

TABLE 1	
Overall ratings obtained	
Feature	Average score (max = 5)
Clarity of language	4.4
Data presentation	4.3
Usefulness	4.6
1 = 'not very good'; 5 = 'very good'	

- The research findings presented in our paper *Regional Delivery of First Year Constable Training: An Evaluation* were instrumental in the QPS decision to reinstate the policy of counting First Year Constables as 'training surplus', rather than as part of the operational strength of a region. This change in policy will assist in ensuring that priority continues to be given to the training needs of these officers.
- Our research paper *Police Recruit Selection: Predictors of Academy Performance* was the basis for a decision by PEAC to initiate a comprehensive review of police recruitment procedures and criteria in 1996–97.
- Our follow-up evaluation of informal complaint resolution in the QPS made seven recommendations for improving the current processes, relating to such matters as:
 - monitoring the use of informal resolution across regions and the time taken to complete informal resolutions
 - improved training of the members of the QPS responsible for conducting informal resolutions
 - the development of alternative management and disciplinary strategies for identifying and dealing with officers who have been the subject of multiple complaints.

The QPS has indicated it has accepted these recommendations 'in the main' and is taking steps to implement them.

- Our paper *External Oversight of Complaints against Police in Australia: A Cross-Jurisdictional Comparison* was used by the Australian Law Reform Commission and the Royal Commission into the New South Wales Police Service in reports prepared by those agencies.

QPS RESPONSE

Another important measure of our performance is the extent to which the QPS has made progress in tackling key reform issues that have been identified in our reports.

In April 1996, we prepared for the QPS Review Committee (see also page 19) an updated report on the progress of reform within the QPS since we released our report *Implementation of Reform within the Queensland Police Service: The Response of the Queensland Police Service to the Fitzgerald Inquiry Recommendations* in August 1994. In the update, we noted that there had been further progress in the areas of human resource management, information management, the measurement and monitoring of organisational performance, and the allocation of police. However, we concluded that the QPS needed to do more to promote community policing and the development of more problem-oriented, pro-active policing strategies.

We have been pleased with the degree of interest in beat policing displayed by police at the regional level, but the number of beat projects remains disappointingly small. Funding for several additional projects was announced early in 1996, but these initiatives were later placed on hold after the change of government. Promoting the greater use of beat policing, and other pro-active policing strategies, will be one of our main priorities in 1996–97.

STRATEGY 2

In conjunction with the QPS, design, implement and evaluate projects to improve policing methods and crime prevention strategies.

We believe that one of the best ways to promote innovation within the QPS is by working with the Service to set up pilot or 'demonstration' projects to trial alternative policing strategies. Such projects enable police to see first hand whether these alternative approaches are practical and effective. The research information that we collect in the course of evaluating these projects is also of great assistance in planning further initiatives.

The best known project in which we have been involved is the Toowoomba Beat Policing Project. We also provided support during the year to two very successful projects running in the Ipswich area, at Leichhardt and Silkstone. In addition, we completed a comprehensive evaluation of the West End Beat Policing Project, located in inner Brisbane. The evaluation concluded that the West End project had achieved considerable gains within a relatively short time frame and should be continued, and made several suggestions for how the project could be made even more effective. Most of these suggestions have been taken up by the QPS.

In 1995-96, we advised police in Townsville, Cairns, Rockhampton and the Sunshine Coast on the establishment of beat policing projects in those centres. In conjunction with officers from QPS Southern Region, we developed a set of training materials for preparing new officers for the unique challenges of beat policing.

We reached agreement with the QPS South-Eastern Region to conduct a joint



Photo courtesy of The Rockhampton Bulletin

David Brereton (Director, Research and Coordination Division) with police in Rockhampton.

pilot project in Beenleigh in 1996-97. The Beenleigh Calls for Service Project, as it is to be known, will involve the systematic analysis of calls-for-service data to identify 'hot spots' or addresses with high numbers of repeat calls. Once these locations have been identified, a police officer will be deployed to analyse the nature of the problem and develop strategies for reducing the number of calls coming from these locations. The project aims to give practical effect to some of the ideas contained in our paper *Utilising Calls for Service Data* published in March. We hope to be able to report on the outcome of the project in our next annual report.

In conjunction with Griffith University's Centre for Crime Policy and Public Safety, the National Police Research Unit and the QPS, we helped sponsor a conference entitled 'Problem Oriented Policing and Crime Prevention: Towards Best Practice' in Brisbane in June 1996. We also arranged for the keynote speaker at the Conference, Professor Herman Goldstein of the University of Wisconsin, to visit police in QPS Central Region and to address the QPS Senior Executive Conference.

STRATEGY 3

Participate in, and provide input to, the Police Education Advisory Council (PEAC) and other working groups and advisory bodies.

We are represented on a considerable number of advisory bodies, working groups and committees related to the work of the QPS. Two of the more important bodies in which we were involved in 1995-96 were PEAC and the QPS Review Committee.

PEAC

PEAC was established as a joint initiative of the QPS and the CJC to advise the Commissioner of Police on policy issues relating to the education and training of QPS members. We make a financial contribution to the costs of running PEAC and, wherever possible, align our research in the area of education and training with the interests and concerns of PEAC. There are currently three CJC representatives on the Council: two part-time Commissioners and the Director of the Research and Coordination Division.

QPS REVIEW COMMITTEE

The QPS Review Committee was established in March 1996 by the Minister for Police and Corrective Services and Minister for Racing, with the task of identifying areas in which the efficiency, effectiveness and accountability of the

QPS can be improved to ensure the best service delivery.

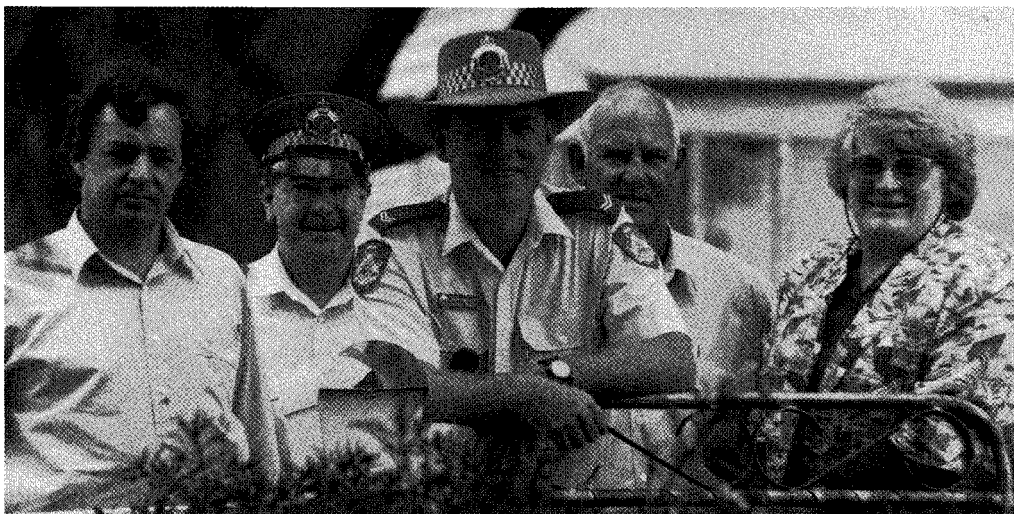
The CJC was represented on the Committee by the Directors of the Research and Coordination Division and the OMD. In addition to nominating these two representatives, we gave the Committee a detailed and comprehensive written submission, an update on the progress made by the QPS since we published our 1994 report *Implementation of Reform within the Queensland Police Service*, and an extensive body of published and unpublished research material.

The Committee will report to the Minister in August 1996 and that report will then be made public.

OTHER COMMITTEES

Other significant QPS-related committees and reviews in which we were involved during the year were the:

- Operational Skills and Equipment Committee
- QPS Crime Prevention Working Group
- Queensland Police Academy Education and Training Committee
- QPS Occupational Stress Working Group
- QPS Corporate Services Review
- Paedophile Activity and Child Abuse Steering Committee (Project Horizon)



Members of the QPS Review Committee visit West Beat in Toowoomba. From left to right: David Brereton (Director, Research and Coordination Division, and Committee member); Senior Sergeant Wayne Woods (QPS Southern Region); Senior Constable Russell McKee (Beat Officer, West Beat); Mr Roly Dargusch (Committee member); Ms Jill Bolen (Committee member)

Photo courtesy of The Chronicle, Toowoomba Newspapers Pty Ltd

STRATEGY 4

Monitor and report on key trends and developments within the Police Service.

Under our Act, we are responsible for monitoring the progress of reform in, and general performance of, the QPS. We have sought to give effect to these responsibilities in several ways:

- The first issue in the new Criminal Justice System Monitor series, which we released in August 1995, reported on trends over the last several years in reported crime, clearance rates, workload measures and QPS funding. We also compared the Queensland situation with other States, where that information was available. During the year, we commenced work on a separate Police Service Monitor, which will present much more detailed information about the performance and resourcing of the QPS. This publication will be released in late 1996.
- Since 1991, we have conducted regular surveys of recruits, First Year Constables and Constables to obtain their views on the education and training system. The information obtained from these surveys is provided to the Police Academy and PEAC to assist in the monitoring and improvement of police training.
- Every two years we conduct a general survey of public attitudes towards the QPS. The results of the most recent study were published in July 1995. These surveys enable us to monitor changes in public confidence in, and satisfaction with, the police, and also provide us with valuable information about the extent of public concern about crime.
- During the year, we introduced a strategy for monitoring long-term changes in police attitudes and behaviour.

This strategy will use the following data sources:

- complaints statistics generated by the CJC and the Professional Standards Unit of the QPS
- CJC complaints files, particularly those involving police-against-police complaints
- regular surveys of recruits and First Year Constables on their attitudes to ethical issues and the reporting of misconduct by fellow officers
- biennial surveys of the general public, and of people arrested by police.

Information obtained from these various sources will enable us to monitor the progress of police reform and, more particularly, assess the effectiveness of misconduct strategies being developed by the QPS and the CJC.

- We prepare a monthly briefing paper on QPS reform for circulation within the CJC. This paper is used to flag particular areas that might require attention, or further investigation, by the CJC.

STRATEGY 5

Make recommendations arising from the work of Review Commissioners.

As in previous years, we were involved in the QPS reform process through the Commissioners for Police Service Reviews (Review Commissioners).

The Review Commissioners hear applications under the *Police Service Administration Act 1990* from police wishing to appeal against decisions on promotions, transfers, suspensions, dismissals and disciplinary action (other than those arising from misconduct findings), and appointments. Reviews are kept informal and non-adversarial, and

legal counsel is not permitted. The Review Commissioners can only make recommendations to the Commissioner of the QPS, although if the latter does not accept a recommendation a reason must be given.

In 1995–96, three part-time CJC Commissioners filled the roles of Review Commissioners—Mr Wyvill QC, Mr Ffrench and Mr Bleakley. Tables 2–4 show how they monitored promotions and transfers during the year. Of the 121 matters actually heard (see table 2), about 20 per cent resulted in a recommendation that the decision be set aside or varied.

During 1995, the Review Commissioners identified problems with the QPS promotions, transfer and disciplinary processes and were active in solving such problems. Mr Ffrench, supported by Mr Bleakley, contributed to the design and conduct of specialist Selection Panel Convenor Training conducted throughout the State, and Mr Wyvill QC attended and addressed disciplinary officers' courses run by the Professional Standards Unit.

TABLE 2

Results of matters heard by the Review Commissioners during 1995–96

Application	Affirmed	Varied	Set aside	Out of time	Total
Promotion	72	16	2	2	92
Transfer	11	2	1	-	14
Stand-down	1	-	-	-	1
Suspension	2	-	-	-	2
Disciplinary sanction	6	1	-	-	7
Unapplied for transfer	3	-	2	-	5
Total	95	19	5	2	121

TABLE 3

Types of applications lodged with the Review Commissioners during 1995–96

Status	Number
Promotion	220
Transfer	35
Stand-down	2
Suspension	4
Disciplinary sanction	12
Unapplied for transfer	7
Total	280

TABLE 4

Status of applications lodged with the Review Commissioners as at 30 June 1996

Status	Number
Matters lodged	280
Matters heard	121
Matters withdrawn	128
Matters awaiting hearing	38

**These matters are in various stages of readiness as at 30 June 1996.*

SUBPROGRAM 2

Criminal Justice Research, Reform and Monitoring

OBJECTIVES

To contribute to the development of appropriate criminal justice policies

To contribute to informed public discussion on criminal justice issues

PROJECTED ACTIVITY	OUTCOME
<p>Complete our report on the transfer of responsibility for committals prosecutions from the QPS to the Office of the Director of Public Prosecutions (as recommended by the Fitzgerald Inquiry).</p>	<p>We are planning to publish an evaluation in August 1996 of the Brisbane Central Committals Project and to release a final report later in the year.</p>
<p>Release the first edition of the Queensland Criminal Justice System Monitor and develop additional monitoring strategies for the criminal justice system.</p>	<p>In August 1995, we released <i>Criminal Justice System Monitor</i> (first in a series to be produced annually).</p>
<p>Undertake research on problems encountered by Aboriginal witnesses in the criminal justice system.</p>	<p>We completed a major report entitled <i>Aboriginal Witnesses in Queensland's Criminal Courts</i>, to be tabled in Parliament in July.</p>
<p>Assist in the completion of the Sibling Study project.</p>	<p>All the interviews for this project have been completed and the data analysis has begun. Several papers on aspects of the project have been presented to conferences of researchers and practitioners. Key findings will be published in 1996-97 in our Research Paper series.</p>
<p>Release research papers on Youth, Crime and Justice in Queensland and on Burglary in Queensland.</p>	<p>We published the research papers <i>Children, Crime and Justice in Queensland</i> and <i>Residential Burglary in Queensland</i>.</p>

PERFORMANCE INDICATORS

Action taken in response to reports and submissions

Reader assessments of research issue papers

Independent expert review of research output

STRATEGY 1

Conduct objective and independent research into criminal justice issues and problems.

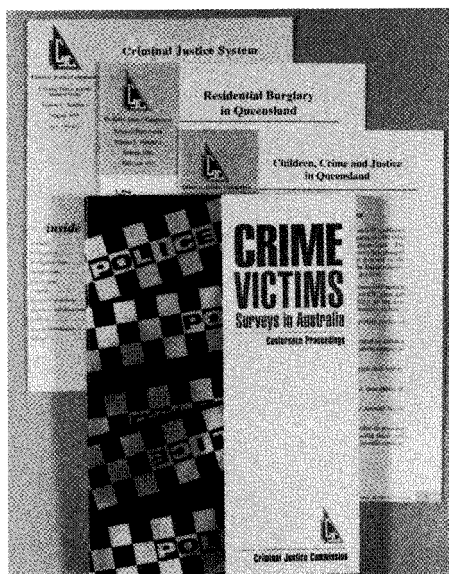
In 1995–96, we released four publications on criminal justice issues:

Criminal Justice System Monitor, vol. 1 no. 1, Criminal Justice System Monitor series—represents one of our more significant initiatives during the year. Planned to be an annual publication, the Monitor seeks to provide policy-makers and people involved in the Queensland criminal justice system with a concise overview of key developments within that system.

Children, Crime and Justice in Queensland—updates the statistics presented in our 1992 paper *Youth, Crime and Justice in Queensland*; considers such matters as the framework for juvenile justice in Queensland, the types of crimes committed by children, how juvenile offending patterns compare to those of adults, how children who commit crime are dealt with by the police and the courts, whether some children are more at risk than others, and the impact of the *Juvenile Justice Act 1992*. The paper is intended to promote informed discussion of juvenile justice issues and facilitate planning of responses to juvenile crime in Queensland.

Residential Burglary in Queensland—aims to inform the public and policy-makers about the nature, extent and causes of residential burglary in Queensland and to identify possible preventive strategies.

Crime Victims Surveys in Australia, Proceedings of a Conference held in November 1994—a two-day researchers' symposium on crime victims surveys in Australia sponsored by the CJC, the Government Statistician's Office and the Centre for Crime Policy and Public Safety, Griffith University. The papers cover a wide range of issues relating to the design, interpretation, uses and future direction of crime victims surveys in Australia. Collectively, they represent a significant



contribution to the literature on crime victims surveys and should serve as a valuable resource for researchers, statisticians and policy-makers interested in this field of inquiry.

A fifth publication, *Aboriginal Witnesses in Queensland's Criminal Courts*, will be released in July 1996 (see strategy 3).

In addition, the Director of the Research and Coordination Division presented a paper entitled 'Legal Approaches to the Control of Cannabis Related Crime' to the Corrections Health Service Second Annual Symposium on Drug Related Crime, Sydney, September 1995, and a paper on 'Law Reform Projects Involving Sensitive Socio-Legal Issues' to the Australasian Law Reform Agencies Conference, held in Brisbane in September. (See appendix 1 for a listing of other major conference papers delivered by CJC officers.)

RESEARCH ACTIVITIES

In May and June 1996, we conducted a Queensland-wide survey of about five hundred people who had been arrested by the police. To our knowledge, this is the first study of its kind ever undertaken in Australia. The primary purpose of the survey was to collect baseline information to assist in monitoring the operation of new police powers legislation when it is introduced. The survey included questions designed to ascertain when, if at all, the people surveyed became aware that they

were arrested and whether they were informed of—and had a proper understanding of—their rights and obligations when under arrest. We will publish the results of this survey later in 1996.

During the year, we maintained our involvement in the Queensland Sibling Study, a major research project being conducted in conjunction with three Queensland universities, which aims to develop a better understanding of the factors that lead to juveniles offending. All the interviews for this project were completed and the data analysis begun. Several papers on aspects of the project were presented to conferences of researchers and practitioners. In 1996–97, we propose to publish some of the key findings from this study in our Research Paper series.

In November 1995, we commenced an evaluation of the Brisbane Central Committals Pilot Project, at the request of the Project Steering Committee. We provided detailed progress reports on the evaluation to the Attorney-General and the criminal justice agencies represented on the Project Steering Committee, and are planning to publish the full evaluation in August 1996.

This project involves the transfer of responsibility for conducting committal proceedings for higher court criminal matters from police prosecutors to the Office of the Director of Public Prosecutions. Our evaluation is concerned with measuring whether the project has enabled the earlier identification of guilty pleas and enhanced the effectiveness of the committal process as a 'filter' for screening out weak cases. We have also sought to measure the cost implications of the project.

INDEPENDENT EXPERT REVIEW

As with our publications on policing issues, we sent three of our criminal justice publications—*Criminal Justice System Monitor*, *Children, Crime and Justice in Queensland* and *Residential Burglary in*

Queensland—to two expert external reviewers for comment. (The reviewers chosen were different from those who received our publications on policing issues.) According to one:

my overall impression is that the . . . reports sent to me are of an extremely high standard, comparable to, and in most cases better than, publications of this type produced by criminal justice research units in other States.

The second reviewer provided favourable comments about each of our publications, as well as some helpful suggestions on future refinements.

READER ASSESSMENTS

We also received high ratings in the reader assessment forms (see subprogram 1) which we distributed with these three publications.

ACTION TAKEN IN RESPONSE TO REPORTS AND SUBMISSIONS

Some of our publications concentrate on presenting and describing research findings with the aim of informing the public and policy-makers about key criminal justice issues. However, other reports make specific recommendations for changing criminal justice processes or the law (or both).

This year we set up a register to keep track of our various recommendations and, if necessary, to identify instances where further action may be required. Table 5 shows what action, if any, has been taken in response to the various reports that we have produced since June 1993.

STRATEGY 2:

Monitor and report regularly on significant trends and developments in crime and the criminal justice system.

One of our more significant initiatives this year was the release in August 1995 of the first issue in our new Criminal Justice System Monitor series. The Monitor, which we plan to produce annually, seeks to

provide policy-makers and people involved in the Queensland criminal justice system with a concise overview of key developments within that system.

In our first issue, we considered such matters as:

- the extent to which crime was increasing in Queensland
- how Queensland's reported and unreported crime rates compared with other States
- whether the workloads of the lower and higher courts were increasing and, if so, why
- how well the corrections system was coping with workload increases
- trends in government expenditure on the criminal justice system.

We also documented key events that had occurred in the Queensland criminal justice system and considered the likely impact of these developments on the operation of the system. We propose to release the next issue of the Monitor in late 1996, after we have had the opportunity to examine the information contained in the 1995-96 annual reports of the various criminal justice agencies.

The 1995 edition of the Monitor identified watchhouse overcrowding as a significant problem in the criminal justice system. In early 1996, we commenced a substantial research project examining this and related issues; the final report will be released later in 1996. We have already made many of our findings available to the advisory committees that we established to assist us with this research.

TABLE 5

Action taken in response to reports to Parliament prepared by Research and Coordination Division, January 1993-June 1996

Report	Date(s) tabled	Action taken
<i>Review of Police Powers</i> Volumes I-V	Vols I & II, May 1993 Vol. III, November 1993 Vol. IV, May 1994 Vol. V, November 1995	All volumes have been reviewed and reported on by the PCJC; no legislative action as yet.
<i>Recruitment and Education in the Queensland Police Service: A Review</i>	December 1993	Report contained eight recommendations, some of which have been implemented by the QPS or taken up by PEAC. Extensive reference to report in the forthcoming 'Report of the QPS Review Committee'.
<i>Report on Cannabis and the Law in Queensland</i>	June 1994	No report by Parliamentary Committee as yet. No legislative action as yet.
<i>Report on Implementation of Reform within the Queensland Police Service: The Response of the QPS to the Fitzgerald Inquiry Recommendations</i>	August 1994	The QPS has made progress on several of the issues identified in the report. Extensive reference to report. Update prepared in April 1996 for the forthcoming 'Report of the QPS Review Committee'.
<i>Telecommunications Interception and Criminal Investigation in Queensland: A Report</i>	January 1995	Report has been subject of a report by the PCJC; no legislative action as yet.
<i>Report on the Sufficiency of Funding of the Legal Aid Commission of Queensland and the Office of the Director of Public Prosecutions, Queensland.</i>	April 1995	Report has been subject of a report by the PCJC. Little progress has been made in responding to the funding issues raised in the report. The Legal Aid Commission and Office of Director of Public Prosecutions have indicated that several other issues identified in the report have been, or are being, considered.

STRATEGY 3

Respond to and recommend proposals for reform of criminal law and criminal justice processes.

In 1995–96, we completed a major report entitled *Aboriginal Witnesses in Queensland's Criminal Courts*.

This report concludes that many Aboriginal people appearing in court as witnesses are often at a disadvantage compared with other witnesses, because the law, the courts and the legal practitioners do not pay sufficient regard to the unique aspects of Aboriginal language and culture. The report makes a large number of recommendations directed to government, the courts and criminal justice agencies. We will report on the response to these proposals in our next annual report.

In June 1996, we provided the Attorney-General with a detailed commentary on proposed amendments to the *Juvenile Justice Act 1992*. This submission was widely referred to in the subsequent Parliamentary debate on the amendments.

Other legislative proposals on which we provided comment during the year were:

- complementary State witness protection legislation (July 1995)
- review of Part 1C of the *Commonwealth Crimes Act 1994* (August 1995)
- draft Criminal Law General Offences Bill (September 1995)
- amendments to the *Penalties and Sentences Act 1992* (January 1996).

STRATEGY 4

Consult and liaise with other criminal justice agencies.

Our Act requires us to coordinate our research activities with other agencies that are concerned with the administration of criminal justice in Queensland. We do this by maintaining extensive informal contact with representatives of the various agencies and by participating in various inter-agency forums and committees.

In 1995–96, the Director of the Research and Coordination Division participated as a member of the Chief Executive Steering Officers Committee, which oversees the Criminal Justice Information Integration Strategy and the work of the Crime Statistics Unit. A senior officer of the division attended quarterly meetings of the Inter-Agency Forum on Law Reform. We were also represented on the Brisbane Central Committals Pilot Project Evaluation Steering Committee and participated in the Crime Statistics Users' Network.

INFORM PUBLIC DEBATE AND DISCUSSION

During the year, we dealt with 246 requests for information from members of the public, the media, criminal justice agencies, and other government departments. Our research staff participated in four press conferences and gave 35 interviews to the electronic media.

Copies of our major publications were distributed widely throughout Queensland and interstate. For example, our *Criminal Justice System Monitor* was sent to all Queensland Members of Parliament, judges and magistrates, legal practitioners, criminal justice agencies, Queensland libraries and major libraries interstate, university researchers, and a broad range of government agencies.

PROGRAM OUTLOOK

In 1996–97, we propose to:

issue a Police Service Monitor, which will present more detailed information about the performance and resourcing of the QPS

continue to promote the greater use of beat policing, and other pro-active policing strategies

publish the results of our arrestees' survey

publish some of the key findings from the Queensland Sibling Study project in our Research Paper series

report on our evaluation of the Brisbane Central Committals Pilot Project

release the next issue in the Criminal Justice System Monitor series

release our report on police watchhouses in Queensland

table our report *Aboriginal Witnesses in Queensland's Criminal Courts* and report on the response to its proposals

finalise our reports on the Fitzgerald Inquiry reforms of the police complaints and disciplinary process and complaints of assault against police

assist in implementing relevant recommendations of the QPS Review Committee

complete the Beenleigh Calls for Service Project.

Police and Public Sector Integrity

Goal: To reduce the incidence of misconduct in the Queensland Police Service and official misconduct in other units of public administration

SUBPROGRAM 1

Complaints Investigation and Review

OBJECTIVES

To ensure that public sector misconduct is effectively investigated and that remedial and preventive action is taken by appropriate authorities

To promote public confidence in the complaints process

PROJECTED ACTIVITY	OUTCOME
Further reduce the time taken to complete investigations by improving the investigations process, exploring alternative resolution procedures and dedicating resources to the more complicated and difficult investigations.	Analysis is indicating that, within given resources, the CJC has reached a plateau of performance past which improvement in overall completion times will only decrease the standard of the investigations. We are developing systems to identify and deal with protracted matters, and are continuing to develop alternatives to the way minor matters are investigated.
Further improve our review of disciplinary investigations undertaken by the QPS or government departments or agencies.	We made major advances in the establishment of a database to monitor the progress of these investigations. This database will form the basis for a thorough review of the causes of unsatisfactory investigations or recommendations on disciplinary outcomes. We will begin the review in 1996-97.
Improve the monitoring of compliance with procedural recommendations.	We set up a new database containing all procedural recommendations resulting from CJC investigations. The accuracy of this database is being checked and we have begun to follow up the acceptance and implementation of recommendations.
Continue surveying complainants to obtain feedback on the level of satisfaction of complainants and surveying subjects of complaints to monitor the effectiveness, efficiency and fairness of complaints investigations and other resolution processes we employ.	We elicited responses from complainants, through telephone interviews, mail-outs and the like, and will use the results to assess levels of satisfaction.
Encourage and assist in the establishment of departmental internal investigation units.	We settled the outline of a Disciplinary Investigation Skills course to be conducted during 1996-97.

PERFORMANCE INDICATORS

Response and finalisation times for complaints

Complainants' level of satisfaction with the process

Number of recommendations arising from criminal or disciplinary investigations accepted by appropriate authorities

Trends in the incidence of serious complaints and the proportion of substantiated findings from those complaints investigated

STRATEGY 1

Assess and, where appropriate, investigate complaints in a timely, consistent and fair manner.

The OMD's Complaints Section provides a first point of contact for anyone wishing to make a complaint about misconduct in the QPS or about corruption or official misconduct in the Queensland public sector. The Initial Assessment Committee within the Complaints Section assesses these complaints and may refer them to be investigated by teams within the Commission. Alternatively, the Complaints Section may refer a complaint to the QPS or another agency. In these cases, the Review Unit within the Complaints Section reviews the investigation report before the matter is finalised to ensure the matter has been fully investigated and that the conclusions are soundly based.

Complaints statistics

During 1995–96, the total of standard complaints and breach of discipline matters registered since the CJC's inception passed twenty thousand. As at 30 June 1996, the number stood at 20 187. Of these, 378 standard complaints remained incomplete. (See table 6.)

Complaint receipt and finalisation numbers have remained relatively steady over the past three years. However, from a high of 1651 in 1993–94, the number of reports of breach of discipline by QPS members made to the CJC has declined in each year. (See figure 1.)

Statistical comparison

The Complaints Section maintained its high level of performance throughout the year. On the back of a similar intake in the previous year, the Section maintained incomplete matters at 378, two fewer than the 380 for 1994–95. Of the 2337 complaints finalised during the year, 39.2 per cent were finalised within one week of registration, and only 26.5 per cent took more than eight weeks. These figures are comparable to those for 1994–95. Complaints finalised during 1995–96 took, on average, 68 days to complete.

The mix of people making complaints did not vary markedly from previous years (see figure 2). Members of the public continued to be the largest group, though the percentage (52.6%) was down from last year (60.4%).

Likewise there were few significant changes in the mix of people against whom complaints were made. Members of the QPS continued to be the major category. The next highest, public service departments, increased slightly from 14.3 per cent last year to 15.8 per cent this year. (See figure 3.)

During 1995–96, a number of allegation types showed variations compared with 1994–95 when viewed as a proportion of all allegations made during each year. (See figure 4.) Allegation types showing an increase of more than 0.5 per cent over 1994–95 were assault, corruption/favouritism, drug matters, and misuse of power. Proportionally, allegation types of misconduct in relation to goods/property, information breaches and criminal acts or omissions were less represented among the allegations recorded during 1995–96.

TABLE 6

Complaints statistics

Standard complaints registered	2 335 (+0.7%)
QPS breach of discipline matters	1 111 (-22.0%)
Total	3 446 (-7.9%)
Standard complaints finalised as at 30 June 1996	2 337 (+1.8%)
Standard complaints current at 30 June 1996	378 (-0.5%)

FIGURE 1

Complaints received 1994-95-1995-96

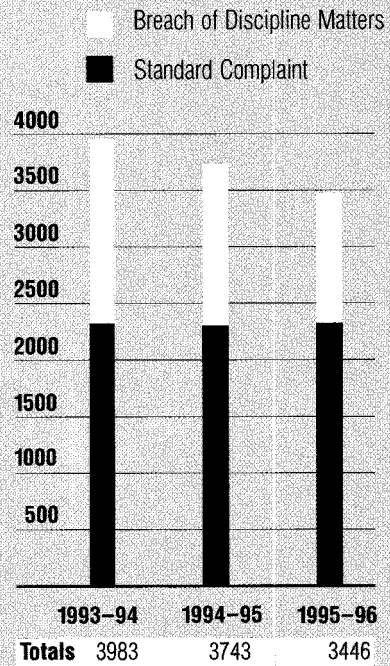
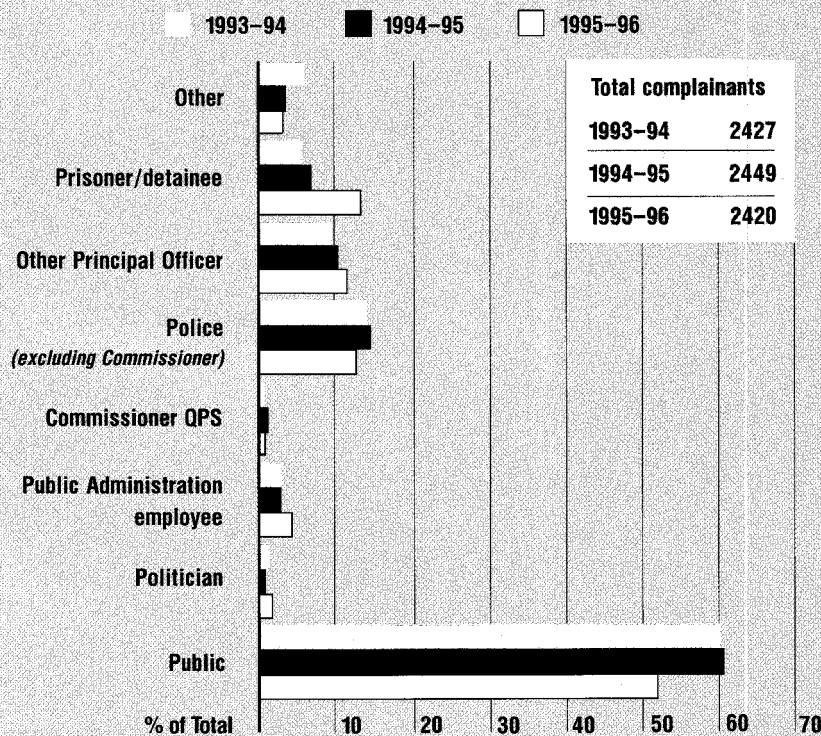
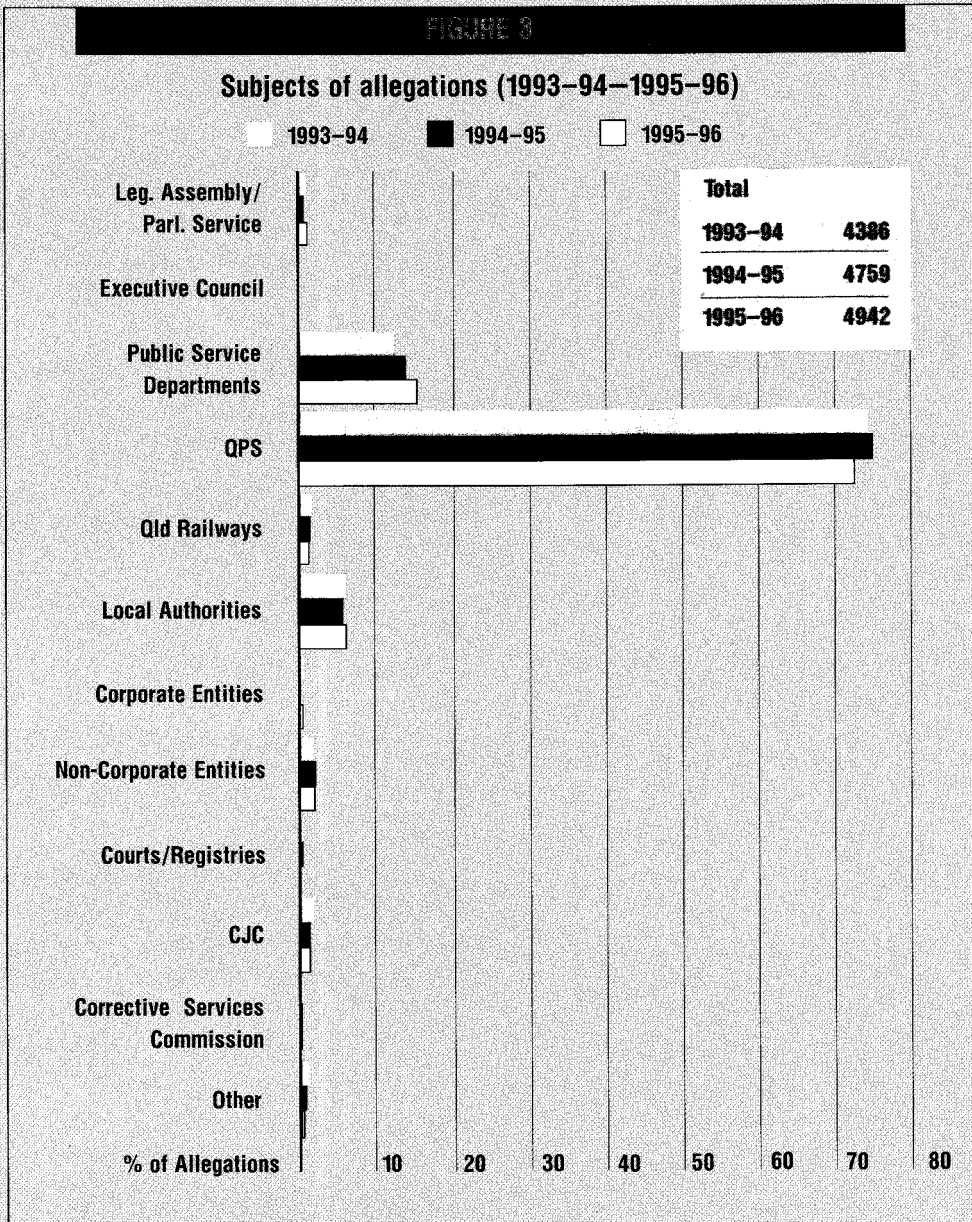
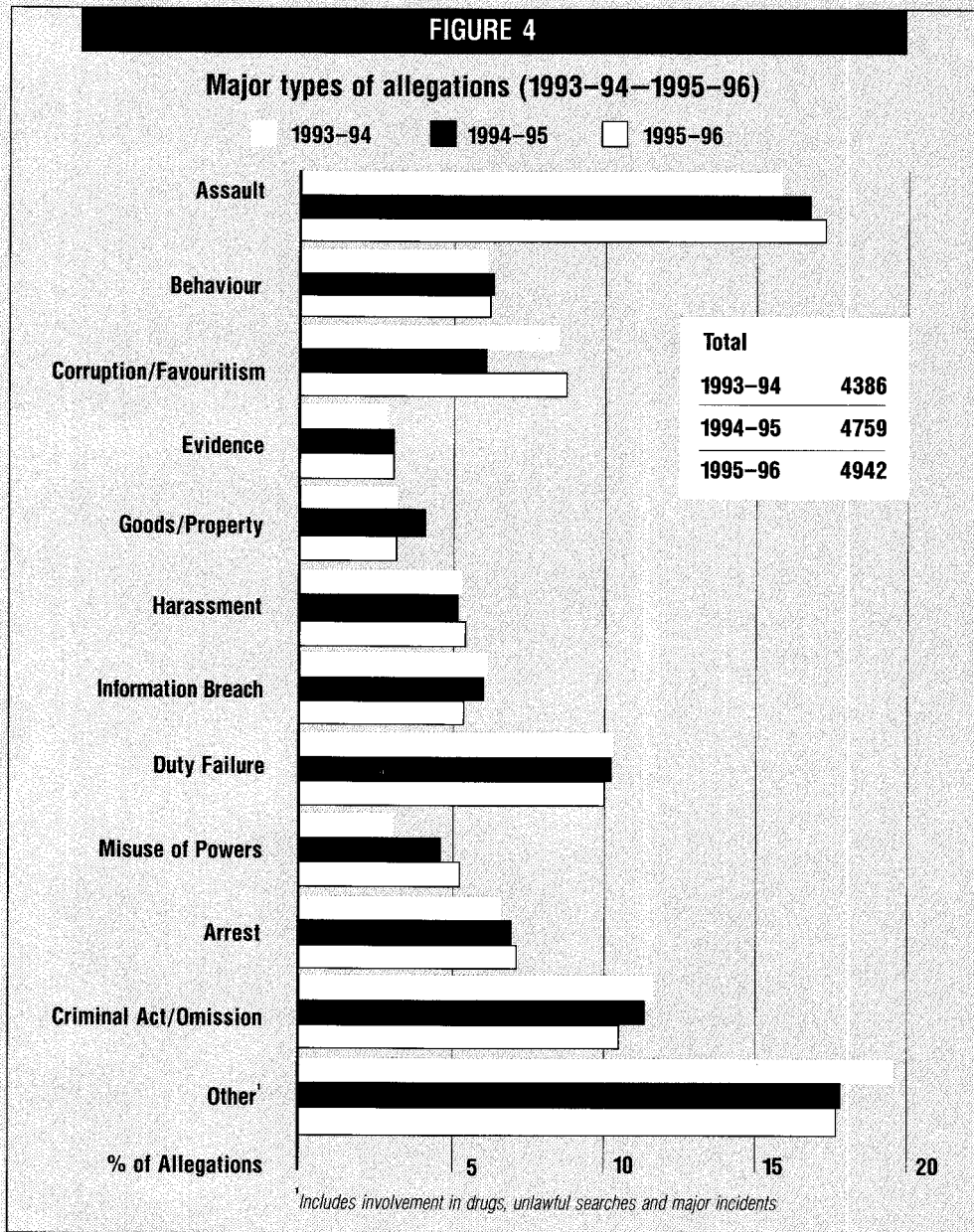


FIGURE 2

Categories of complainants (1993-94-1995-96)







Charges recommended

To date, 1649 people have been the subject of charges as a result of complaints investigations with 234 people charged in 1995-96 (see table 7.) Of the 456 charges

recommended during the year, 141 related to criminal matters (see figure 5). The largest categories were official corruption of a public servant (27), drugs misuse (17), and false pretences (13). (See table 8.)

TABLE 7

Persons charged as a result of misconduct investigations by category (1989-90-1995-96)

Category	1989-90	1990-91	1991-92	1992-93	1993-94	1994-95	1995-96	Total
Police Service	10	165	252	211	206	255	149	1248
Public Service	0	12	40	55	93	73	55	328
Other	0	9	3	6	17	8	30	73
Total	10	186	295	272	316	336	234	1649

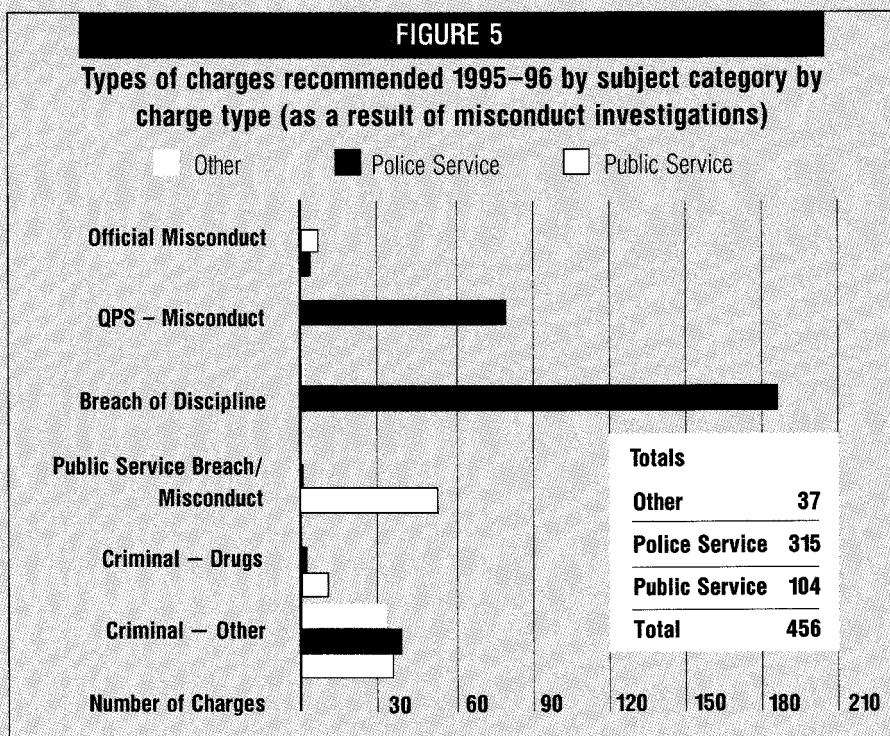


TABLE 8

Types of criminal charges recommended 1995–96 by description (as a result of misconduct investigations)

Charge description	Total
Going Armed so as to Cause Fear	1
Official Corruption of a Public Servant	29
Public Officer with Interest in Contract	10
False Claims by Officials	8
Perjury	1
Attempt to Suborn a Witness	1
Attempt to Pervert the Course of Justice	1
Unlawful Assault	5
Dangerous Driving	4
Common Assault	7
Assault Occasioning Bodily Harm	7
Aggravated Assault	5
Stealing/Stealing as a Servant	11
Misappropriation	1
Extortion	2
False Pretences	13
Fraudulent False Accounting	1
Forgery/Uttering	6
Stealing/Receiving (Cwlt)	1
Possession of Tainted Property	2
Drug Misuse Act Offences	17
Traffic Act Offences	2
Weapons Act Offences	4
Opening a Bank Account in a False Name	2
Total	141

CASE STUDIES

Investigations of QPS officers

Receiving a stolen motor vehicle

We investigated the activities of a former Detective Sergeant who headed an undercover operations unit near Brisbane. One of the matters examined was an allegation that a stolen motor vehicle recovered by that officer was taken by junior officers acting at his direction to Bundaberg where it was sold. The investigation disclosed that this happened without the knowledge or consent of the owner of the vehicle or of any superior officer.

The former police officer was charged with receiving and was found guilty at his trial in the Brisbane District Court. A conviction was formally recorded and he was given a suspended sentence of 12 months' imprisonment.

Possession of a tainted pleasure cruiser

We received a complaint from the owner of a \$63 000 pleasure cruiser stolen from him in the late 1980s alleging that he had located his vessel in the possession of a water police officer. Our investigation revealed that the vessel had been registered in the officer's name for several years. The officer stated that the vessel was owned by a family friend and that he had agreed to register it in his own name for insurance reasons. The family friend agreed that he was the 'owner' of the vessel but gave a different version as to how he had acquired it.

Both persons were charged with possession of tainted property. The civilian pleaded guilty and was fined \$5000. The police officer pleaded not guilty and was acquitted of the charge on the basis that he had not been in 'possession' of the vessel.

However, a substantial body of evidence indicated that for several years the police officer had known, or ought to have known, that the vessel was stolen property, yet he failed to report the matter. We accordingly referred the matter to the QPS, who dismissed the officer from the Police Service.

Misappropriation of property from a drug search scene

During a search of premises in the course of a drug raid, police found an expensive tool chest. Acting on information received, we later located that tool chest in the garage of the residence of the son of a Detective Senior Sergeant. The police officer and his son lived next door to each other. It was alleged that during the drug raid the police officer had indicated to other police that the tool chest was to be left alone as it was 'going to his place'. The tool chest was valued at approximately \$19 000. The police officer was charged and convicted of misappropriation of property, and was sentenced to 12 months' imprisonment. Upon his conviction, he was dismissed from the Police Service.

In a related matter, an Inspector was charged with official misconduct for attempting to defeat the CJC's investigation by disclosing to the Detective Senior Sergeant (shortly before the tool chest was found) that he was under investigation. The Inspector was also charged with being untruthful when first interviewed about the matter by CJC investigators and with supplying a false sworn witness statement as part of the brief of evidence against the Detective Senior Sergeant. The Inspector was found guilty of official misconduct by a Misconduct Tribunal and was demoted to the rank of Sergeant. He appealed, unsuccessfully, against the severity of the sanction.

Off-duty trainee constable going armed in public

We investigated an incident in which an off-duty trainee police constable, evicted from a hotel for disorderly conduct, threatened a colleague with a knife. He was later charged with going armed in public so as to cause fear and was convicted. The officer resigned from the Police Service shortly after the incident.

Officer pointing a gun at another officer

An officer who had pointed his service revolver at another officer on two separate

occasions, once while it was loaded and cocked, was found guilty of official misconduct by a Misconduct Tribunal. In the hearing of the matter, the police officer who was charged gave evidence that the first incident occurred during 'horseplay' between the two officers at the end of a shift and that the second incident was a demonstration of the first incident for the benefit of a third officer whom they were visiting. The Tribunal member rejected the explanation of the conduct as 'horseplay' and observed that the conduct was utterly disgraceful and to be deplored in a disciplined force. The officer was dismissed from the Service by the Tribunal.

Assault of a witness by police

A police officer who was rostered on a shift that was to start at 10.00 p.m. and extend to 6.00 a.m. remained at a social function at a hotel when it was time to start work. This left the police station short-staffed. A serious incident occurred during the night and a witness was brought to the station to be questioned. Late in the shift, the officer was found at a nearby nightclub and was recalled by junior officers to the police station. The officer entered the room where the witness was present and a scuffle ensued. The officer twice returned to the room and a fair conclusion could be drawn that the witness was assaulted and possibly even unlawfully detained. Because the witness could not be located and interviewed, it was not possible to bring criminal charges. A report on this matter was referred to the QPS and the officer was dismissed from the Police Service.

Public sector investigations

Department of Transport drivers' licences and registration scam

We continued our investigations (known as Operation Aramac) into the issuing of false car and truck drivers' licences and fraudulent motor vehicle registrations. The main target of the operation was a former employee of the Department of Transport who recruited two other employees (who have since resigned) to provide him with false licences and motor vehicle registrations.

The main target was committed for trial on 233 charges of official corruption. The first recruited employee was charged with 185 counts of official corruption and one count of forgery. The second recruited employee pleaded guilty in the District Court on 14 September 1995 to an ex-officio indictment containing 10 counts of official corruption. A further 27 counts were taken into consideration. A sentence of two years' imprisonment, wholly suspended, was imposed.

More than fifty of the 153 people who received false licences have been identified. Twenty-five briefs of evidence have been sent to the QPS so that the licence holders can be charged with offences of official corruption. Twenty-three have been charged. Further briefs of evidence will be prepared in due course when the officer who issued the false licences has been dealt with by the courts, and is thus available as a prosecution witness.

So far, 22 licence holders have pleaded guilty to counts of official corruption and, with the exception of one juvenile who received a caution, all have received fines of either \$1500 or \$1000 per count. One licence holder failed to appear in court and is now the subject of an arrest warrant; nine have had formal convictions recorded.

Large-scale theft from a Department of Transport workshop

Acting on information received from a whistleblower, we undertook an extensive investigation of allegations of theft from a Department of Transport workshop by the workshop foreman.

We searched three rural properties owned by the foreman and seized seven truck loads of departmental property valued at more than \$150 000. Stockyards and fence posts made from departmental material were photographed but left in place.

The investigation disclosed that much of the material stolen had been manufactured or modified at the workshop by other

employees acting under the direction of the foreman, and that a lack of any systematic auditing of the workshop's accounts and grossly inaccurate stock control procedures had allowed the foreman to misappropriate departmental property for many years.

The foreman pleaded guilty in the District Court to 10 counts of stealing as a servant and was convicted. He was fined the sum of \$50 000 and ordered to pay \$3600 restitution for the stockyards and fence posts that remained in his possession. He later resigned from the Department of Transport.

Indecent assault by a schoolteacher

The QPS referred a matter to us that involved a series of alleged indecent assaults upon a 17-year-old Japanese exchange student by a teacher at a state high school. Criminal charges were not possible because the complainant was unwilling to remain in Australia to give evidence against the teacher once her exchange year had concluded, and was also unwilling to return to Australia for this purpose.

Accordingly, the matter was brought before a Misconduct Tribunal. Despite attempts by the teacher to delay the proceedings until after the complainant's departure, the complainant gave evidence to the Tribunal over several days before leaving Australia.

The investigation revealed that the teacher had been previously charged with a similar offence while employed as a youth care worker in another State in the late 1980s. Although he was acquitted of that charge, the allegations made against him in that case were strikingly similar to those made by the Japanese complainant. Therefore, the complainant in the earlier matter was called to give evidence before the Misconduct Tribunal.

The charge of official misconduct was proven and the Tribunal ordered the immediate dismissal of the teacher.

It is clear that, but for our investigation, no action could have been taken against the

teacher because criminal proceedings could not have been concluded in the time available, and the Department of Education, in the absence of any power to examine witnesses on oath, would have been unable to take disciplinary action in the matter.

The teacher has appealed to the Supreme Court against the findings of the Tribunal and the sanction imposed.

NOTICES TO PRODUCE DOCUMENTS

These notices require people who have documents that may be relevant to one of our investigations, or proposed investigations, to produce those documents to an officer of the Commission.

During 1995–96, the Chairperson or his delegate issued 577 notices to produce documents under section 69 of our Act. Of these, 295 related to police and public sector misconduct investigations. (See also Program 4, page 75.)

LIAISON WITH OTHER AGENCIES

Throughout the year, we assisted the following agencies by providing briefings and material on our procedures:

- Australian Law Reform Commission
- NSW Government
- NSW Legislative Assembly Standing Ethics Committee
- Royal Commission into the NSW Police Service
- NSW Police Association
- WA Parliamentary Select Committee on the WA Police Service
- Victoria Police
- Hong Kong Independent Police Complaints Council
- Independent Reviewer of the Police Complaints System, Belfast
- Ombudsman Commission of Papua New Guinea.

We also contributed to education and training in the QPS and other units of public administration (see subprogram 2).

FALSE COMPLAINTS

Our policy has always been to cause people who wilfully make false complaints against police to be prosecuted. So far, we have recommended more than twenty such prosecutions.

In 1995–96, we made three successful prosecutions and continued proceedings against a further three complainants (see tables 9 and 10).

STRATEGY 2

Monitor and review investigations conducted by other agencies.

THE REVIEW UNIT

During 1995–96, the Complaints Section was restructured to augment the resources of the Review Unit, which did not have the means to carry out a comprehensive overview and analysis of the investigations conducted by the QPS and other agencies. The restructuring was designed mainly to sharpen the focus on the review of QPS investigations of minor misconduct.

TABLE 9

Successful prosecutions for the making of false complaints (1995–96)

Complainant	Allegations made	Outcome
Cook, Lynette Eleanor	Alleged she was raped by an officer who apprehended her for driving while under the influence of liquor.	Charged under s. 137(1) of the <i>Criminal Justice Act 1989</i> . Convicted and fined \$800.
Terare, Doris Jean	Alleged that she was raped in a watchhouse cell by police officers.	Charged under s. 10.21 of the <i>Police Service Administration Act 1990</i> . Convicted and sentenced to three years' probation.
Richards, Gary John	Alleged mistreatment and assault by police at the Townsville Watchhouse.	Charged under s. 10.21 of the <i>Police Service Administration Act 1990</i> . Convicted and fined \$1000.

TABLE 10

Matters in which proceedings for making false complaints are current (1995–96)

Complainant	Allegations made	Outcome
A	Alleged that he was injured while in police custody after his arrest.	A charge of wilfully making a false complaint pursuant to s. 10.21 of the <i>Police Service Administration Act 1990</i> has been initiated.
B	Two complainants alleged that police officers attending at a domestic dispute used excessive force in making an arrest.	A charge of wilfully making a false complaint pursuant to s. 10.21 of the <i>Police Service Administration Act 1990</i> has been initiated against each complainant.
C	Alleged that police officers used excessive force in arresting him.	A charge of wilfully making a false complaint pursuant to s. 10.21 of the <i>Police Service Administration Act 1990</i> has been initiated.

As well, it sharpened the focus on other categories of work, including:

- QPS investigations of major incidents such as suicides and attempted suicides of detainees, use of force by police resulting in serious injury, and high-speed chases resulting in serious injury
- QPS investigations of alleged criminal activity on the part of public servants
- public sector investigations of alleged misconduct.

The Unit is now staffed by an executive legal officer, a senior legal officer, two junior legal officers and two support officers. As a result of its increased capacity, it can now do work that was previously performed by the Complaints Section's Assessment Unit. This allows the Assessment Unit to be a 'clearing house', devoting all its resources to the swift finalisation of matters that do not warrant full investigation.

Disciplinary Investigation Skills Course

In response to a request by departments wishing to set up their own internal investigation units, the Review Unit settled the outline of a Disciplinary Investigation Skills course, which it intends conducting during 1996-97.

Review matters

During 1995-96, the Review Unit accumulated 1387 matters for review; 731 of which are incomplete. The year 1995-96 is now the base year for analysing Review Unit performance. During 1996-97, the Unit will target the causes of delays in completion of investigations by the QPS and other agencies to reduce dramatically the time taken to complete those investigations on our behalf. (See table 11.)

Database

With the additional resources available to the Review Unit, we embarked upon the development and maintenance of a database to capture detailed information about investigations conducted by the QPS and other agencies. We are able to use this information to identify, among other things, trends in the quality of investigation of minor misconduct by the QPS. As a

result, we are better able to develop strategies and make recommendations to remedy any undesirable trends.

Our review of QPS investigations of minor misconduct also resulted in the identification of a number of areas of concern which have caused us to make procedural recommendations. These areas of concern include the apparent mandatory strip-searching of all persons detained in certain watchhouses and the excessive use of force by the application of neck restraint holds.

QPS INVESTIGATIONS OF MINOR MISCONDUCT

By referring complaints of minor misconduct against police officers back to the QPS for investigation, we have sought to support and enhance the disciplinary process within the QPS. This process is aimed at fostering greater responsibility for personnel management within the QPS.

Over the past three years, we have, on average, referred 21.5 per cent of the complaints against police officers back to the QPS for investigation on our behalf (see table 12). This rate of referral has been as high as 24 per cent. We apply set criteria in determining whether a matter should be categorised as minor and investigated by the QPS.

While we acknowledge that most QPS investigations of minor misconduct are adequate, a number do suffer from one or more problems including delay and incompleteness. We have made, and will continue to make, recommendations designed to overcome these problems and enhance the ability of the QPS to investigate complaints of misconduct against its own members effectively and impartially.

As table 13 shows, our Review Unit oversees a variety of matters. In reviewing these matters, we recognise the importance of maintaining public confidence in the disciplinary systems of the QPS, government departments and other governmental agencies. This necessarily involves ensuring fairness to both the complainant and the subject officer.

Audit of Police Disciplinary Process

In an effort to avoid an overly legalistic approach to some of the less serious matters that come before us, we have adopted a practice of referring such matters to the QPS for disciplinary action. However, some of the decisions made by the QPS have caused us concern; for example, some charges that we considered could be fairly made out have been dismissed.

Members of the public have also expressed concern about QPS disciplinary processes. As a result, the CJC and the Commissioner

of the QPS appointed an independent person—former Supreme Court judge, the Honourable W J Carter QC—to audit the process. He was appointed to review individual cases where it was alleged that inadequate disciplinary action had been taken, to conduct an audit review of a cross-section of matters in which disciplinary action had been taken or considered, and to make recommendations to the CJC and the QPS to tackle any problems that emerged during the review.

TABLE 11

Review Unit workload figures for 1995–96

Category	Reviews of investigations by external agencies	Reviews of disciplinary sanctions only	Total matters under review
B/F matters as at 1.7.95	531	7	538
New matters 1995–96	667	182	849
Total	1198	189	1387
Finalised matters 1995–96	599	57	656
C/F matters as at 30.6.96	599	132	731
Total	1198	189	1387

TABLE 12

Minor misconduct matters referred to the QPS for investigation on behalf of the CJC as a percentage of all complaints against police

Year	No. complaints against QPS	No. referred to QPS as minor misconduct	%
1992–93	1507	285	18.9
1993–94	1643	391	23.8
1994–95	1659	344	20.7
1995–96	1604	319	19.9

TABLE 13

Types of matters reviewed by Review Unit 1995–96

Type of matter under review	Number	%
Referral to QPS for investigation of minor misconduct of Police Officers	591	42.6
Referral to QPS for investigation of possible criminal activity by other public officers	237	17.1
Referral to Principal Officer of a unit of public administration for investigation/other action	204	14.7
Other	355	25.6
Total	1387	100.0

Mr Carter's first audit review involved his examination of 73 QPS disciplinary files chosen at random from the 1993–96 period. In each case, there had been a complaint, an investigation and a disciplinary hearing in which a sanction was imposed.

Mr Carter commented favourably on the overall quality of the investigations and the investigation reports, with 'a few notable exceptions'. He expressed concern that in those cases there was an unacceptable delay from the time of complaint until its finalisation, and recommended that this matter be kept under review. This is one of the tasks of the CJC's Review Unit.

The files reviewed by Mr Carter were categorised by him as follows:

- Drink-driving while off duty
- Missing money or property
- The release of, or the misuse of, confidential information
- Dishonest practices in the course of employment
- Sexual harassment
- Firearms
- Abuse and other inappropriate conduct towards members of the public
- Failure to complete reports, preparation of poor reports, and problems regarding preparation of reports.

For the three cases involving officers' drink-driving while off duty, Mr Carter noted that in each case the officer had been dealt with by the Magistrates Court before being the subject of disciplinary proceedings. Mr Carter noted that some officers had expressed the view that an off-duty police officer convicted of drink-driving should not have to suffer disciplinary proceedings as well. However, he was firmly of the view that officers who

commit this breach of the law while off duty should also be subjected to disciplinary proceedings for the reason (among others) that there is a heavy onus on off-duty police officers to uphold the laws that they enforce while on duty.

Mr Carter expressed surprise at the prevalence of cases involving the disappearance of money or property that had come into the possession of police. As these occurrences were the result of either criminal conduct or serious negligence, he recommended that the problem be handled by reviewing existing procedures and penalties.

Mr Carter reviewed two cases in the sexual harassment category. In both cases he expressed concern about the inadequacy of the disciplinary sanction imposed:

There is no place in the Queensland Police Service for any officer who is found to have engaged in the sexual harassment of any female whether she be a fellow officer or not.

For cases falling within the category 'Abuse and other inappropriate conduct towards members of the public', Mr Carter, while acknowledging that the appropriate form of discipline will generally involve some form of caution and counselling, recommended that, where an officer has several substantiated complaints of inappropriate behaviour, more drastic sanctions are called for.

Mr Carter drew attention to two significant problems relating to the imposition of disciplinary sanctions—the practice of suspending sanctions, and the excessive use of attaching to a sanction a 'limited life'. He felt that both these practices downgraded the whole of the disciplinary process and therefore required urgent reassessment.

STRATEGY 3

Compile, analyse and publish complaints statistics and make recommendations for procedural reforms to units of public administration based on investigations.

Through investigations of alleged official misconduct and review of investigations of misconduct, the CJC has highlighted many corrupt schemes and deficiencies in departmental procedures and practices.

Since 1990, we have made a total of 303 separate substantive and procedural recommendations arising from our complaints investigations, both to the QPS and to government agencies (see table 14), 45 of which were made this year.

In 1995–96, we upgraded our monitoring of acceptance and implementation of our procedural recommendations. Throughout the year, a number of important issues were dealt with by way of recommendations, particularly to the QPS.

CASE STUDIES

Procedural recommendations

Use of police dogs

We investigated a complaint about police using excessive force when arresting three youths after a disturbance at a suburban shopping centre. The youths alleged that, upon their arrival at a watchhouse, as they were removed from the police van by a police officer, they were attacked by a police dog. Although there was evidence that the youths had provoked the dog by kicking it, the incident raised concerns about the deployment of police dogs, particularly in restricted areas.

We found that QPS guidelines about the use of police dogs and their training regime did not appear to take into account such situations, although there was a reference to crowd control. Accordingly, we recommended re-examining the guidelines. As a result, the Police Commissioner referred the matter to the Police Dog Squads to consider amendments to the *Guidelines for the Operation of Police Dog Squads*.

TABLE 14

Procedural recommendations by departmental area

Departmental area*	1995–96	Total since April 1990
Primary Industries	1	5
Education	0	8
Employment Vocational Education and Training	3	10
Health	1	11
Justice, Corrective Services	0	7
Local Authorities	11	37
Police	19	191
Administrative Services	2	5
Families and Community Care	1	6
Transport	5	16
Other	2	7
Total	45	303

* Figures have been revised after a review of files during 1995–96.

Police radio communications

In the course of investigating a matter, it was necessary to examine the transcript of police radio communications concerning the allocation of certain jobs to mobile patrol officers. It appeared that during a radio communication the name of an informant who had given police information about suspected drug offences was broadcast by the radio operator when allocating the job to officers for response.

Given that the monitoring of police radio communications by groups such as tow-truck operators, media organisations and motorcycle gangs is prevalent, we were concerned about the broadcasting of such information over an unsecured system. We accordingly recommended that urgent steps be taken to avoid a recurrence.

Drug searches

We continued to receive complaints regularly from people whose homes had been searched for drugs without any illegal substances being found. In some instances, numerous unproductive searches had been made of the same house in a short period of time.

One complainant's home had been searched on four separate occasions with no drug charges being laid. The complainant said that her four young children had been traumatised by the sight of strange men rummaging through all the rooms of the house.

Another complainant's home was searched on three occasions in the latter part of 1995 and the early part of this year. In 1993, his previous residence had been searched five times. Nothing illegal was found on any of those occasions.

Unproductive drug searches are a waste of police resources and are likely to diminish the standing of the Police Service in the eyes of those who are the subjects of the searches. As well as wasting the time of those undertaking the searches, further resources are expended dealing with the inevitable complaints from the home

owners. In our view, many of these searches could be avoided if procedures governing the seeking of search warrants and the recording of the outcome of searches were amended.

In particular, we consider that the results of all drug searches should be entered on the computerised drug index, and all officers should be required to interrogate that index before seeking a warrant. The results of previous searches are clearly relevant to the assessment of whether there is a reasonable suspicion that a further search may secure evidence of an offence. In our view, the results of previous searches should be included in the information put before the justice from whom a warrant is sought.

We raised these issues with the Police Commissioner.

Amendment to the Criminal Code

We carried out an extensive investigation into the activities of former departmental officers involved, while employed by the department, in the development and marketing of unique products. These officers, upon leaving the department, had allegedly attempted to use the knowledge they had gained for their own benefit.

As a result of our investigation, we concluded that it may be advisable to amend the Criminal Code to prohibit public servants using confidential information obtained during the course of their work to derive personal gain, and to provide a legislative framework to enable the State to recover the profits generated by the misapplication of its intellectual property. In our view, neither the criminal law nor civil remedies currently provide sufficient protection for this valuable public asset.

Accordingly, we referred the matter to the then Attorney-General and Minister for Justice for consideration of amendment to section 199 of the proposed new Criminal Code.

Since then, that proposed Code, which was placed before Parliament in the latter months of 1995, is no longer to proceed. Instead, the Government has embarked upon a process of 'reassessment of the needs of the community, to be followed by appropriate amendments to the existing Criminal Code'.

The CJC's recommendations are with the Justice Department.

Taping of contact with suspects

As a result of having our attention drawn to certain comments of the Court of Appeal in two cases involving the failure of police to tape-record all interviews with suspects, we obtained and considered the judgments of the court in those matters. Consequently, we requested the Commissioner of the Police Service to consider issuing an instruction requiring police, where practicable, to record all contact with suspects electronically.

Police associating with prostitutes

A prostitute interviewed during the course of an investigation indicated that she had, a number of times, been paid by police officers to engage in sexual acts with them. The woman did not allege that the officers sought to gain any advantage from being police officers. However, we are concerned that such conduct demeans the Service in the eyes of the public. We are also concerned that police officers associating with prostitutes expose themselves to the risk of being blackmailed. Further, some prostitutes use illegal drugs and associate with criminals. Should a police officer who has been a client of a prostitute encounter her while on an operation, the officer's impartiality could be compromised.

We referred the matter to the Commissioner of the QPS who, in response, circulated a memorandum to all Assistant Commissioners for dissemination

throughout the Service. The memorandum pointed out the undesirability of police officers associating with prostitutes.

STRATEGY 4

Develop and monitor informal complaint-resolution procedures.

In 1995-96, we continued to promote the use of informal complaint-resolution procedures because our research (see also page 17) shows that such procedures:

- significantly reduce the time required to finalise complaints of a minor nature against the police
- markedly improve complainant satisfaction with the complaints investigation process; that is, there is greater satisfaction among complainants whose complaints are informally resolved than among those whose complaints are formally investigated
- enhance the management role of line supervisors.

We believe that public trust in these informal methods will only be maintained if the public is satisfied that appropriate checks against abuse are undertaken by an outside body. Provided that such checks exist and that officers are trained and certified in the use of the methods, we would like to see their greater use. We are also keen to speed up the process. This can be done by encouraging officers to resolve matters informally when they first come to hand. Too often a complaint is passed up the line, rather than being attended to at the time it is made. During the year, 104 matters were resolved informally, representing 6.5 per cent of total complaints (see table 15).

STRATEGY 5

Identify and help confiscate the proceeds of corruption affecting the public sector.

We make use of the provisions of the *Crimes (Confiscation) Act 1989* in combating official corruption as well as in combating major and organised crime. To achieve this aim, our Proceeds of Crime Unit assesses the potential for forfeiture of property in all our major investigations.

In 1995-96, investigations of official misconduct by public servants resulted in:

- \$20 800 in cash being restrained and the defendant concerned charged with possession of tainted property
- assets valued at \$149 000, representing the profits of official corruption, being forfeited
- restraining orders being requested of the Director of Public Prosecutions against two people awaiting trial on charges of official corruption.

STRATEGY 6

Hold public inquiries and report to Parliament on matters of serious concern.

Table 16 outlines details of hearings, both public and private, we held during the year.

There were no reports presented to Parliament as a result of misconduct investigations during 1995-96, and only one public hearing of a misconduct investigation was completed, namely the Hanson Inquiry.

We commenced a public inquiry into a matter referred to us by the Honourable T R Cooper, Minister for Police and Corrective Services, arising from the execution of a Memorandum of Understanding between the Queensland Police Union of Employees and members of the Coalition parties. This inquiry is being conducted by the Honourable Kenneth J Carruthers QC, a retired judge of the Supreme Court of NSW.

Mr Carruthers QC also commenced public hearings into an agreement between the Australian Labor Party and officers of the Sporting Shooters Association of Australia (Qld) Inc. These two inquiries are continuing.

TABLE 15

Matters for informal resolution as a percentage of all complaints against police

Year	No. complaints against QPS	Matters for informal resolution	%
1993-94	1643	69	4.2
1994-95	1659	151	9.1
1995-96	1604	104	6.5

TABLE 16

Hearings held for misconduct investigations

Type of hearing	Number of matters	Days sat	Witnesses	Transcript pages
Public Inquiries*	2	32	71	3159
Private Hearings	16	26	34	1305
Total	18	58	105	4464

* Not including Hanson Inquiry of 27 hearing days, 116 witnesses and 2804 transcript pages.

HANSON INQUIRY

During the year, we established an independent inquiry into the alleged leaking of information about Operation Wallah (an investigation conducted jointly by the QPS and the CJC). Given the subject matter of the inquiry, which covered the possibility that an officer or Commissioner of the CJC, a member of the PCJC, or an officer of the QPS, may have been responsible for the leak, an inquiry independent of the Official Misconduct Division was established with Mr Russell V Hanson QC appointed to conduct the hearing.

On 20 December 1995, in accordance with section 26 of our Act, we released a public report on the inquiry. Mr Hanson QC found that no officer of the QPS, member of the PCJC, or Commissioner of the CJC had released information on Operation Wallah to the press and that no officer of the Commission had consciously done so.

To quote from the report:

1. (a) Subject to the qualification expressed in (b) below, I find that no officer or Commissioner of the Criminal Justice Commission has, contrary to the provisions of the *Criminal Justice Act 1989*, released the information concerning Operation Wallah which was published in the *Courier-Mail* and *Australian* newspapers between 11 March 1995 and 25 March 1995 as specified in schedule 2.
- (b) I find that officers Pearce and McGrath, in their numerous and sometimes lengthy conversations with the journalist Wilkinson, consciously or unconsciously, provided her with what she would have regarded as affirmation to questions and statements that she put to them.
2. (a) Subject to the qualification expressed in paragraph (b) below, I find that no member or staff of the Parliamentary Criminal Justice Committee has, contrary to the provisions of the

Criminal Justice Act 1989, released the information concerning Operation Wallah which was published in the *Courier-Mail* and *Australian* newspapers between 11 March 1995 and 25 March 1995 as specified in schedule 2.

- (b) I find that a member of the committee, Dr Watson, in speaking with the journalist Whittaker on 10 March 1995, consciously or unconsciously, provided him with what he regarded as affirmation of questions and statements put to Dr Watson.
3. I find that no officer of the Queensland Police Service has, contrary to the provisions of the *Police Service Administration Act 1990*, released the information concerning Operation Wallah which was published in the *Courier-Mail* and *Australian* newspapers between 11 March 1995 and 25 March 1995 as specified in schedule 2.

Furthermore, regarding the naming in Federal Parliament on 30 March 1995 of Mr Le Grand (Director of the Official Misconduct Division) by Mr Peter Cleeland (Member for McEwan) as the person responsible for the alleged leak, Mr Hanson QC said:

I had the opportunity to observe Mr Le Grand in the witness box. He indignantly denies Mr Cleeland's allegation and any other suggestion that he is the source of the journalists' information (pp. 146–149). He was prevented by Parliamentary privilege from calling into question his accuser's motives, so that I was presented with the farce of a politician having slandered a man under Parliamentary privilege, and that person then being hampered by the same Parliamentary privilege in fully defending himself. I dismiss Mr Cleeland's allegations with contempt.

Mr Cleeland was not prepared to give evidence to the inquiry or to provide any material in support of his allegation made under Parliamentary privilege.

MISCONDUCT TRIBUNALS

During the year, the Misconduct Tribunals heard and determined four matters in the Original Jurisdiction. A fifth was heard with the decision reserved as at 30 June 1996, and two further matters were at the directions hearing stage.

In the Appellate Jurisdiction, five matters were heard and determined during the year. As at 30 June 1996, there was one matter heard awaiting the Tribunal's decision, two further appeals lodged and one matter remitted to the Tribunal by the Supreme Court. Another appeal was lodged and withdrawn during this period.

Five of the Misconduct Tribunal decisions were being considered by the Supreme Court. Two of these appeals were dismissed by the Supreme Court, two await determination and one resulted in the matter being remitted to the Tribunal differently constituted.

As at 30 June 1996, there were six lawyers on the panel of part-time members of the Tribunal:

- the Honourable Douglas Malcolm Campbell QC
- Dr John Robertson Stephen Forbes
— Barrister-at-Law
- Philip Stevenson Hardcastle
— Barrister-at-Law
- Francis Joseph Gaffy QC
- James Geoffrey Crowley QC
- Michael Joseph Halliday
— Barrister-at-Law.

The future of the Misconduct Tribunals remains uncertain. The terms of five of the current members were extended for six months on 14 September 1995 and again on 14 March 1996.

SUBPROGRAM 2 Misconduct Prevention

OBJECTIVE

To assist units of public administration to identify and reduce public sector misconduct

PROJECTED ACTIVITY	OUTCOME
<p>Public Sector Liaison</p> <p>Liaise with 20 units of public sector administration.</p> <p>Develop a CJC Liaison Officers' network and hold regular briefing sessions.</p> <p>Hold consultations on specific prevention issues.</p>	<p>We liaised with or briefed senior management boards of 25 agencies. (See table 17.)</p> <p>We convened one liaison meeting and distributed 60 newsletters.</p> <p>We convened a meeting on school-based assault.</p>
<p>Official Misconduct Risk Management Reviews</p> <p>Develop a 12-month work program of official misconduct risk management reviews.</p> <p>Monitor the implementation of review recommendations by organisations we have reviewed.</p> <p>Analyse patterns of allegations within organisations to identify possible risk management system reviews of generic areas.</p> <p>Conduct training sessions and workshops on risk management.</p> <p>Provide additional advice and comment to public sector units on risk management and corruption prevention initiatives.</p> <p>Prepare issue papers on aspects of corruption prevention in various management systems.</p>	<p>After analysis of a range of complaints and investigations undertaken by OMD, we developed a work program. Eleven reviews were conducted and feedback obtained from senior management (see table 19).</p> <p>We held discussions with senior management on the practicality of the recommendations and their proposed implementation.</p> <p>We analysed the pattern of allegations of one major department.</p> <p>We conducted seven training sessions and eight workshops, and obtained feedback.</p> <p>Advice was provided upon request.</p> <p>We developed an audit protocol on Review of Staff Recruitment and Selection Processes.</p>

PROJECTED ACTIVITY	OUTCOME
<p>Education and Training</p> <p>Develop a program of strategic corruption prevention workshops and training sessions.</p> <p>Produce print-based resources to assist agencies developing corruption prevention strategies.</p> <p>Develop a corruption prevention program for ethnic communities with a large non-English-speaking population.</p>	<p>We conducted a total of 51 ethical decision-making workshops, involving 179 hours of training for 840 participants. Workshops were targeted at local government, TAFE and departments with an enforcement function.</p> <p>We produced a poster, bookmark and coffee mug coaster, distributing them at training sessions and through the Liaison Officers' network. Two new leaflets were printed and four information packs put together.</p> <p>We produced leaflets for the Vietnamese, Chinese and Arabic communities, and distributed them widely through personal contacts and at specially called community meetings.</p>
<p>Aboriginal and Torres Strait Islander (ATSI) Liaison Program</p> <p>Develop specific ATSI liaison initiatives that are appropriate for ATSI communities.</p>	<p>Our ATSI Liaison Officer attended 29 community meetings and gave 47 presentations. A leaflet on the ATSI Liaison Program, <i>How You Can Help the Queensland Public Sector Remain Honest</i>, was distributed widely to community groups and individuals.</p>

PERFORMANCE INDICATORS

Clients' level of satisfaction

Number of prevention recommendations implemented by client groups

Number of public sector agencies which have developed a reporting and prevention strategy

A STRATEGIC APPROACH TO CORRUPTION PREVENTION

Because it costs far less to prevent corruption than to deal with it once it has taken control, the Corruption Prevention Division of the CJC works with the QPS, government agencies, local authorities, public sector managers, and universities to help them detect, control and prevent workplace crime. We also work with the wider community to increase the public's awareness of the effects of corrupt behaviour on our society.

We have developed a multifaceted approach to the task, which includes:

assisting public sector managers

We maintain regular contact with the chief executive officers and senior staff of public sector organisations, mainly through each department's or local authority's appointed CJC Liaison Officer. Keeping managers informed of workplace crime trends is an important prevention function. These managers have the prime responsibility for reducing misconduct and preventing loss to their organisations; they need accurate and timely information to assist them.

identifying the risks

We help organisations assess their weak points and the system loopholes that could be exploited by those with criminal intent, and to correct the system weaknesses that have been detected through our investigations into allegations of official misconduct.

education and training

We offer staff and management training in workplace corruption prevention, and give lectures on ethics to university, TAFE and high

school students. Knowing how to make responsible decisions under pressure and how to report suspect behaviour effectively are vital in the fight against workplace crime and to developing a more ethical public sector workforce.

supporting whistleblowers

We offer a professional program to assist and support those responsible, and often courageous, people who speak up and report suspect behaviour in the workplace. Every organisation needs whistleblowers if it is to fight workplace crime; therefore, every organisation needs to create an atmosphere in which whistleblowers are valued, taken seriously and protected.

contributing to the strategic corruption prevention debate

We regularly present papers at national and state conferences on fraud and workplace crime to raise public and professional awareness of the need for a strategic, pro-active approach to corruption prevention.

The two case studies on the next page demonstrate how that strategic approach was applied in 1995-96.

CASE STUDY 1

A strategic prevention approach for local government

In 1995–96, approximately 5 per cent of all allegations made to the CJC came from local government. Our investigations of these allegations revealed serious corrupt behaviour, in response to which we developed a five-phased strategic approach to assist senior management in local authorities to prevent official misconduct.

- i) We delivered key lectures at municipal officers' conferences to explain the role of the CJC in general and, specifically, how we can assist them in developing strategies to reduce official misconduct in their organisations.
- ii) Eighteen local government authorities responded to this information by asking for our assistance. As a first step, we met with elected members and senior council staff to give them an accurate analysis of the types of allegations made to the CJC involving local government and their organisations in particular.
- iii) We held two types of workshops to assist local authorities, one on ethical decision making and the other on developing a risk management approach to reducing workplace crime.
- iv) Some shires then conducted a risk assessment of their organisation and we assessed their results.
- v) After the assessment that identified high-risk areas, shires were able to introduce new controls to reduce the opportunity for corrupt acts to take place.

CASE STUDY 2

A strategic prevention approach for TAFE Colleges

We developed a strategic five-phased approach to assist TAFE Colleges to report and prevent official misconduct:

- i) We made a careful analysis of all TAFE allegations of official misconduct made to us over a five-year period, and presented our analysis in a confidential report to the Principal Officer of TAFE Queensland.
- ii) We met with the Internal Audit Section of the Department of Training and Industrial Relations to discuss how we could assist the Internal Audit Section with training and misconduct reviews.
- iii) We conducted misconduct risk management reviews in seven TAFE Colleges to examine the potential for fraud and misappropriation.
- iv) We met with TAFE College Directors and their senior staff to discuss possible prevention strategies.
- v) We gave nine workshops and lectures to TAFE teachers, staff and students on ethical decision making and reporting suspect behaviour.

STRATEGIES 1 AND 2

Inform units of public administration regarding the incidence and cause of official misconduct.

Liaise with senior administrators and agencies and offer advice on the reporting and prevention of official misconduct.

In pursuing these strategies over the past year, we worked with a wide range of public sector agencies (see tables 17 and 18) and received formal feedback from senior managers and CJC Liaison Officers. Table 19 gives their assessments.



CJC Liaison Officers usually attend two briefings a year by corruption prevention staff. Much of our regular communication with government departments and local authorities is through the Liaison Officers' network.

TABLE 17

Scope of liaison activities (1994-95 – 1995-96)

Agency	1994-95	1995-96
Government departments	25	25
Local government authorities	7	18
Universities and TAFE Colleges	11	5
Other agencies	14	11

TABLE 18

Type of liaison activity (1994-95 – 1995-96)

Agency	1994-95	1995-96
Board of Management meetings	21	12
CJC Liaison Officer meetings	2	1
Meetings with other agencies	19	25
Meetings with Universities and TAFE Colleges	6	12
Responding to requests for advice or assistance	138	83

TABLE 19

Client assessment of liaison activities

Agency	Criteria	Value Rating ³
Senior Management Meetings ¹	The level of assistance in formulating corruption prevention strategies.	85%
CJC Liaison Officers ²	The usefulness of the meeting in assisting with your duties as a CJC liaison officer.	66%

Notes:

¹ Principal Officers were sent the assessment form after the liaison meeting. Five out of a possible seven responded.

² All Liaison Officers completed the form at the end of the meeting.

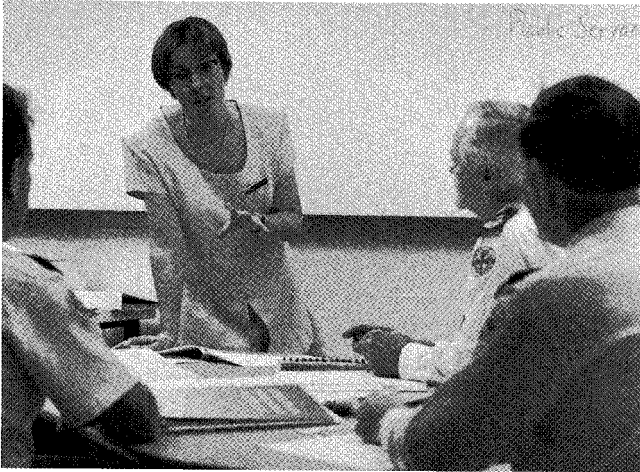
³ Respondents were asked to rate the level of assistance as 0%, 25%, 50%, 75% or 100%.

STRATEGY 3

Offer a range of advice and training on corruption prevention.

During 1995–96, we gave 51 three-and-a-half hour workshops on ethical decision making for public sector employees. These were conducted throughout the State, often with the organisation paying the travel expenses.

Nineteen of these workshops were run for local government authorities. Elected councillors often attended and participated.



Corruption Prevention Officer addressing a group of superintendents from the Queensland Ambulance Service on the topic 'The Accountable Public Servant'.

Employees from nine Colleges of TAFE also attended workshops in Brisbane, Mackay, Rockhampton, Burdekin, Mount Isa and the Sunshine Coast, and 30 public sector workshops were held.

Since these organisations differed vastly in their responsibilities, we tailored each workshop to suit the specific needs of the organisation attending. We focused on the issues and concerns most relevant to the organisation, including the sort of difficult decisions individuals might be required to make in carrying out their duties responsibly.

An important part of our corruption prevention strategy is to acknowledge that behind every corrupt act or workplace crime lie dishonest or unscrupulous attitudes that motivate some people to involve themselves in misconduct at work.

Many of these dishonest attitudes may have developed while the person was very young. Therefore, this year we again concentrated on providing information and challenging talks to young people in schools, universities, and colleges.

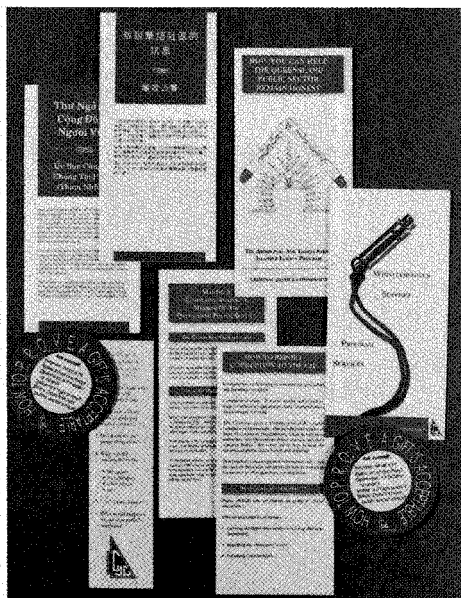
A wide range of schools, public and private, took up our offer of information sessions. Feedback questionnaires completed by teachers showed that the sessions were relevant, interesting and pitched at the right level for students. Teachers and students appreciated the up-to-date information packs we gave them.

In addition, corruption prevention staff made time for school visits whenever they travelled to regional areas of Queensland on other divisional business.

We were again asked this year to give presentations on the work and jurisdiction of the CJC, and to provide more detailed, faculty-specific lectures to:

- postgraduate courses at Griffith University and the Queensland University of Technology
- students in the Accounting, Business, Management, Justice Studies, Journalism and Ethics courses at Griffith and Central Queensland Universities and the Queensland University of Technology
- Business, Welfare, and Justice Administration courses at TAFE Colleges throughout Queensland
- TAFE courses for ATSI students
- police recruits at the Queensland Police and Emergency Services Academy.

In response to the large number of complaints against police officers that we receive each year, we produced a leaflet explaining how to make an effective complaint involving a police officer and what the public can complain about. This leaflet was widely distributed and is now available at every police station. To support the ATSI liaison work, the new leaflet was also produced in a slightly different format, tailored for the Aboriginal and Torres Strait Islander communities.



We produced a range of new resources for education and training, from information packs to coffee-mug coasters and bookmarks. Distributed at training courses, the coasters and bookmarks gave succinct information on making an ethically responsible decision and when to accept a gift. A new information pack was developed for schools, and a poster highlighting the issues involved in receiving gifts from suppliers was produced for Christmas. To cater for the Vietnamese, Chinese and Arabic communities, we had our leaflets translated into these languages.

CONTRIBUTING TO THE DEBATE ON CORRUPTION AND CRIME PREVENTION

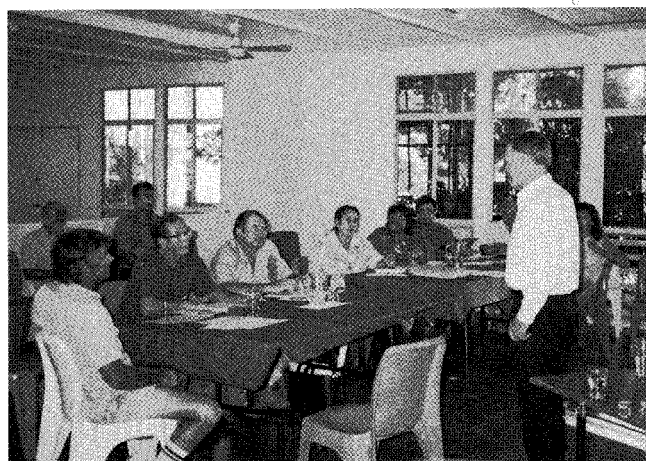
We regularly present papers at national and state conferences on fraud and workplace crime to raise public and professional awareness for the need of a strategic, proactive approach to corruption prevention.

Twenty conference papers were given in Brisbane and Sydney in 1995–96, the costs associated with these borne by the conference organisers (see also appendix 1 for a listing of major conferences, seminars and workshops).

Throughout the year, many Commonwealth and State agencies consulted with us about ways to reduce workplace corruption. These agencies were:

- The Department of Foreign Affairs with the Ombudsman of Papua New Guinea

- The New South Wales Public Sector Fraud Prevention Forum
- Australian Federal Police Fraud Prevention Branch, ACT
- South Australia Police Anti-Corruption Branch
- Inspector-General, Department of Defence, Canberra
- Office of Strategic Crime Assessments, Commonwealth Law Enforcement Board
- The Workcover Authority of New South Wales
- The Victoria Police (Project Guardian)
- Research Unit Royal Commission into NSW Police Service
- Office of Public Management, Premier's Department, New South Wales
- Department of Primary Industries and Energy, New South Wales



Corruption Prevention Director, Bob Hailstone, conducting a workshop in ethical decision making to a group from Burke Shire.

- Provost Marshal, Department of Defence
- University of Canberra
- Australian Customs Service
- Department of Social Security
- Department of Administrative Services, New South Wales
- Aboriginal and Torres Strait Islander Commission

ATSI LIAISON

To improve the relationship between the Aboriginal and Torres Strait Islander communities and the Queensland criminal justice system, the CJC in 1993 appointed an ATSI Liaison Officer, who is assisted in his work by an Aboriginal and Torres Strait Islander Advisory Committee. (See page 56 for a report from the Chairperson of that Committee.)

Since many ATSI communities are in remote areas, the ATSI Liaison Officer travelled widely throughout the State in 1995-96 to make contact with community leaders and to discuss issues of concern with them. Field trips were to:

- the northwest from Charters Towers to Camooweal and Boulia to Blackwater, meeting with 16 community organisations and holding two community meetings
- the far north from Weipa to Thursday Island and Townsville, meeting with five community organisations, holding two community meetings, and addressing a statewide community organisation's Board of Directors conference in Townsville on the role and functions of the CJC

- Mount Isa and Burketown, meeting with four community organisations and a group of Access Course Students at Mount Isa College of TAFE.

The officer also spoke at 20 meetings in Brisbane, including:

- two Justice Studies student groups from the South Johnstone College of TAFE, Innisfail, and one Justice Studies student group from the Kangaroo Point College of TAFE
- a community organisation's Staff and Board of Directors' workshop on the role and functions of the CJC.

As tables 20 and 21 show, there was a significant increase in the number of information and training sessions held by us in 1995-96 as compared with 1994-1995. Table 22 shows that client assessment of our education and training initiatives remained high.

GEOGRAPHICAL SPREAD OF ACTIVITIES

As many public sector agencies are not located in the southeast corner of the State, we travelled to all major regions to provide corruption prevention advice and assistance.



ATSI Liaison Officer addressing a workshop on Bribie Island.



The Aboriginal and Torres Strait Islander Liaison Committee meeting with Corruption Prevention Division officers.

TABLE 20

Public education and communication outcomes (1994-95 – 1995-96)

Activity	1994-95	1995-96
Information sessions/presentations	8	28
ATSI information sessions/presentations	not recorded	47
Presentations for groups from non-English-speaking backgrounds	2	5
Articles/media interviews	5	5
Total	15	85

TABLE 21

Training and education activities (1994-95 – 1995-96)

Activity	1994-95	1995-96
Conference Papers	23	20
Lectures – Universities and TAFE Colleges	14	11
Presentations to Years 11 and 12 students	11	42
Workshops for public sector agencies	40	76
Presentations to police	4	13
Presentations to TAFE and state school staff	not recorded	13
Total	92	175

TABLE 22

Client assessment of education and training initiatives

Type of initiative	Criterion	Level of assistance value rating
Workshops	The level of practicality of the workshop	78%

Note: Sample size was 840

A REPORT FROM THE CHAIRPERSON OF THE ABORIGINAL AND TORRES STRAIT ISLANDER LIAISON COMMITTEE

Our Committee was formed in November 1993 to advise the CJC on criminal justice issues of importance to the Aboriginal and Torres Strait Islander communities in Queensland. The Committee also gives Aboriginal and Torres Strait Islander peoples the opportunity to contribute to relevant projects and activities of the CJC. In addition, it supports the work of the CJC's Aboriginal and Torres Strait Islander Liaison Officer, whose role it is to establish effective communication channels between the communities and the CJC.

The Committee, which was selected and endorsed at a community meeting, meets four times a year. Our discussions have contributed to the following CJC publications:

- Volumes I to IV of the *Report on a Review of Police Powers in Queensland* (May 1994)
- *Report of an Investigation into the Arrest and Death of Daniel Alfred Yock* (March 1994) (submissions regarding the relationship between the police and the community)
- *Children, Crime and Justice in Queensland* (September 1995)
- *Aboriginal Witnesses in Queensland's Criminal Courts* (July 1996)

At our last meeting, the CJC presented the Committee with the report and recommendations on the Aboriginal witness project. The Committee commended the CJC on the report and acknowledged the communities' and Committee's contribution to the report.

Problems confronting Aboriginal witnesses in court can be minimised if recommendations from this report are implemented. The implementation requires a genuine commitment to the spirit of the recommendations by the police, the courts and the CJC. One of the strategies recommended is to employ Aboriginal and Torres Strait Islander people in the court system who are committed, accepted and respected by their local community.

The Committee has recommended that an Aboriginal or Torres Strait Islander person be appointed as a part-time Commissioner to the CJC. We have written to both the present and previous Queensland governments with this recommendation.

The Committee also recognises that it is culturally appropriate for women to address women's issues and we fully support the CJC employing a woman with an Aboriginal or Torres Strait Islander background to deal with issues that are culturally sensitive.

We look forward to continuing and improving our working relationship with the CJC.



Netta Tyson
Chairperson

Members of the current Committee

Florence Trinkoon	John Lesley	Sam Watson
Charlie Daylight	Norma James	Rita Nona
Olive Murphy	Matilda Bani	Graham Dillon
Thomas Sebasio	Carol Dagley	

STRATEGIES 4 AND 5

To make recommendations about management systems to prevent official misconduct.

To assist agencies to carry out misconduct risk management reviews.

As part of our 'reformer/educator' role, we carry out a program of planned reviews for those units of public administration that request assistance. These reviews generally follow an investigation of allegations of official misconduct by the CJC. Sometimes these investigations reveal that there were procedural or administrative breakdowns and that the organisation was vulnerable to exploitation. The investigation report frequently advises the organisation that it is at risk and recommends that it seek help from the Corruption Prevention Division.

This help is given through risk management reviews, which are an important part of a strategic approach to corruption prevention. Experience has shown that workplace crime flourishes in organisations that have poor internal controls or inadequate reporting procedures, which help to conceal corrupt activities, protect wrongdoers from exposure and lead to the victimisation or harassment of whistleblowers.

The risk management reviews help agencies to analyse how they control workplace crime and to identify the weak points and loopholes that might be exploited. These reviews go beyond financial audits to examine management or administrative system deficiencies that can allow official misconduct to flourish, such as:

- corrupt practices
- neglect of duty
- criminal acts and omissions
- favouritism
- harassment and victimisation
- information breaches
- misuse of power.

Many agencies are now requesting reviews of 'at risk' areas, even where no allegations have been made to the CJC, because managers increasingly recognise the high standard of these reviews, which are not CJC investigations but a consultancy service.

Reviews range from small, specific operations of units to major, organisational functions or segments, and from the relatively simple to the very complex. The assistance is offered without cost to the agency.

These reviews are a service we provide under the provisions of section 29(3)(e) of our Act:

to offer and render advice and assistance by way of education or liaison, to law enforcement agencies, units of public administration, companies and institutions, auditors and other persons concerning the detection and prevention of official misconduct.

The reviews make recommendations on ways of improving the systems through better internal controls and through more effective corruption prevention strategies.

The review report is a confidential document addressed to the chief executive, who is asked to indicate how many of the recommendations will be implemented and what action the agency plans to take. Obviously, system changes have resource implications and we are aware that even with the best will there will always be budgetary constraints. Therefore, we ask which recommendations can be implemented immediately, and which will require more time to implement, and we attempt to monitor the process.

We also regularly provide advice to public sector agencies on how to develop:

- strategic management policies for preventing corruption
- policy guidelines for reporting official misconduct
- risk assessment training.

The Corruption Prevention Division is now regarded as a lead agency and many interstate and Commonwealth agencies are in regular contact with its prevention officers.

Eleven misconduct risk management reviews were conducted this year, resulting in more than two hundred recommendations being made. The range of agency management or administrative systems reviewed included:

- purchasing and tendering
- asset monitoring and control
- codes of conduct
- office and staff security
- information storage security
- conflict of interest issues and guidelines
- organisational liability
- improved accident investigation policy
- budget monitoring systems
- revenue and expenditure control systems
- recruitment and selection practices
- controls on use of government resources for private usage
- accountability processes of officers in isolated areas.

The case studies on page 59 highlight two official misconduct risk management

reviews conducted this year. These reviews have now become well accepted as an effective aid in corruption prevention within State Government departments, local authorities and statutory authorities. Part of our current strategic plan is to extend this service to the QPS.

Additionally, in 1995-96 we gave greater emphasis to analysing patterns of allegations within organisations to identify possible risk management reviews of generic areas. For example, we made a detailed analysis of one agency's complaints and allegations to the CJC over a five-year period, discussed our findings with that agency's senior management, and together came up with a plan for conducting risk reviews, liaison and training.

CLIENTS' LEVEL OF SATISFACTION

It is important to ensure that the advice and assistance provided by this program are timely and practical. Accordingly, client groups were asked to give detailed feedback on the effectiveness and assistance these reviews provided. Table 23 indicates the level of client satisfaction and response to recommendations made in the reviews.

These reviews have been welcomed by the agencies because they are initially discussed with the agency's principal officer and conducted in a low-key, non-intrusive manner, working in close liaison with agency staff whenever possible.

TABLE 23
Client response to official misconduct risk management systems reviews
(1994-95 - 1995-96)

Criteria	1994-95	1995-96
Quality satisfaction rating	84%	84%
Value rating	84%	84%
Helpfulness of CJC staff	87%	96%
Acceptance of findings	91%	86%
Acceptance of recommendations	89%	86%
Recommendations implemented as a result of the review	62%	78%
Projected implementation of recommendations	90%	86%

CASE STUDY 1

The CJC investigated a series of allegations in a tertiary education facility. These allegations included misappropriation, purchasing and tendering irregularities, using official positions for personal interest and benefit, improper claims for expenditure, and corruption of budgetary data.

While our investigation found no evidence of a criminal offence or of official misconduct, it did highlight significant deficiencies, which included:

- inadequate monitoring of budget expenditure
- a lack of appropriate policies and procedures, and, where they did exist, a failure by management and staff to follow them
- deficiencies in the management and control of financial and other systems
- overlapping and sometimes ambiguous financial policies and guidelines
- inadequate training and selection procedures of financial administrators for the level and quality of financial systems.

After a risk assessment, we recommended:

- an improved fail-safe system for monitoring budget variances
- rotation in critical financial management roles
- the introduction of a computer-based integrated materials management system
- the clarification and formalisation of the recording and physical control of low-value but attractive assets
- improved training for finance and stores staff
- greater separation of duties in the purchasing and stores functions
- a review of accountability gaps and an updating of lists of delegations.

CASE STUDY 2

We were asked by a government business enterprise (GBE) to conduct a review of any potential risks in a contract it was about to execute with a Vanuatu-based company, which intended using the GBE's technology, skills and resources.

We recommended that the GBE:

- make checks of legislative compliance
- ensure an effective process for identification, declaration and management of potential conflicts of interest
- ensure clear corporate business strategies and corporate planning processes
- monitor the company's business viability and probity
- introduce greater accountability measures
- clearly and precisely delineate the GBE's obligations generally, and specifically with the technology involved.

STRATEGY 6

Assist and advise whistleblowers.

Experience shows that workplace crime is more likely to occur in an atmosphere of fear and secrecy. Therefore, an important corruption prevention strategy for any organisation is to establish an environment in which employees feel free to raise genuine concerns about suspected workplace crime or unethical conduct. They need to be able to do this through proper channels without fear of reprisal. Hence, all organisations need a complaint-handling process, an effective investigative function, and appropriate mechanisms to protect the rights of staff who make disclosures or who are the subject of disclosures. Whistleblowers need to be valued, taken seriously by managers, and protected from those people who want the truth to remain undiscovered.

In the past year, we gave considerable emphasis to helping organisations establish and refine mechanisms to protect the rights of staff. We published an issue paper entitled *Protecting Public Sector Whistleblowers: A Statutory Responsibility*, which was aimed at informing public sector organisations about whistleblower protection issues. We also began production on a guidebook that will contain important information for potential whistleblowers and for managers who will receive information from whistleblowers. The guidebook, to be published soon, required extensive consultation to determine what was the best and most helpful information available.

Throughout the year, 91 people requested assistance from the Whistleblower Support Program. The breakdown is as follows:

- 43 whistleblowers
- 29 potential whistleblowers
- 19 individuals (mostly public sector supervisors) seeking advice about whistleblower management and support.

In total, 294 contacts were made with these people, a little more than three contacts per referral. The sources of referral are shown in table 24. Each referral was assigned to a category that described the major reason for requesting assistance:

- *requests for information and advice* about becoming a whistleblower or dealing with matters arising from whistleblowing (60 cases)
- *harassment—career/psychological/physical* where the person reports treatment detrimental to his or her career, psychological wellbeing or personal safety because of whistleblowing (26 cases)
- *adjustment or organisation problems* where the person reports difficulty dealing with an issue related to whistleblowing which is not caused by harassment (five cases)

Contributions to the debate about whistleblowing were made through a number of conference papers (see appendix 1 for details).

TABLE 24

Whistleblower referral sources

Type of referral	Total number of referrals
Self-referred	48
Internally referred (CJC)	33
Externally	10

PROGRAM OUTLOOK

In 1996–97, we propose to:

carry out a survey on the attitudes to workplace crime in the public sector and make the data available to senior public sector administrators

analyse patterns of complaints made to the CJC to identify trends that may require misconduct risk management system reviews across a range of areas or agencies

develop a 12-month work program for a minimum of 12 major misconduct risk management reviews

monitor the implementation of review recommendations by organisations we have reviewed

prepare an issue paper for senior public sector administrators on generic corruption prevention issues revealed through misconduct risk management reviews

commence a major review of the Complaints Register Database

establish and conduct a Disciplinary Investigations Skills course for officers of units of public administration

promote and expedite the use of informal resolution processes in settling complaints

provide a range of corruption prevention workshops on ethical decision making, risk management and prevention strategies and participate in induction courses conducted by public sector agencies

develop a corruption prevention training course specifically to meet the needs of ATSI communities

assist and advise the QPS on statewide ethical decision-making training for police officers

publish a guidebook to assist potential whistleblowers

produce innovative corruption prevention training resources for use by agencies.

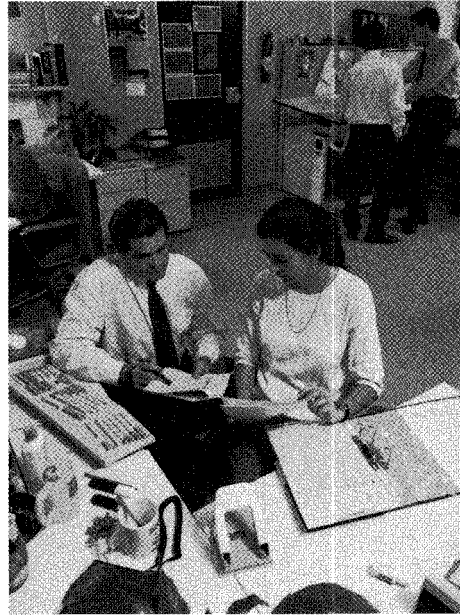
Intelligence

Goal: To provide an effective, professional and specialist criminal intelligence service

OBJECTIVES

To facilitate an integrated approach to the investigation of organised crime, major crime and official misconduct through the management of criminal intelligence

To ensure the efficiency, accountability and integrity of the QPS intelligence function



PROJECTED ACTIVITY	OUTCOME
<p>Extend our unique approach to organised crime investigation to other criminal enterprises and areas based on intelligence collection plans.</p>	<p>We began an operation designed to identify the nexus between corruption/official misconduct and organised crime in Queensland. We have identified potential organised crime threats that are emerging and are monitoring them.</p>
<p>Contribute to the development of the intelligence function through the participation in appropriate QPS committees and project boards.</p>	<p>We took part in the 'Review of Intelligence Management within QPS', which resulted in the formation of the QPS Intelligence Management Board.</p>
<p>Ensure that the intelligence function remains accountable through overseeing the role of the BCIQ and conducting regular audits.</p>	<p>We audited the Security Intelligence Branch, the results of which were endorsed by the Control Committee.</p>
<p>Continue to monitor developments in other parts of Australia and overseas in order to identify emerging crime groups and changing trends and provide strategic assessments as appropriate. Maintain close relations with other law enforcement agencies and continue to contribute to the overall national picture of organised criminal activity through cooperation and mutual assistance.</p>	<p>We developed a method for realistically appraising the value of cannabis crops to the organisers; participated in three nationally coordinated operations; gave assistance to the Australian Bureau of Criminal Intelligence for the Australian Intelligence Drug Report; and contributed to national intelligence collection plans for the assessment of a number of organised crime issues identified in the Commonwealth Law Enforcement Review.</p>

PERFORMANCE INDICATORS

Quality, accountability and usefulness of intelligence database and information retrieval service

Availability of reports which have assisted in the investigation and assessment of organised crime, major crime and official misconduct

Enhanced intelligence knowledge and skills and increased community awareness of organised crime issues

Provision of advice regarding the QPS intelligence function and actions taken in response

STRATEGY 1

Build up and maintain a secure database of intelligence information concerning organised crime and major crime and official misconduct.

Our Act requires us to build up and maintain a secure criminal intelligence database. Accordingly, the Criminal Intelligence Database (CID) was established in 1991 and is managed by a specific section within the Intelligence Division which is responsible for ensuring the data's integrity and proper use. Today CID holds a substantial amount of information on official misconduct, corruption, and organised and major crime within Queensland. Access to the data is electronically controlled and fully auditable. Dissemination to other law enforcement agencies is on a strict need and right to know basis. This dissemination is normally either in written form or transferred electronically to the Australian Bureau of Criminal Intelligence Database in accordance with our Memorandums of Understanding in which we have agreed to share, on a national basis, intelligence specific to particular organised crime groups.

During the year, 4500 entries were stored on CID, bringing the total since its establishment to more than 22 000. To ensure that the stored data were relevant, crime-related and up to date, we refined the number of entries to 21 200. This culling of material was done with the approval of the Queensland Archivist.

Other quality control measures, such as regular audits of users, confirmed that no unauthorised access to CID or any related intelligence holdings occurred.

As a legitimate clone of the Australian Criminal Intelligence Database (ACID) program, which the Australian Bureau of Criminal Intelligence is currently revitalising via its ACID Re-engineering Project, CID this year was able to take advantage of the many improvements offered by the ACID project. As a result, it will soon operate on a different platform, in a much faster environment, and with a greater storage capacity. In due course, many more benefits deriving from the ACID project will be available for incorporation into CID. This will allow for a more user-friendly and efficient interface for our analysts.

Throughout the year, the information contained within CID proved of great value to the analysts acting in support of the MDTs and the JOCTF, as well as those analysts involved in the prediction of emerging trends and potential threats of a strategic nature. CID information was also sought by other law enforcement agencies. The Intelligence Division disseminated intelligence on its own initiative 309 times and was able to respond positively to 219 external requests a further 187 times.

The minor reduction in numbers for 1995-96 can be attributed to the introduction of joint, nationally coordinated projects where CID data were shared electronically, thus the need for written dissemination in those project areas was

lessened. The increase in the percentage of positive responses achieved is a reflection of the continued improvement in the quality of intelligence holdings.

STRATEGY 2

Provide information and analytical assistance to investigations.

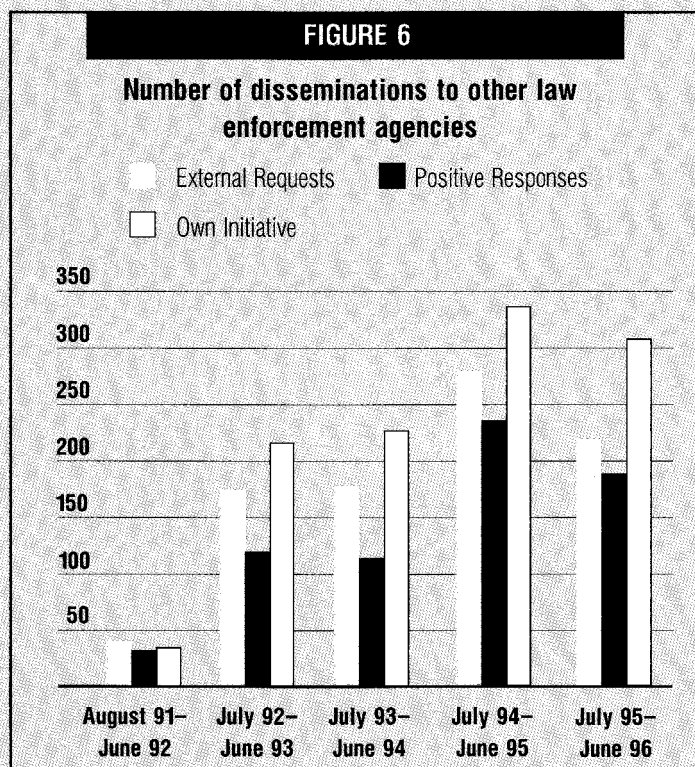
During the year, CJC investigations continued to rely on support from intelligence analysts, either directly with analysts forming an integral part of the MDTs or indirectly when analytical assistance or data were provided upon specific request.

Analytical support was provided to MDTs and the JOCTF for 32 operations throughout the year. The targets of these operations came from the broad spectrum of organised crime groups as well as from public entities in which the targets were engaged in official misconduct and corrupt practices. (These operations are dealt with in more detail under Programs 2 and 4.)

Intelligence analysts provided analytical support to the Complaints Section of OMD for more than thirty investigations targeting public officials involved in corruption or official misconduct, or both. Short-term analytical support was provided to more than twenty complaints under investigation, which resulted in approximately fifteen being satisfactorily completed.

During the year, we reviewed the intelligence assistance available to the Complaints Section and, as a result, the previous ad hoc arrangements were placed on a more formal footing. An intelligence analyst now participates in the complaints process from initial assessment, and provides full-time analytical assistance to the Complaints Section. In addition to this process, we instituted a project designed to identify the nexus between corruption/official misconduct and organised crime in Queensland.

Analytical support this year was also given to the longer-term operations that targeted crime syndicates of Italian, Japanese and



Chinese ethnicity as well as those comprising members of Outlaw Motor Cycle Gangs (OMCGs). In supporting the JOCTF, our analysts this year produced 45 Intelligence Summaries (Intsums) on the activities of the various organised crime groups. These Intsums were also disseminated to other law enforcement agencies with whom the CJC is cooperating in nationally coordinated operations. Numerous reports on the activities of other organised crime groups and those people engaged in official misconduct were also produced.

STRATEGY 3

Monitor and analyse trends in organised crime and conduct intelligence operations to identify threats, trends and/or patterns.

The underlying strategies of the CJC's organised crime investigations all centre on long-term intelligence collection plans. These plans are specifically designed to collect information that will assist our analysts to assess threats posed by particular organised crime groups. Such information is collected from our intelligence operations, from law enforcement journals and from other law enforcement agency reports. The law enforcement journals provide insight into criminal trends overseas as well as into the operating characteristics of international organised crime groups. This, combined with the intelligence gained during operations, allows our analysts to better assess the methods of operation of the targeted organised crime groups and predict their future courses of action.

This year we had the unique opportunity to view the activities of an organised crime syndicate engaged in the cultivation and distribution of cannabis. During this

operation (see Operation Jethro, page 70) the complete cultivation network, from financier to crop sitters, was identified. Our long-term approach also allowed for the identification of the methods of transport of the crop, the distribution network involved, as well as the means used by the major players to launder the profits gained from the crops. Analysts were also able to ascertain a more realistic estimate of the proceeds gained from cannabis plantations. We shared this information with other law enforcement agencies involved in nationally coordinated operations.

During another operation, analysts were able to determine a particular method of obtaining communications equipment used by a group involved in the distribution of cannabis. This information was also passed on to other law enforcement agencies.

To keep abreast of international trends in organised crime, one of our analysts attended the 18th Annual International Asian Organised Crime Conference held at Anaheim, USA, in March 1996. Attendance at conferences such as these helps us to maintain our expertise in Asian organised crime, as well as to liaise and network with overseas law enforcement agencies.

We also completed an in-depth analysis of organised crime groups within Queensland to assess the threat such groups pose to the State. The results of the analysis enabled the threats to be prioritised, and confirmed that CJC resources are currently deployed in investigating the more significant threats. Emerging threats were also identified and monitored. We also commenced a joint project with OMD's Proceeds of Crime Unit to assess data provided by the Australian Transaction Reports and Analysis Centre (AUSTRAC) which raise suspicion of money laundering and/or other organised or major criminal activity.

STRATEGY 4

Provide reports and, as required, education and training on matters relating to organised crime and major crime.

In recognition of the difficulties faced by investigators in dealing with different cultures, we conducted an Asian Cultural Seminar at the QPS Headquarters in conjunction with the Queensland Bureau of Ethnic Affairs. Similar briefings were also provided to QPS officers and members of the Australian Customs Service. These seminars are designed to enable investigators to work more closely with different communities to combat criminal activities within their communities.

A senior staff member attended two workshops in Adelaide in 1995 to assist the South Australian Police and the University of South Australia produce national competencies standards for intelligence officers. Another senior officer instructed in the National Strategic Intelligence course held at Manly in May 1996. As well, the Director of Intelligence Division, by invitation, participated as an instructor in the South Australian Police Strategic Intelligence Course in early 1996 and lectured at the Queensland University of Technology and Griffith University on organised crime issues.

We prepared an article, 'Intelligence at work inside the CJC', for publication in our Issue Paper series in July. The paper was written to provide a greater public awareness of the intelligence function and its importance within the Commission.

In support of its operations, we prepared and disseminated a large number of reports, assessments and Intsums to OMD. Operational reports and briefings were also provided to participating agencies of three nationally coordinated projects—Italian Organised Crime (IOC), Chinese Organised Crime (COC) and Outlaw Motor Cycle Gangs (OMCGs). Intsums were prepared

regularly for dissemination to participating law enforcement agencies. The National Crime Authority (NCA) recognised our assistance in the production of their national strategic intelligence assessments on particular organised crime activities.

STRATEGY 5

Foster and participate in the exchange of information and intelligence expertise and engage in joint operations with other agencies.

We continued to participate in the three nationally coordinated projects—Italian Organised Crime, Chinese Organised Crime and Outlaw Motor Cycle Gangs. The national task force, which is facilitating the projects, provides for the free exchange of information on the national operational objectives within each project.

Senior staff represented the CJC at monthly joint agency meetings, which were designed to ensure that there was no duplication of targeting or risk of jeopardising the operations of another agency.

The intelligence analyst working on Chinese Organised Crime, together with a JOCTF investigator, visited several interstate law enforcement agencies in March 1996 to give a presentation on our investigation into Asian Organised Crime, particularly about the links between Queensland, Victorian and New South Wales suspects.

As mentioned in strategy 4, two senior members of the Intelligence Division participated as instructors on two separate National Strategic Intelligence courses during the year. One of these courses was held at the Australian Institute of Police Management, Manly, and the other at the South Australian Police College, Adelaide. Participants at the courses came from various law enforcement agencies throughout Australasia.

We provided assistance to the NCA by responding to requests for contributions to national intelligence collection plans. The data gathered during these national intelligence collection plans were used in an assessment of six organised crime issues identified in the Commonwealth Law Enforcement Review.

STRATEGY 6

Oversee and monitor the QPS intelligence function.

At management level, regular meetings were held with the Superintendent of the Bureau of Criminal Intelligence (BCIQ) and the Assistant Commissioner, State Crime Operations Command. Senior members of staff continued as members of a number of committee/project boards that influence the QPS intelligence function. Routine monitoring continued through regular receipt of BCIQ occurrence sheets and monthly management reports. Regular liaison with BCIQ and QPS Intelligence Network (QPIN) members also provided an insight into the effectiveness of the QPS intelligence function.

We participated in a number of committees, the more significant of which were the Review of Management of Intelligence within the QPS and the Review of the Queensland Police Service Response to Paedophile Activity and Child Abuse.

As a result of the Review of Management of Intelligence within the QPS, a QPS Intelligence Management Board was established. The Board comprises members of several areas of the QPS as well as the CJC Intelligence Division Director. This Board has the responsibility of implementing the recommendations made during the Review, as well as the responsibility for coordinating all future policy on the QPS Intelligence Network.

The Control Committee for the Security Intelligence Branch met twice in 1995–96 to review the current activities of that Branch. On the latter occasion, the Committee endorsed the results of the CJC's last audit of the Branch. The membership of the Control Committee was formally expanded to include the CJC's Director of Intelligence and the Superintendent in charge of BCIQ, in addition to the CJC Chairperson, the Commissioner of Police and the Assistant Commissioner, State Crime Operations Command.

PROGRAM OUTLOOK

In 1996–77, we propose to:

assist with the development of the QPS intelligence function through the participation in appropriate committees and project boards

ensure that the QPS intelligence function remains accountable through overseeing the BCIQ and the conduct of regular audits

monitor developments in other parts of Australia and overseas to identify emerging crime groups and changing trends and provide assessments as appropriate

maintain close liaison with other law enforcement agencies and contribute to the overall national picture of organised criminal activities through cooperation and mutual assistance

publish an article in our Issue Paper series designed to raise public awareness of the intelligence function within the CJC

prepare a paper on the nexus between corruption/official misconduct and organised crime.

Organised and Major Crime Investigation

Goal: To make an effective contribution to combating organised crime and major crime

OBJECTIVE

To ensure that organised crime and major crime are effectively investigated

PERFORMANCE INDICATORS

Prosecutions leading to the conviction of members of organised crime groups or persons involved in major crime

The extent of the use of compulsory powers in organised and major crime investigations

Confiscation of proceeds of organised crime

STRATEGY 1

Investigate organised and major crime where, in the Commission’s opinion, the investigation cannot be appropriately or effectively discharged by the QPS or other agencies of the State.

Section 23 (f) of our Act outlines the extent of our jurisdiction to undertake the investigation of organised and major crime. Our jurisdiction is limited to matters which, ‘in the Commission’s opinion, are not appropriate to be discharged, or cannot effectively be discharged, by the Police Service or other agencies of the State’.

In exercising this statutory responsibility, the CJC seeks:

- to act in cooperation with the QPS and other law enforcement agencies
- to enhance the capacity of the QPS and law enforcement generally to deal with the challenge of organised crime.

Overseas experience indicates that it takes a long time for law enforcement agencies to develop the expertise necessary to tackle organised crime groups.

The basic steps are:

- collecting and analysing all information available in the law enforcement community
- establishing an intelligence collection plan which actively seeks to capture intelligence on current criminal activities and to identify the principals involved
- designing an operational plan for the pro-active investigation of the organisation, in particular by:
 - surveillance (mobile and electronic)
 - undercover penetration by police agents (a very difficult task)
 - the recruiting of informants
 - encouraging cooperation by peripherally involved persons
 - the pursuit of the money trail by financial investigators
 - the conduct of private hearings
- progressing from operation to operation, widening the net by targeting the organisation rather than individuals, gradually working to the top.

Through detailed intelligence assessments, the CJC has identified a number of ethnically based and other organised crime groups active in Queensland. Before our scrutiny of these groups, they had not been the subject of dedicated, continuous targeting.

Such investigations can be expensive and protracted. However, as Operation Jethro has shown (see page 70), when all aspects are considered (the investigation, the prosecutions and asset forfeiture action), a worthwhile outcome can be achieved at little overall cost to the government.

STRATEGY 2

Engage in operations with the QPS or other agencies.

JOINT ORGANISED CRIME TASK FORCE

Since December 1992, the CJC has discharged its responsibility in organised crime investigation mainly through participation with the QPS in the Joint Organised Crime Task Force (JOCTF).

The JOCTF, in common with other investigative teams in the CJC, has adopted the following strategies and practices:

- integrated multidisciplinary team (MDT) processes
- use of dedicated intelligence collection plans
- use of specialist investigators (financial, legal, technical and culturally specific investigators)
- intensive informant development
- focus on the criminal enterprise
- intensive use of covert techniques including surveillance
- strategic use of the CJC's special powers.

Operational plans are prepared for all major investigations. These plans set out the objectives of the investigations and the various investigative techniques that will be used.

Financial analysts working within the CJC have adopted a hands-on approach to investigative work, which runs counter to the traditional law enforcement approach. The level of integration of accounting professionals in the investigative process, though not typical of practices common with other law enforcement agencies in Australia, does coincide with recognised best practice internationally and the views expressed by experts in many forums attended by these agencies.

The integration of intelligence analysts into the MDTs, particularly in the more protracted investigations, has also broken a traditional boundary between intelligence and investigation. Investigators are able to draw on the analytical expertise of these officers and the increasingly valuable data maintained in the CJC's intelligence database.

The QPS, as a partner in the JOCTF, expressed its continuing support for the arrangements in its recent submission to the QPS Review Committee:

The Joint Task Force, in conjunction with State Crime Operations Command, has been successful in its investigations of organised crime. The continuation of the Task Force is seen by the Queensland Police Service as being of fundamental importance in future operations that run hand in hand with investigations of corruption with links into organised crime.

The Joint Task Force has been an invaluable tool in the fight against organised and major crime and the Police Service strongly supports its continuation, with adequate funding and other resources, in its current form. (p. 51)

CASE STUDIES

Of the 24 briefs of evidence prepared by the JOCTF during the year, 18 arose from Operation Jethro. There are currently 12 matters before the criminal courts. Some typical cases are outlined below.

Operation Hake. JOCTF and CJC officers assisted the QPS with covert investigations into a visiting Japanese businessman who was allegedly involved in prostitution and drug trafficking. It was also suspected that he had links to Japanese organised crime. Our investigations suggested that the businessman was involved in arranging prostitutes for visiting Japanese tourists. Although the evidence was not considered strong enough to charge him, it did cast doubt on his suitability for consideration for permanent residency in Australia. When confronted with the information, the businessman withdrew his permanent residence application and left Australia.

Operation Harrier. During 1993–94, the JOCTF, with assistance from the QPS and the Brisbane branch of the NCA, conducted an extensive investigation into large-scale cannabis production in North Queensland. This investigation was generated from our pro-active, intelligence-driven approach to organised crime investigation and included the use of specialist techniques available to us. The final prosecutions arising from this operation were concluded during 1995–96.

The nine accused were all dealt with by the courts and sentenced to varying terms of imprisonment: seven years for one person, five years for three persons, three years for three persons, and two years for two persons. Charges against another person were withdrawn.

Operation Jethro. The JOCTF, with the assistance of the NCA, conducted a 12-month intensive investigation into an Italian organised crime syndicate involved in drug cultivation and distribution. The operation was allowed to run past the sale of the first crop to allow investigation of the

group's methods of distribution and money laundering techniques.

During 1995–96, the JOCTF submitted briefs of evidence on 18 people covering 99 charges relating to serious drug offences. Eight of those accused have pleaded guilty to the charges, a reflection of the quality of the investigation and the briefs prepared by the Task Force.

Applications for restraining orders relating to property valued at more than one million dollars were successfully made to the Supreme Court.

As well as the outstanding prosecution and proceeds results, this operation contributed significantly to the understanding law enforcement agencies have of the complete cycle of cannabis production and distribution. It gave the JOCTF the opportunity to observe methods used to establish crops, the structure and network of the group, and their national links, and it was successful in identifying transportation and distribution methods. Money distribution and money laundering methods were also uncovered.

Operation Fantail. During this investigation, a Sergeant at Arms of the Rebels Outlaw Motor Cycle Gang was seen to supply a substantial quantity of cannabis sativa to a life member of the Finks Outlaw Motor Cycle Gang. He had stored the cannabis in a rented shed where he also had a concealable firearm. As a result of the operation, five people were charged with 25 offences relating to drugs and firearms.

The main target of this operation pleaded guilty to one count of trafficking in cannabis in the Supreme Court and was sentenced to three years' imprisonment with a recommendation for consideration for release on parole after serving 12 months of the sentence. He also paid \$70 000 into the State's consolidated revenue by way of a pecuniary penalty order.

Operation Gemstone. Together with the QPS, we investigated a heroin trafficking operation which resulted in the sentencing of Alexandru and Valerie Buciuman and Ioan Dobrovolski.

We commenced the joint investigation as a result of information received by our Intelligence Division that a group of people of Romanian background were involved in heroin trafficking. As a result of the investigation, the Buciumans and Dobrovolski were arrested and charged with a total of 40 charges, including trafficking in heroin. Each was sentenced to imprisonment for 13 years. The purity of the heroin seized during the investigations was 50 per cent.

The Buciumans and Dobrovolski were the third group of people of Romanian background investigated by the CJC for heroin trafficking.

Other joint operations and liaisons

We work closely with law enforcement agencies other than the QPS to enhance the effectiveness of law enforcement on a national level in combating organised and major crime. In recent years, we have successfully assisted the NCA to investigate national drug-producing syndicates.

During 1995–96, a number of these matters came before the courts and officers of the CJC were required to give evidence of their involvement in these investigations.

Operation Pegasus. This operation exposed a sophisticated 8100-plant cannabis crop at Yuleba near Roma. Of those charged, Guiseppe Pangallo received the heaviest sentence of eight years' imprisonment. Others convicted were Pasquale Romeo, Guiseppe Trimboli, Frank Sergi and David Zucchelli (six years' imprisonment), and Joseph Zucchelli and Tan Tai Do (five years' imprisonment). Officers of the JOCTF assisted with the nationwide close-down of the investigation.

Operation Chinook. Following a successful investigation by law enforcement agencies in another State, the Brisbane NCA office, with the assistance of the QPS and the JOCTF, executed search warrants on a Brisbane address to locate the source of large quantities of the illegal drug amphetamine that were being shipped into that State. These search warrants and the resultant arrests exposed the largest amphetamine manufacturing operation ever identified by law enforcement agencies in Australia. Along with the processing plant, 174 kilograms of high-purity amphetamine were found in a Brisbane warehouse. Major targets of the operation were arrested at the warehouse where the drugs were being manufactured.

One of the principals of the operation was sentenced to 12 years' imprisonment. The sentence was reduced from a possible 20 years because the offender had pleaded at an early stage and assisted authorities with their further investigations. Another of the principals pleaded guilty and was sentenced to 11 years' imprisonment. He forfeited a \$600 000 luxury home and \$400 000 in cash.

STRATEGY 3

Identify and help confiscate the proceeds of organised or major crime.

Asset forfeiture is one of the most effective methods of dismantling criminal enterprises, especially those financed from the proceeds of drug trafficking. The objectives of asset forfeiture actions are to deprive criminal organisations of the resources required for continuing their criminal activities and to confiscate the profits of their activities. Such action not only disrupts criminal enterprises but acts as a disincentive to others attracted by the illicit gains to be made.

Our Proceeds of Crime Unit has launched a two-pronged attack.

First, the Unit has ensured that, in appropriate cases, the provisions of the *Crimes (Confiscation) Act 1989* are used. Therefore, the Unit has been involved in CJC investigations by:

- assessing the value of property and other benefits associated with the commission of serious offences and preparing applications for the forfeiture of such property
- preparing applications for restraining orders (these orders ensure that assets that may later be forfeited are not dissipated, hidden or used to fund further criminal activity)
- responding to applications by people whose property has been restrained to have the order varied or set aside.

Secondly, the Unit, together with the Intelligence Division, has established a new project that assesses intelligence data provided to the CJC by the Australian Transaction Reports and Analysis Centre (AUSTRAC), identifying financial transactions that raise suspicion of money laundering and other organised or major criminal activity.

In 1995–96, the Proceeds of Crime Unit instigated actions that resulted in the forfeiture of \$145 000, representing the profits gained from organised drug trafficking, and in the restraining of assets valued at more than one million dollars. These assets included five real properties, five motor vehicles, and seven bank accounts.

One of the accused in one operation pleaded guilty to possession of tainted property, namely a \$24 000 Harley Davidson motorcycle. This vehicle was restrained after the execution of search warrants. The accused admitted that all but \$8000 of the purchase money was unlawfully acquired. The motorcycle was sold at public auction and the proceeds were returned to the State's consolidated revenue.

During the search of premises of a businessman later convicted of major drug production, investigators found \$75 000 in cash. The businessman pleaded guilty to two charges of producing a dangerous drug and the \$75 000 was forfeited and paid into consolidated revenue.

Another person convicted of drug trafficking as a result of the same investigation later paid \$200 000 to the courts in satisfaction of a pecuniary penalty order made against him for his profits from drug trafficking.

The main target of another operation, who was a member of an Outlaw Motor Cycle Gang, forfeited \$70 000 to consolidated revenue consisting of some \$35 000 in cash found at his house and a further \$35 000 which was most of the equity he had in his house, which was sold pursuant to the *Crimes (Confiscation) Act*.

As at 30 June 1996, the net value of restrained assets was \$1 578 754.

STRATEGY 4

Provide briefs of evidence to prosecution agencies.

Generally, charges recommended are not completed within the same reporting period. During 1995–96, 102 charges were finalised from organised and major crime investigations with guilty verdicts being obtained in 68 of those cases. Of most significance during this period were the charges finalised as a result of Operation Jethro. (See figure 7 and table 25.)

DRUGS SEIZED

Operation Jethro resulted in the seizure and destruction of two illegal drug crops. At the first site, an estimated 8400 mature cannabis plants, some two metres high, and 300 kilograms of harvested cannabis plants from a drying shed were destroyed. At the second site, an estimated 4030 plants of poorer quality were destroyed. The estimated values of these two crops were \$3 000 000 and \$800 000 respectively. (See table 26.)

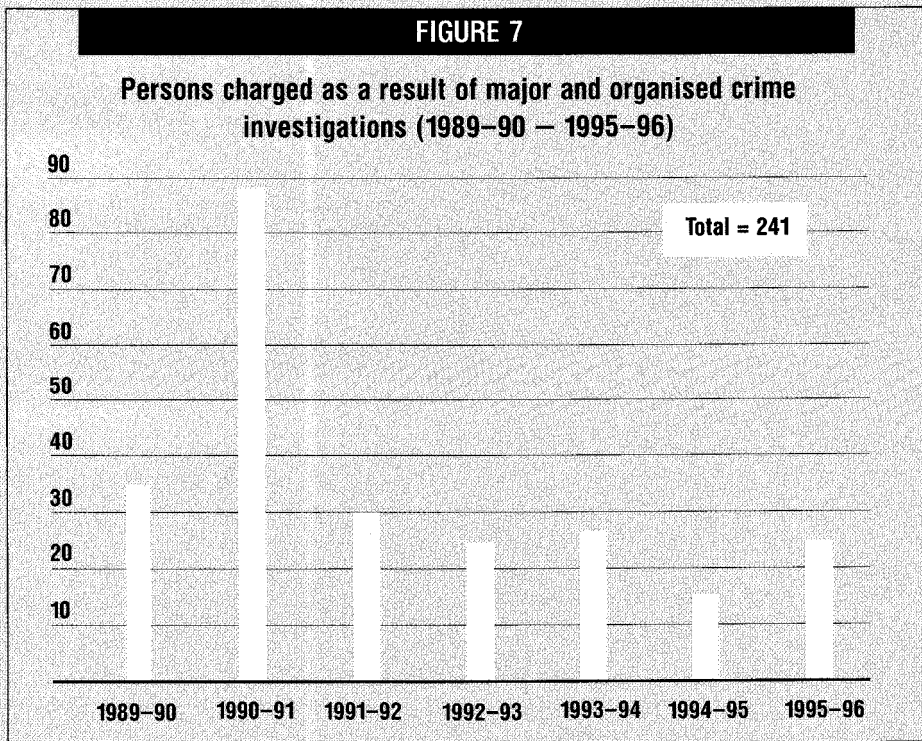


TABLE 25

Types of charges recommended 1995-96 by description (as a result of major and organised crime investigations)

Charge description	Total
Knowingly Participating in the Provision of Prostitution	2
Assault Occasioning Bodily Harm	3
Misappropriation	2
Extortion	2
Money Laundering	1
Possession of Tainted Property	15
Drug Trafficking	11
Drug Supply	17
Possessing/Receiving Property from Drug Supply/Trafficking	2
Drug Production	13
Drug Possession	30
Possession of Property Related to Drugs	7
Corruptly Giving a Benefit	40
Unlawful/Unlicensed Possession of a Weapon	3
Breach of Security Precautions by a Weapon Owner	1
Total	149

TABLE 26

Drugs seized in CJC investigations (1995-96)*

Type of Drug	Quantity	Estimated Value \$
Amphetamine	132.2 grams	7 572
Cannabis sativa	9 893.116 grams	88 528
Cannabis plants	12 430 plants & 300 kilos of harvested cannabis	3 800 000
Heroin	49.713 grams	18 450
Cocaine	352.778 grams	71 042

* Amounts given do not include drugs seized in CJC-assisted investigations, e.g. Operation Chinook.

STRATEGY 5

Identify and use the best combination of operational strategies in investigations.

LISTENING DEVICES

Our Act authorises the Chairperson to apply to the Supreme Court for approval for officers of the Commission to install and monitor listening devices to collect evidence of serious criminal offences. Furthermore, police officers attached to the CJC can make similar applications under the *Drugs Misuse Act 1986*. These devices are not to be confused with telephone intercepts, which we do not have the power to use.

Listening devices are one of the most effective methods of collecting evidence on organised and major crime investigations. The records of conversations between

criminals and others that have been recorded with listening devices are used in court cases when those persons are charged.

During 1995–96, six such applications were successfully made, two relating to the *Drugs Misuse Act* and four to the *Criminal Justice Act* (see tables 27 and 28).

The value of listening devices was highlighted by the success of the prosecutions that resulted from Operation Jethro. One of the accused was charged with a number of serious drug offences. He pleaded guilty by ex-officio indictment to the charge of trafficking and was sentenced to six years' imprisonment. Without the evidence collected as a result of listening devices, the full extent of this person's criminality would not have come to light and he would have been charged with the relatively minor offence of possession of a

TABLE 27

Listening device applications (1995–96)

No.	Date of authority	Authorising statute	Duration of use	Offence under investigation
1	14.07.95	<i>Criminal Justice Act 1989</i>	4 weeks	Possible official misconduct
2	10.08.95	<i>Criminal Justice Act 1989</i>	4 weeks	Possible official misconduct
3	27.10.95	<i>Criminal Justice Act 1989</i>	4 weeks	Murder
4	23.02.96	<i>Drugs Misuse Act 1986</i>	4 weeks	Drug trafficking
5*	23.05.96	<i>Criminal Justice Act 1989</i>	8 weeks	Drug trafficking
6	28.05.96	<i>Drugs Misuse Act 1986</i>	8 weeks	Drug trafficking by persons connected with Outlaw Motor Cycle Gangs

Note: * represents a subsequent successful application for an extension of the device listed.

TABLE 28

Type of listening device authorised (1989–90–1995–96)

Act authorising the device	89–90	90–91	91–92	92–93*	93–94	94–95*	1995–96
<i>Drugs Misuse Act 1986</i>	1	0	3	7	1	7	2
<i>Criminal Justice Act 1989</i>	0	0	4	3	9	2	4
Total	1	0	7	10	10	9	6

*Figures revised from previous years' reports; overall figures remain the same.

dangerous drug. Not only did the listening device evidence lead to more serious and appropriate charges being laid against the accused, it also improved the quality of the evidence included in the brief for prosecution. Proceeding by way of a guilty plea by ex-officio indictment saved the considerable cost and disruption to witnesses of a committal proceeding and fully contested trial.

INVESTIGATIVE HEARINGS

Because of the stage of development of particular investigations, there was only one private investigative hearing held of organised and major crime matters during 1995-96. This hearing was held over four days and involved 16 witnesses and 299 transcript pages. All other private investigative hearings held related to misconduct investigations.

NOTICES TO PRODUCE DOCUMENTS

As stated in Program 2 (page 36), the Chairperson or his delegate issued 577 notices to produce documents under section 69 of our Act during 1995-96. Of these, 282 were for major and organised crime investigations.

Such notices are an effective way for us to gather essential documentary evidence for our investigations. They are a less intrusive alternative to a search warrant, and they allow us to limit our use of search warrants to cases where an investigation might be prejudiced if a person were given warning that we wanted to obtain particular documents. Most people can be relied on to respond to a properly authorised notice. In such circumstances, a search warrant is an unnecessary power to confer on an investigating officer.

PROGRAM OUTLOOK

In the coming year, with the benefit of three and a half years of experience, it is now fitting that we should review the areas being investigated by the JOCTF to ascertain whether they should remain the focus of attention.

Witness Protection

Goal: To provide a professional and efficient witness protection service

OBJECTIVE

To provide witness protection to persons who are in need of it, and who have assisted the Commission or any other Queensland law enforcement agency in the discharge of its functions and responsibilities

PERFORMANCE INDICATORS

Threat assessments, risk analyses and relocations provided promptly and effectively

Witness protection staff training and methods judged as effective by external assessors

The safety of persons under protection

Number of consultations and liaison activities with relevant external agencies and feedback from those agencies

STRATEGY 1

Conduct threat assessments and risk analyses as required by the Commission or any other Queensland law enforcement agency.

In 1995-96, we:

- conducted threat assessments and risk analyses on 134 people in 56 operations, of which 79 people in 31 operations were accepted
- provided support and protection to 202 people in 79 operations
- continued to provide support and protection to 123 people in 48 operations from 1994 to 1995
- completed our arrangements with 76 people in 33 operations.

The current operations were referred to us by a number of different sources, but mainly the QPS, as is demonstrated in figures 8 and 9.

These figures reveal that:

- of all the threat assessments and risk analyses conducted since the establishment of the Witness Protection Division, 70 per cent were referred to it by sources other than the CJC
- of the operations that are current as at 30 June 1996, only 22 per cent originated from CJC investigations
- although the Witness Protection Division is a division of the CJC, most of its work originates from sources outside of the Commission. Those sources rely on the expertise and resources of the division to ensure that no harm comes to any person who assists law enforcement within this State.

COMPUTERISATION OF RECORDS

The task of transferring records of current witness protection operations to a secure computer-based registry system was completed during the year. Those records can now be updated on a daily basis. The task of transferring records of non-current operations is continuing.

STRATEGY 2

Monitor and assess training programs for staff and methods by which witness protection is provided.

We continued on-the-job training for staff in the many and diverse aspects of witness protection duties. For example, external professionals were engaged to train staff in dealing with people who may be suffering drug withdrawal, psychological disturbance or some other rehabilitative problem.

STRATEGY 3

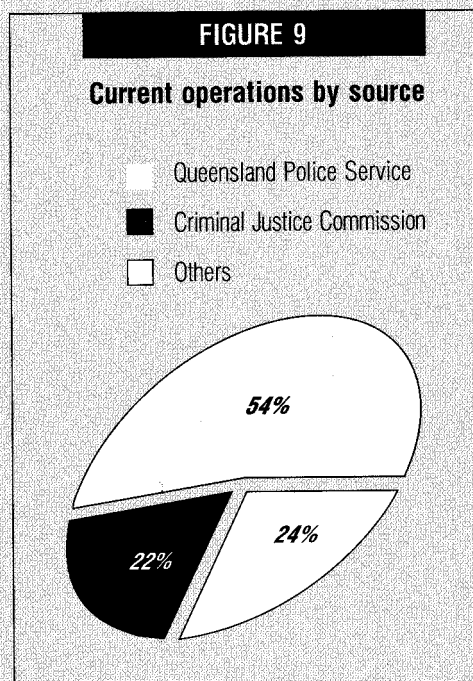
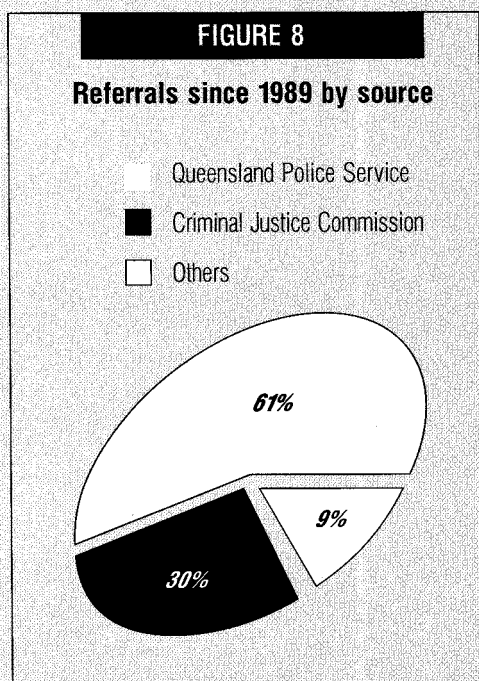
Facilitate relocations and new identities as appropriate.

When the Witness Protection Division was created on 4 November 1989, after the Fitzgerald Commission of Inquiry, it took over the responsibility for the protection of 117 people in 44 operations. Since then, we have provided protection to 496 people in 279 operations. During that time, 332 operations involving 923 people have been referred to us.

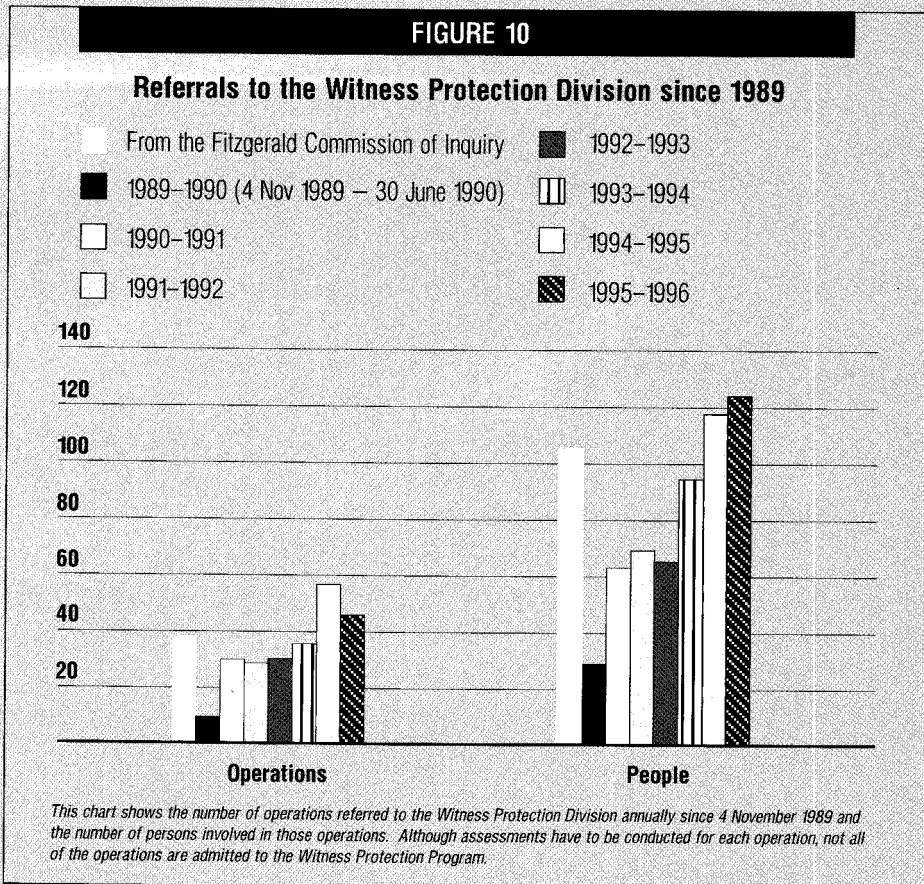
Figure 10 shows the number of operations referred to us annually since 1989 and the number of people involved in those operations. Although assessments have to be conducted for each operation, not all of the operations are admitted to the Witness Protection Program (see figure 10).

During 1995–96, we conducted 189 relocations. As at 30 June 1996, we were providing support and protection to 126 people in 46 operations. We continued to support the introduction of state witness protection legislation complementary to the federal *Witness Protection Act 1995*, which came into effect in April 1995. The continuing success of the Queensland witness protection program depends to a large extent on the timely introduction of the complementary state legislation.

The successes of a witness protection program do not attract publicity. Of necessity, details of our work must remain confidential. However, we are again pleased to report that no-one under our protection came to any harm.



(The 'Others' referred to in the charts include: The Australian Securities Commission, Corrective Services Commission, Department of Health, District Court, Australian Legal Aid Office, NSW/VIC/WA Witness Security Units, Office of the Special Prosecutor, Members of Parliament, National Crime Authority, Director of Public Prosecutions and members of the public.)



STRATEGY 4

Consult and liaise with relevant external agencies.

We continued to liaise with our national network of organisations. This network is vital to the continuing effectiveness and success of the Program. We also continued to maintain our reciprocal arrangements with other witness protection agencies.

Requests for our assistance from law enforcement agencies within the State continued at the same level as last year. A review of the 1994-95 period shows that 62 requests for assistance involving 127 people were received from law enforcement agencies. By comparison, 56 requests involving 134 people were received during 1995-1996.

PROGRAM OUTLOOK

In 1996-97, we expect our workload will remain at its present level, although, given the unpredictable nature of our work, accurate predictions are not possible. As in previous years, we will review our methods and procedures to ensure that high standards are maintained, and that the community receives the best possible witness protection service. We expect to complete the computerisation of our records in the near future.

Corporate Management and Accountability

Goal: The Commission's functions and responsibilities are discharged in an effective and efficient manner

OBJECTIVES

To provide efficient and effective support services to the Commission and its staff

To satisfy the accountability obligations of the Commission

PROJECTED ACTIVITY	OUTCOME
<p>Complete the standard operating environment project, giving all officers access to a standard set of computing facilities.</p>	<p>From May 1996, all staff were operating on a standard Windows-based environment.</p>
<p>Upgrade the Intelligence Database and begin a review of associated analytical tools.</p>	<p>We purchased the hardware required for the upgrade of the Criminal Intelligence Database (CID) and began testing.</p>
<p>Give priority to examining application deficiencies in OMD, including preliminary phases of the redevelopment of the complaints-recording system.</p>	<p>We enhanced applications facilities in OMD to allow better database coverage. Redevelopment of the complaints recording system was delayed.</p>
<p>Complete the boxing and transfer to State Archives of aged complaints files, commence a detailed examination of Fitzgerald Inquiry material, and work towards completion of a full State Archives-approved Commission schedule covering all categories of material.</p>	<p>A total of 4700 files are now stored at State Archives and a further 5700 have been boxed awaiting transfer. A detailed examination of Fitzgerald Inquiry material and work on the proposed full State Archives-approved Commission schedule is progressing.</p>
<p>Upgrade the Windows-based software used by the CJC.</p>	<p>Version consistency for all Windows-based software is now in place.</p>
<p>Make substantial progress toward program budgeting as a part of an extensive process of strategic planning and review.</p>	<p>We completed a strategy for the introduction of program budgeting.</p>
<p>Develop and implement a comprehensive internal audit program.</p>	<p>The Internal Auditor, appointed in August 1995, prepared a charter for the internal audit function, an internal audit manual and a comprehensive internal audit program for the remainder of the year.</p>
<p>Set plans for the systematic evaluation of programs.</p>	<p>We adopted a plan for the evaluation of CJC programs. Details are shown in the Corporate Plan for 1996-1999.</p>
<p>Prepare specifications to expand our vehicle management system.</p>	<p>Our review and enhancement of the fleet management system resulted in the further reduction in the fleet's size and in the fringe benefits tax payable.</p>

PROJECTED ACTIVITY	OUTCOME
Review and update the asset management system.	We rationalised our assets and implemented an asset replacement strategy.
Formulate a Human Resource Management Plan which will integrate our human resource functions and enable staff to be more effectively and efficiently utilised.	We completed a Human Resource Management Plan.
Continue to enhance the Staff Development Program aimed at satisfying the needs of the CJC and its staff.	Our Staff Development Program continued to operate effectively and we established a Workplace Health and Safety Committee.
Complete the review of the Performance Planning and Review Scheme.	We completed the review and in February introduced an enhanced system.
Start to negotiate a new Enterprise Agreement in June 1996.	Negotiations were delayed pending the Government's decision on further Enterprise Agreements within the public sector generally.
Expand our public speaking program to more service clubs.	Our public speaking program was expanded by the inclusion of additional community service organisations.
Issue an internal Policy and Procedures Manual (for publications) by the end of December 1995.	We issued an internal <i>Policy and Procedures Manual</i> in May 1996.
Prepare an options paper on ways of using the new technologies to improve the cost efficiency of our publications and the degree to which we reach our target audiences.	We commenced an examination of the use of new technologies in the publications area.

PERFORMANCE INDICATORS

Compliance of corporate systems and procedures with best practice and with applicable statutory requirements

Number of meetings with and reports furnished to the Parliamentary Committee

Outcomes of advisory and support services

Use of media outlets and presentations by Commission officers to community groups, public forums etc. for the dissemination of information and advice to the public

Annual review of the suitability of security policies and practices

Development and implementation of a strategic plan for the effective management of the Commission's human resources

STRATEGY 1

Conduct regular reviews of management strategies and systems to monitor their quality, effectiveness, and compliance with legislative requirements and standards.

CORPORATE PLANNING

This year's annual report is based on our 1995–1998 Corporate Plan (see diagram on page 11).

In accordance with our commitment to rigorous planning and review, a new Corporate Plan was published in June for the period 1996–1999. Although it largely follows the same directions as the 1995–1998 Corporate Plan, important changes have been made to the program structure.

The revised Plan introduces a single program—the Criminal Justice Program—with the Chairperson, in the capacity of Chief Executive Officer, as its manager. This single program will comprise five subprograms to be managed by the Commission's five divisional directors. The revised structure not only better reflects the delineation of management responsibility

within the Commission, but also should make the Corporate Plan easier to implement and facilitate our accountability requirements.

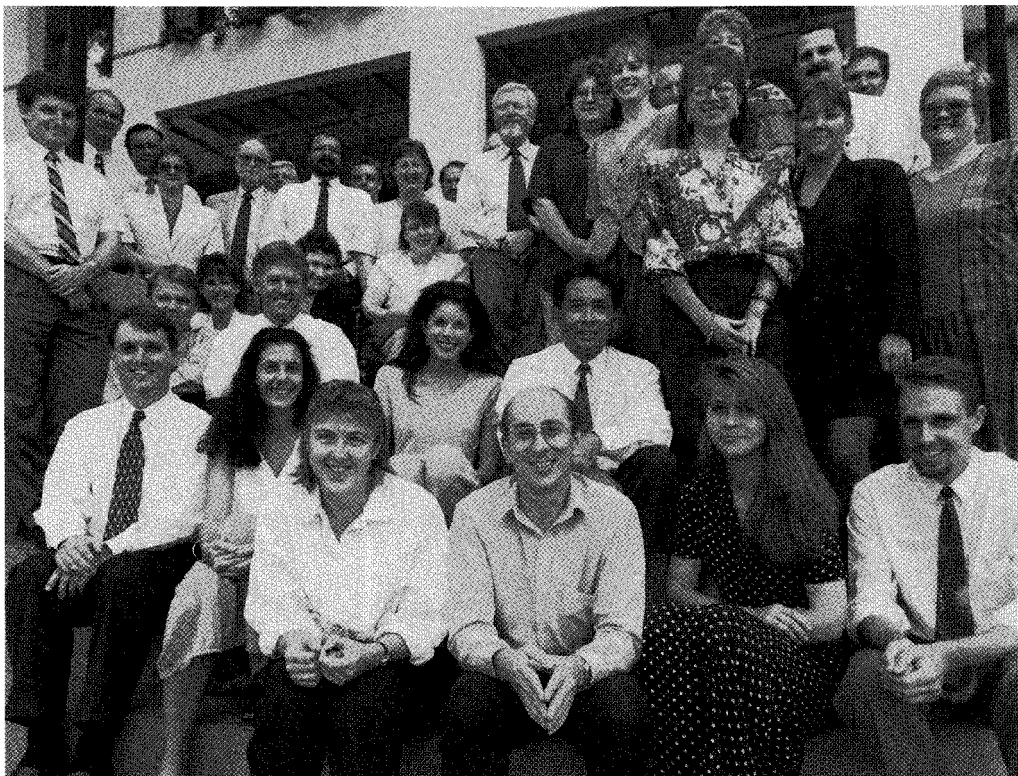
PROGRAM EVALUATION PROJECTS

The first of our scheduled program evaluation projects—the evaluation of the Misconduct Prevention Subprogram of the Police and Public Sector Integrity Program (Program 2)—was completed in May. In addition, we adopted a plan for the proposed timing of future program evaluations. The plan covers the subprograms and streams that are contained in our Corporate Plan for 1996–1999, and will be implemented during the period of that Plan. (Details of the evaluation plan are shown in *Corporate Plan 1996–1999*.)

INTERNAL AUDIT

Since taking up duty in August 1995, the Internal Auditor has:

- prepared a charter for the internal audit function
- prepared an internal audit manual
- prepared a comprehensive internal audit program for the remainder of the year



- completed an audit of Witness Protection Operational Expenditure
- commenced audits relating to the engagement of consultants and the control of Commission assets.

The Internal Auditor also made an important contribution to the evaluation of the Misconduct Prevention Subprogram.

STRATEGY 2

Provide advice, representation, information and administrative support.

LEGAL SERVICES

The Office of General Counsel:

- considered CJC Reports to Parliament and certain other publications before they were released to ensure that they complied with the principles of procedural fairness
- provided advice to the FOI section regarding applications for access to documents in the possession of the CJC, and provided assistance with internal reviews and liaison with, and submissions to, the Information Commissioner on external reviews arising from FOI applications
- instructed Senior and Junior Counsel before the Supreme Court and Court of Appeal
- continued to liaise with the Department of Justice and Attorney-General, the Office of Cabinet, and Parliamentary Counsel about proposed amendments to the *Criminal Justice Act*
- helped prepare CJC submissions and gave evidence during hearings of the Commonwealth Senate Select Committee on Unresolved Whistleblower Cases
- instructed Counsel Assisting in the public hearings of an inquiry conducted by Mr R V Hanson QC into the alleged unauthorised dissemination of information concerning Operation Wallah
- appeared as Junior Counsel Assisting in the public hearings of an inquiry conducted by the Honourable Kenneth Carruthers QC into the circumstances of the execution of a Memorandum of Understanding which purported to be signed by the Honourable Robert Borbidge (then Leader of the Opposition), the Honourable Russell Cooper (then Opposition Spokesman for Police, Corrective Services and Racing) and Sergeant Gary Wilkinson, President of the Queensland Police Union of Employees
- liaised with the Workers' Compensation Board of Queensland in relation to actions for personal injuries brought against the Commission
- instructed Counsel in all jurisdictions to resist subpoenas served on the CJC seeking the production of Commission documents in cases where the disclosure of such documents was protected by public interest immunity.

See appendix 2 for further details of legal issues arising from the cases with which the Office was involved during the past year.

FINANCE

We devised a strategy for the introduction of program budgeting to allow program budgeting to begin in the next financial year. The change will make our financial and operational monitoring procedures more effective.

As in previous years, managers were provided with regular financial advice to assist them in the management of CJC resources, and monthly budget reviews and expenditure monitoring were undertaken to ensure the CJC's current and changing priorities were met.

ADMINISTRATION

Fleet and assets

Rationalisation of our assets, including implementation of an asset replacement strategy, resulted in more efficient use of these resources and significant cost savings. A review of fleet management resulted in a further reduction of four vehicles. Based on past trends, this and

other fleet management strategies have reduced the Fringe Benefit Tax payable by the Commission by approximately \$31 500.

Purchasing

Our new 'Local Rules' were ratified by the Chairperson on 31 October, and implemented. All purchasing officers completed Purchasing Accreditation training, in accordance with the requirements of the State Purchasing Policy.

Office accommodation

Ever since moving into the Toowong premises in 1990, we have been concerned about serious building faults that have emerged, including excessive heat and water penetration and poor air flow throughout the building. This year, we also became concerned about the structural adequacy of the concrete slab floors, which in some areas had deflected under the weight of loaded compactus units. The

Department of Works and Housing and the landlord have engaged specialists to evaluate the problems and to recommend remedial action. New storerooms are soon to be constructed in the underground carpark, which will not only alleviate our acute storage problems but will also support the weight of compactus units.

Consultancies

During the year, external consultants were engaged to carry out projects as shown in table 29.

STAFFING

As of 30 June 1996, there were 274 people employed at the CJC, 88 of whom were police officers under the command of an Assistant Commissioner of the QPS (see table 30). Civilian staff come from a variety of disciplines including law, accountancy, social sciences, behavioural sciences and computing.

TABLE 29	
Consultancies engaged	
Category	Expenditure
Management	65 985
Human Resource Management	23 950
Communications	4 000
Professional/Technical	15 207
Total	\$109 142

TABLE 30				
CJC staff establishment as at 30 June 1996				
	Approved establishment	Actual staff ¹		
		Male	Female	Total
Executive	2	1	1	2
General Counsel and Misconduct Tribunals	6	3	3	6
Official Misconduct	131	96	40	136 ²
Operations and Witness Protection	30	21	6	27
Research and Coordination	18	6	19	25
Corruption Prevention	6	5	2	7
Intelligence	24	14	12	26
Corporate Services	46	26	19	45
Total	263	172	102	274

Notes:
¹ Includes all permanent, temporary and casual staff
² Includes seven police officers seconded to the JOCTF

INFORMATION TECHNOLOGY

In May 1996, we completed the three-year project to transfer all staff to a standard Windows-based computing environment. Upgrading of standard desktop software and the complementary equipment-replacement program resulted in a standard and stable work platform for more than two hundred and fifty officers.

As the result of an overhaul of the network communications infrastructure, Bay Networks hubs and switches were selected to improve current network traffic and allow for expected growth over the next two years.

The upgrading of external communications facilities to the QPS began, as did a project to implement a Commission Intranet.

We purchased the hardware replacement required to allow upgrading of the Criminal Intelligence Database (CID) and began final testing of the upgraded database in preparation for full implementation in July.

In OMD, enhancements made to applications resulted in database coverage of the Charges Register, of Procedural Recommendations, and of the activities of the Complaints Review Unit. Re-development of the complaints recording system has been delayed until resources permit in 1996-97.

RECORDS MANAGEMENT

In consultation with State Archives, we continued to prepare a full archival and disposal schedule for all CJC holdings. Schedules were approved for Complaints Section, Intelligence Division, Personnel Section, and Police Service Reviews. Several other schedules began the approval phase.

The major archival activity, involving complaints files, resulted in 4700 files being stored at State Archives and a further 5700 files boxed in archival storage at the Commission.

Plans for alterations to the basement archive storerooms were completed and work will begin in July on new storerooms.

The extensive holdings of the CJC continued to be controlled by our records management software, RecFind. This year we began transferring 220 users to a new Windows version of the product, RecWin.

As at June 1996, the RecFind database contained details of more than 330 000 items, including correspondence, exhibits, externally acquired material, audiotapes and videotapes.

Registered during the year were:

- 900 notices, authorities and certifications and associated acquired material
- 3150 tapes
- 400 investigative hearing exhibits
- 7500 pages of transcripts.

Concerted examination of material acquired from external sources resulted in 3667 items remaining outstanding at the end of June for eventual return to source or disposal. This is a significant reduction from 4579 items at the end of June 1995, particularly considering 1738 additional items were registered during the year.

LIBRARY

The CJC library, managed by the Research and Coordination Division, is an important resource for all CJC staff. It supports the work of the Commission by providing appropriate material in-house, obtaining material from other libraries as required, and bringing significant material to the attention of staff through a bimonthly Current Awareness Service that indexes journal articles, lists newly acquired items available for loan and includes notes on the use of library resources. This service is distributed throughout the CJC, and to 37 libraries.

The library has an on-line catalogue and on-line connections to a number of other library catalogues, and it is a participant of an Australian Institute of Criminology project to make Australian criminal justice documents available on CD-ROM.

Library holdings:	
Monographs (including books, reports and legal opinions)	8115
Subscriptions/Periodicals	288
Loose-leaf services	27
Pamphlets and ABS Booklets	450
Annual reports	152
A substantial collection of legislation and subordinate legislation	
A substantial news-clipping-service collection	
Transactions:	
Items lent from the library's collection to CJC staff	2125
Photocopies made for CJC staff from the library's collection	244
Items borrowed and photocopies provided from other libraries	279
Items lent and photocopies provided to other libraries	189

STRATEGY 3

Provide a safe and healthy work environment and maintain personnel practices that are equitable and fair.

We established a Workplace Health and Safety Committee in November 1995 to consider and report on any safety issues raised by management or staff. The Committee met three times.

There were 14 reported accidents during the year. On each occasion, the cause of the accident was examined and remedial action taken. The cost of claims made to the Workers' Compensation Board was within acceptable limits.

As part of our commitment to taking a proactive stance to workplace health and safety, we undertook a comprehensive survey of furniture needs and, where required, provided staff with ergonomically designed desks and chairs.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

No grievances relating to EEO or discriminatory practices were lodged, nor were any cases of sexual harassment recorded. For general statistics on EEO matters, see appendix 3.

ENTERPRISE AGREEMENT

Our first Enterprise Agreement came into effect at the beginning of this financial year and we achieved almost 80 per cent of the cost savings identified in the Agreement.

The Enterprise Agreement Consultative Committee (EACC), which was established at the beginning of the process, met eight times to monitor the implementation of the provisions of the Agreement. Additionally, an Implementation Coordinating Group, consisting of the EACC Chairperson, Deputy Chairperson and Secretary, met as required to monitor action taken and to review outcomes, strategies and target dates. Staff were consulted by way of feedback from representatives of EACC and through routine communication channels.

Negotiations for a second Enterprise Agreement, originally proposed to begin in June, were delayed pending the Government's decision on the future of such agreements in the public sector generally.

HUMAN RESOURCE MANAGEMENT PLAN

We finished our inaugural Human Resource Management Plan and began working towards satisfying specific strategies developed during the process, such as the review and consolidation of our employment contracts and Human Resource Management Policies.

We also finished the review of our performance appraisal process. Training courses were conducted and all staff attended. A number of staff completed Performance Plans and many more were being developed.

STAFF DEVELOPMENT AND TRAINING

As in previous years, staff were offered many opportunities to attend relevant training programs. Five courses were

conducted by a management consultancy firm engaged under a 12-month Standing Offer Arrangement to design and deliver management and supervisory training courses specific to the needs of our staff. These courses were 'Problem Analysis and Project Management', 'Written Communication', 'Motivation and Self-management', 'Managing People at Work', and 'Change Management'. Seventy-six staff members attended.

We also continued to train staff who were converting from a DOS to a Windows computing environment. Twenty word-processing courses were conducted with 97 staff members attending. We conducted 63 courses in general organisational matters, which were attended by 637 participants. This year 1.5 per cent of payroll costs were spent on training.

We continued to assist staff who wished to undertake further studies, with 18.7 per cent of civilian staff being given study assistance, compared with 19.9 per cent in 1994-95.

STRATEGY 4

Ensure the security of property and information is maintained.

As in previous years, we reviewed our security policies, standards and procedures. The annual protective security risk assessment enabled managers to focus on key activities and assets.

As part of the security awareness program, all new staff received a security briefing on the day they commenced duty.

We purchased a computer package that offers training in computer security, and will shortly commence training selected staff.

A newly introduced system of security auditing revealed that staff were satisfactorily applying the relevant policies and procedures. This system involves security officers checking offices and workstations after close of business to

ensure that classified files are secure in accordance with our 'clean desk' policy.

During the year, we streamlined a number of the standard forms used in the security vetting process, thus eliminating duplication and saving both paper and administrative resources.

STRATEGY 5

Facilitate the Commission's accountability to the Parliament in particular and the people of Queensland in general.

ACCOUNTABILITY

Consistent with the Fitzgerald Report, the *Criminal Justice Act* makes the CJC free of Executive Government control. However, we are fully accountable to Parliament, the courts and the community. We report, in writing and in person, to our Parliamentary Committee at formal meetings and provide numerous other written reports. Thus, the Parliamentary Criminal Justice Committee (PCJC) is our direct link to Parliament and, ultimately, to the people of Queensland.

Contact with the PCJC

Until May 1995, the CJC and the PCJC met monthly or bimonthly. A State Election in July 1995 and a change of Government in February 1996 resulted in only three formal meetings during this reporting period. The current Committee, chaired by the Honourable Vince Lester MLA, met with the CJC for the first time in May 1996. Meetings will continue bimonthly.

Meetings of the Commission

In 1995-96, CJC Commissioners met 25 times, four of which were special meetings. The Commissioners also met informally with staff on many occasions during the year.

Code of Conduct

Our Code of Conduct was reviewed in the light of the *Public Ethics Act 1995*. As a result, a revised Code of Conduct was produced in June 1996.

Whistleblower Protection

Under the *Whistleblowers Protection Act 1994*, we are required to report annually on the number of public interest disclosures (PIDs) we receive. During 1995–96, we received 114 such matters. Table 31 (on the next page) provides an analysis of them within the relevant sections of the *Whistleblowers Protection Act*. Matters ‘under consideration’ include those not finalised at 30 June 1996.

COMPLAINTS AGAINST CJC STAFF

Under a new reporting arrangement with the PCJC, we will advise the Committee of any need to conduct an investigation against a CJC staff member. That advice will be given at the same time as such a matter is referred to the Director of Public Prosecutions in accordance with our established policy of conducting investigations.

From its outset, the CJC has had a formal process for the handling of complaints against it and its officers. Such complaints are examined rigorously and independently. When a complaint occurs, it is examined by a senior Crown Prosecutor, nominated by the Director of Public Prosecutions, and a senior police officer, nominated by the Commissioner of the QPS. Their report is given to the Director of Public Prosecutions, who advises the CJC and the Attorney-General of the result of the investigation and the recommendations of the Director of Public Prosecutions.

A retired judge or a person of similar standing may be engaged to conduct any preliminaries required. This person may also be engaged to conduct follow-on substantive inquiries. Appropriate powers under the Act may be conferred to enable an appointee to pursue inquiries.

FREEDOM OF INFORMATION

We received 65 applications under the *Freedom of Information Act 1992* (FOI Act) during the year, including seven for internal review of decisions and one for external review.

Tables 32 and 33 (on the next page) set out statistics regarding applications made under the FOI Act to or concerning the CJC.

STRATEGY 6

Promote a greater community understanding of the Commission's broad range of activities and responsibilities.

PUBLIC PRESENTATIONS

We continued to respond to invitations to attend meetings of community groups to explain the role and functions of the CJC. Commissioners and senior officers made presentations to 15 Probus Club meetings in Brisbane and the Sunshine Coast, and to 26 other service clubs across the State, including Rotary, Lions, Zonta, Neighbourhood Watch, and the University of the Third Age. Opportunities for speaking engagements were pursued whenever a senior officer had to travel elsewhere in the State on CJC business.

Our Public Information Committee was established in 1994 with the mission: *To devise ways of promoting the activities and effectiveness of the CJC so that all sections of the community are aware of the necessity of our work.* The Committee met regularly throughout the year and members were involved in a number of projects, including speaking engagements and information publications.

MEDIA UNIT

Two public inquiries, four research reports, our continuous educative work and numerous investigations resulted in many issues of interest for the Queensland and interstate media.

The Media Unit worked productively with news organisations by promptly responding to the numerous requests for information received each day from media representatives. Our work with the media also included:

- organising five media conferences to discuss major research reports and to mark the CJC's sixth anniversary

- preparing 45 formal media statements on CJC activities and publications
- arranging interviews with key CJC officers on specific areas of media interest
- ensuring suitable arrangements to accommodate the media's requirements at two public hearings
- initiating stories on the CJC's activities with metropolitan, regional, community and public sector publications as well as local and national current affairs programs in the electronic media.

The Media Unit also contributed to our internal communications by producing a regular newsletter, the *CJC Focus*.

TABLE 31

Analysis of public interest disclosures received by the CJC in 1995-96

PID category	PIDs verified	PIDs not verified	PIDs referred to other agency	PIDs under consideration	Total number of PIDs
Section 15	10	31	36	15	92
Section 16					nil
Section 17				1	1
Section 18		1		1	1
Section 19		1			1
Section 20		9	6	4	19
Totals	10	42	42	21	114

TABLE 32

Freedom of Information statistics – applications and reviews (1994-95 – 1995-96)

Type	Applications						Reviews			
	Total applications		Decisions made		Still under consideration		Internal review		External review	
	94-95	95-96	94-95	95-96	94-95	95-96	94-95	95-96	94-95	95-96
Personal	43	43	41	38	2	6	5	7	3	1
Non-personal	20	14	18	13	2	1	2	-	2	-
Total	63	57	59	51	4	7	7	7	5	1

TABLE 33

Freedom of Information statistics – decisions (1994-95 – 1995-96)

ype	Full access		Partial access		Full denial ¹		Refused ²		Withdrawn/cancelled	
	94-95	95-96	94-95	95-96	94-95	95-96	94-95	95-96	94-95	95-96
Personal	16	8	33	22	3	5	6	4	-	-
Non-personal	-	2	10	2	6	2	3	4	3	1
Total	16	10	43	24	9	7	9	8	3	1

Notes:

¹ Access to documents denied in full on account of exemptions applied.

² Applications refused on grounds of non-payment of fees; non-compliance with Act; no documents located etc. (refer to sections 21, 22, 25, 28, and 35 of the FOI Act).

PUBLICATIONS

There continued to be a high demand for our publications (see appendix 4 for a complete list).

We completed the following documents during the year:

Date	Title
July 1995	Public Attitudes towards the Queensland Police Service—June 1995 Survey: Summary of Findings
July 1995	External Oversight of Complaints against Police in Australia: A Cross-Jurisdictional Comparison
August 1995	Criminal Justice System Monitor
September 1995	Beat Policing: A Case Study—A Research Paper
September 1995	Children, Crime and Justice in Queensland— A Research Paper
October 1995	Crime Victims Surveys in Australia—Conference Proceedings
November 1995	Criminal Justice Commission Annual Report 1994/95
November 1995	Criminal Justice Commission Annual Report Summary 1994/95
November 1995	Ethical Conduct and Discipline in the Queensland Police Service: The Views of Recruits, First Year Constables and Experienced Officers
December 1995	Corporate Plan 1995–1998
December 1995	Report on an Inquiry Conducted by Mr R V Hanson QC into the Alleged Unauthorised Dissemination of Information Concerning Operation Wallah
December 1995	Protecting Public Sector Whistleblowers: A Statutory Responsibility—An Issue Paper
January 1996	Residential Burglary in Queensland—A Research Paper
March 1996	Utilising Calls for Service Data—A Research Paper
March 1996	The West End Police Beat: An Evaluation
April 1996	Informal Complaint Resolution in the Queensland Police Service: Follow-up Evaluation
April 1996	On the Record—The CJC Six Years On
May 1996	The Nature of General Police Work
June 1996	Police Recruit Selection—Predictors of Academy Performance
June 1996	Regional Delivery of First Year Constable Training: An Evaluation

We also released the following brochures during the year:

Making a Complaint against a Member of the Queensland Police Service
 How to Report Corruption to the CJC
 Whistleblower Support Program Services
 A Message to the Community from the CJC
 How You Can Help the Queensland Public Sector Remain Honest—Aboriginal and Torres Strait Islander Liaison Program

PROGRAM OUTLOOK

In 1995-96, we propose to:

- test and begin using our upgraded Criminal Intelligence Database (CID), and purchase the analytical tools for use in conjunction with CID and other Commission applications
- commence the redevelopment of the OMD complaints recording system
- introduce program budgeting
- build new storerooms to address accommodation problems generally, and transfer archival material to new rooms in August or September 1996
- train staff in computer security
- continue to review and enhance our vehicle management system
- complete the full State Archives-approved Commission schedule covering all categories of material
- commence to work towards satisfying specific strategies contained in the Human Resource Management Plan.

Appendices

APPENDIX 1

Significant lectures, addresses and presentations

MAJOR CONFERENCES, SEMINARS AND WORKSHOPS

Subject	Venue	Officer
Address to the Australian Institute of Police Management	Australian Institute of Police Management, Manly, NSW	Lewis Wyvill QC
Asian Cultural Seminar	Joint CJC/QPS Investigators Seminar on Understanding Chinese and Vietnamese Cultures, Brisbane	Dennis Budz Bob Luhrs Glenn Stewart Des Wraight
Calls for Service Data: Making Better Use of an Existing Police Resource	Problem Oriented Policing and Crime Prevention: Towards Best Practice, Conference held by Griffith University at Travelodge, Brisbane	Christine Bond
The CJC's Approach to Corruption Prevention	Queensland Serious White Collar Crime Liaison Committee Meeting, Brisbane	Robert Hailstone
Controlling and Managing the Risk of Whistleblower Reprisal	Second National Occupational Stress Conference, Brisbane	Peter Anderson
Corruption, Official Misconduct and Ethics: Implications for Contractor Performance	Managing Contractor Performance Conference, Brisbane	John Boyd
Developing an Experimental Design for a Problem Solving Approach Aimed at Reducing Repeat Calls for Service	Problem Oriented Policing and Crime Prevention: Towards Best Practice, Conference held by Griffith University at Travelodge, Brisbane	Dennis Budz Sandro Guidi
Developing Resources for Ethical Education	Business Educators Australasia Inc. Conference 1995, Brisbane	Robert Hailstone
Does Criminology Matter? Crime, Politics and the Policy Process	Institute of Criminology Seminar on the Future of Criminology, Sydney	David Brereton
Ethics and Education as a Function of Corruption Prevention	The Ethical Challenge to Public Administration State Conference, Brisbane	Robert Hailstone
An Equation for Corruption in the Workplace	National Insolvency Practitioners Association of Australia Conference on Business Collapses and Fraud, Brisbane	Robert Hailstone
Fraud Prevention and Control: Don't Leave Yourself Exposed	Strategically Managing Risk in the Public Sector National Conference, Sydney	Robert Hailstone
Intelligence and Organised Crime	Australian Federal Police and Australian Customs Service, Brisbane	John Keane

Subject	Venue	Officer
The Interdependent Relationship between Whistleblowers and Investigators	National Investigation Techniques Conference, Sydney	Peter Anderson
Is There an Increase in the Crime Rate?	The Fourth Biennial National Sheriffs' Conference, Brisbane	David Brereton
Law Reform Projects Involving Sensitive Socio-Legal Issues	Australasian Law Reform Agencies Conference, Brisbane	David Brereton
Legal Approaches to the Control of Cannabis Related Crime	Corrections Health Service's Second Annual Symposium on Drug Related Crime, Sydney	David Brereton
New Horizons in Police Professionalism	Australian Institute of Police Management, Manly, NSW	Frank Clair John McDonnell
Operation Blade	Regional Crime Coordinators Conference	Felix Grayson
Overcoming Organisational Barriers to the Implementation of Problem Oriented Policing	Problem Oriented Policing and Crime Prevention: Towards Best Practice, Conference held by Griffith University at Travelodge, Brisbane	David Brereton
Project Report on Watchhouse Overcrowding and Conditions Project	Watchhouse Managers Conference, Brisbane	Mark Pathe
Protection of Journalists' Sources	Freedom of the Press Conference, Bond University, Gold Coast	David Brereton
Risk Management Reviews and Corruption Prevention	South-East Queensland Local Government Internal Auditors' Seminar, Gold Coast	John Boyd
Sponsorships—A Solution to Funding Shortfalls or Potential Pitfall	National Conference for Public Sector Organisations Seeking or Offering Sponsorships, Brisbane	Robert Hailstone
Strategic Intelligence at Adelaide and Manly (NSW)	National Strategic Intelligence Courses	Paul Roger John Keane
Techniques in the CJC Corruption Prevention Manual to Prevent Workplace Crime	Corporate and Workplace Security National Conference, Sydney	Robert Hailstone
White Collar Crime and Official Misconduct	Southport Private Schools Business Conference	Robert Hailstone
Whistleblower Reprisals and Human Resource Management—The Queensland Context	Second National Conference of the Australian Association of Professional and Applied Ethics, Brisbane	Peter Anderson
Why People Perpetrate Part-time Crime at Work—Practical Insights in Preventing Corporate Fraud	Effective Detecting, Investigating and Preventing Corporate Fraud National Conference, Sydney	Robert Hailstone

PRESENTATIONS TO STUDENTS

Subject	Venue	Officer
Brisbane Committals Project, Police Powers and the New Criminal Code	Law students, Griffith University	Susan Johnson
Chinese Organised Crime	Justice Studies students, Queensland University of Technology	Paul Roger
The Extent of Organised Crime	Justice Administration students, Griffith University	Paul Roger
The Fitzgerald Inquiry and the Creation of the CJC	Media and Journalism students, Queensland University of Technology	Sally Edwards
Criminal Justice System: The CJC's Role and Current Projects	Students visiting from the Comparative Justice Systems course at Washburn University, Kansas, USA	Susan Johnson
Reducing Official Misconduct: Two Approaches—Investigation and Prevention	School of Business students, Queensland University of Technology	Robert Hailstone
Risk Management and its Practical Application to Corruption Prevention	Toowoomba College of TAFE Risk Management students	John Boyd
The Role of the Criminal Justice Commission in Accountability Procedures	International Business Faculty students, Queensland University of Technology	Robert Hailstone
Why Investigate Corruption in the Public Sector?	Justice Studies students, The University of Queensland	Robert Hailstone Ian Robinson

APPENDIX 2

Legal Issues

CRIMINAL JUSTICE COMMISSION V. COUNCIL OF THE SHIRE OF WHITSUNDAY

The litigation between the CJC and the Respondent Council, which began 11 November 1993, has now been finalised. (Details of this case can be found in our 1994–95 Annual Report.)

BARRIE RANDALL VON SNARSKI V. CRIMINAL JUSTICE COMMISSION

At the committal hearing of charges preferred against Von Snarski by the CJC, certain documents of the Commission were subpoenaed by the defence. The Commission appeared to resist the production of the documents. Before any substantive argument could be made to the Stipendiary Magistrate, the Magistrate concluded that section 99 of the *Criminal Justice Act* (the Act) prohibited him from ordering the production of the documents. The defence sought an Order to Review under section 209 of the *Justices Act* before the Court of Appeal. The matter was heard on 29 May 1996.

The Court held:

- Section 99 of the Act did not prohibit the tendering in evidence in Court and the subpoenaing for that purpose of documents or other things in the possession of the CJC, that view being consistent with the construction given to similar sections in other legislation.
- Having concluded that section 99 did not preclude him from ordering production of the documents, the Magistrate should have then considered the defence claim that the material sought to be subpoenaed would have materially assisted the defence; i.e. it is necessary for the defence to establish that it had a legitimate forensic purpose in inspecting the documents in question. A bare, unsupported assertion that an

inspection may yield something that is helpful to the defence is not enough.

- If the defence establishes a legitimate forensic purpose, then the Magistrate should have then considered the claim by the CJC that production of the documents would be injurious to the public interest, and then conducted a balancing exercise with the competing claims.

The Court declined to make a number of orders requested by the defence directing the Magistrate as to how the committal proceedings should be conducted, including an order that the Director of the Official Misconduct Division be cross-examined on his affidavit in which the claim of privilege about the production of the Commission's documents was made.

BROOKS V. CRIMINAL JUSTICE COMMISSION

Ms Brooks is the 'whistleblower' referred to in *Criminal Justice Commission v. Council of the Shire of Whitsunday*.

Ms Brooks sought an application to review a decision of the CJC not to pay expenses allegedly incurred by her in assisting the Commission. The proceedings were brought under the *Judicial Review Act*.

At the directions hearing on 29 January 1996, the matter was adjourned until 23 February 1996 to enable the Applicant to supply further and better particulars of the grounds on which she relied. This was done on 14 February 1996 and, after considering the matter, the CJC, pursuant to section 49 of the *Judicial Review Act*, moved to dismiss the claim because no reasonable basis for the application had been disclosed and it would be inappropriate for the application to continue.

After hearing argument on 23 February 1996, White made certain directions as to the future conduct of the application, including the supply of further affidavit material by the Applicant, and adjourned the CJC's Motion to dismiss with liberty to apply on giving two days' notice.

The parties have now resolved the matters in dispute between them.

CRIMINAL JUSTICE COMMISSION V. BRISBANE TV LIMITED AND OTHERS

On 13 February 1995, after the CJC had written to Channel 7 and Others giving them an opportunity to show cause why the Chairperson should not certify their conduct as constituting a contempt under section 106(e) of the Act, the CJC filed a Notice of Motion in the Supreme Court seeking orders under section 107 of the Act that Channel 7 and Others be punished for contempt of the Commission because words, which the Commission alleges were false and defamatory of it, were used in a telecast on 15 and 16 November 1994.

On 3 May 1995, Mr Justice Dowsett delivered a judgment pursuant to a summons dated 21 February 1995 by the Respondents who sought a declaration that the Certificate, signed by the Chairperson, ought assert only matters of primary fact and not matters of mixed fact and law. They also asked that the Certificate should be struck out on the grounds that it did not comply with that prescription. His Honour decided that the Certificate was a certifying process by which the matter was removed to the Supreme Court so that the Court could determine the charge of contempt. The Certificate was clearly not intended to pre-empt the Court's judgment.

His Honour struck out some parts of the Certificate because their presence had the

potential to embarrass the conduct of the proceedings. His Honour also granted a consent order with respect to the exchange of pleadings between the parties.

The Commission served its Points of Claim and, at the request of the Respondents, served Further and Better Particulars. The Respondents served their Points of Defence and the Commission requested Further and Better Particulars of same and these were supplied.

On 3 July 1995, the Respondents filed a summons in which they sought:

- (a) a declaration that section 106(e) of the Act is invalid as infringing the Commonwealth Constitution and/or the freedom of speech implied therein;
- (b) an order that the question of law raised in its defence be tried separately from the main proceedings.

The purpose of seeking these preliminary orders was that, if the Court held that section 106(e) was invalid, then the basis for the proceedings would be removed. The Commission opposed the determination of the constitutional validity of the section as a separate issue.

On 12 October 1995, Moynihan J delivered a judgment in the Commission's favour on this point. His Honour held that in the circumstances of this case, it was appropriate to have all issues determined during the hearing of the substantive Notice of Motion.

On 3 December 1995, the Respondents filed a Notice of Appeal against Moynihan J's decision. The Court of Appeal heard the matter on 8 May 1996 and has reserved its decision.

APPENDIX 3

Equal Employment Opportunity Report

Our strategies under our current Equal Employment Opportunity (EEO) Management Plan aim at satisfying five major objectives:

- to develop an awareness and understanding of EEO principles and practices throughout the Commission
- to ensure all recruitment and selection processes enable members of EEO target groups to enter and progress through the Commission on an equitable basis
- to ensure that Human Resource Management policies and practices reflect EEO principles

- to develop a training and development program which provides all staff with equal access to developmental opportunities

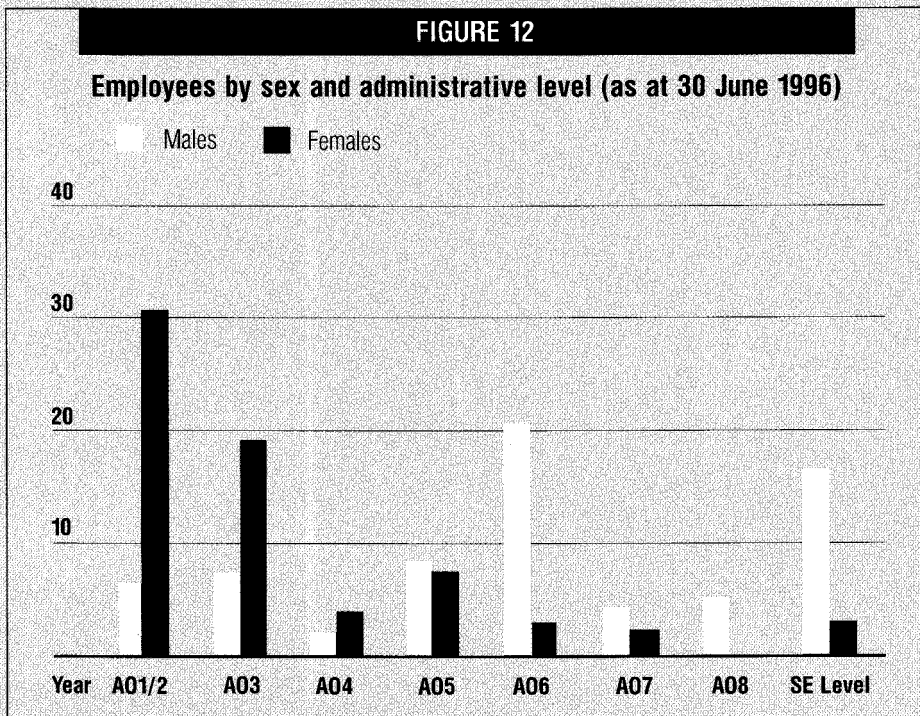
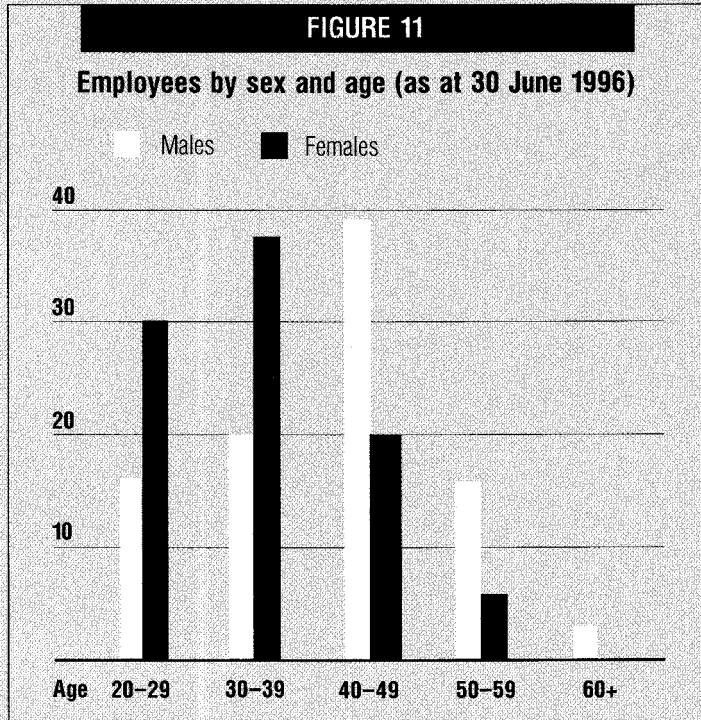
- to provide a working environment free from all forms of discrimination and sexual harassment.

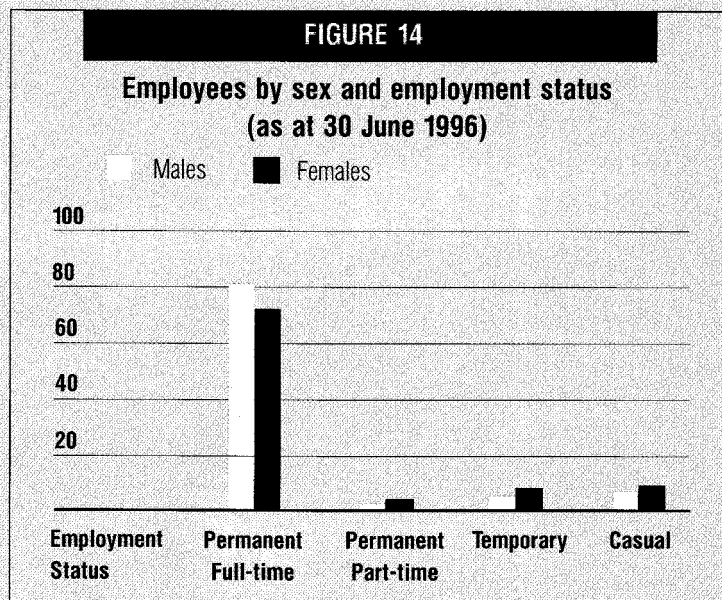
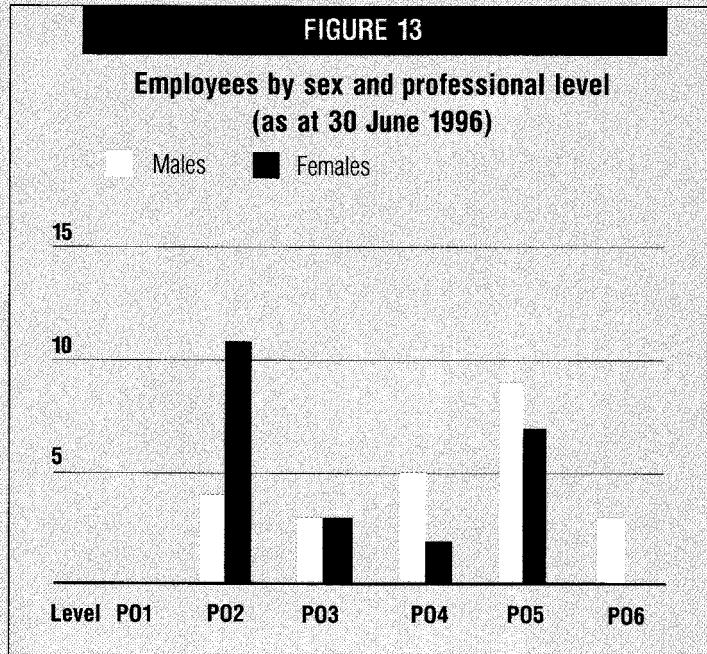
Details of the membership of the four EEO target groups (as defined in the *Equal Opportunity in Public Employment Act 1992*) in terms of sex, age, occupational stream and classification level are shown in the following table and figures:

TABLE 34							
Membership of EEO target groups (1994-95 – 1995-96)							
1994-95				1995-96			
Women	ATSI ¹	NESB ²	PWD ³	Women	ATSI ¹	NESB ²	PWD ³
88 (49.1%)	1 (0.5%)	9 (5.0%)	4 (2.2%)	92 (49.5%)	1 (0.5%)	10 (5.4%)	4 (2.2%)

Notes:

¹ Persons who identify as Aboriginal or Torres Strait Islander
² Persons from a non-English-speaking background
³ Persons with a disability





APPENDIX 4

Statement of Affairs

PURPOSE AND GOALS

As recommended in the Fitzgerald Report, the Criminal Justice Commission (CJC) is permanently charged with monitoring, reviewing, coordinating, and initiating reform of the administration of criminal justice and fulfilling those criminal justice functions not appropriately carried out by the Queensland Police Service (QPS) or other agencies. This purpose is clearly reflected in our mission: *To promote justice and integrity in Queensland.*

FUNCTIONS AND RESPONSIBILITIES

The CJC's functions and responsibilities are a matter of law.

As stated in section 21(1) of the *Criminal Justice Act 1989* (the Act), the functions of the Commission are to:

- (a) continually monitor, review, coordinate and, if the Commission considers it necessary, initiate reform of the administration of criminal justice
- (b) discharge such functions in the administration of criminal justice as, in the Commission's opinion, are not appropriate to be discharged, or cannot be effectively discharged, by the Police Service or other agencies of the State.

The Commission's responsibilities as enunciated in section 23 of the Act are listed as follows:

- (a) the acquisition and maintenance of the resources, skills, training and leadership necessary for the efficient administration of criminal justice
- (b) monitoring and reporting on the use and effectiveness of investigative powers in relation to the administration of criminal justice generally

- (c) monitoring and reporting on the suitability, sufficiency and use of law enforcement resources and the sufficiency of funding for law enforcement and criminal justice agencies including the office of the Director of Prosecutions and the Legal Aid Commission (so far as its functions related to prescribed criminal proceedings within the meaning of the *Legal Aid Act 1978*)

- (d) overseeing criminal intelligence matters and managing criminal intelligence with specific significance to major crime, organised crime and official misconduct

- (e) researching, generating and reporting on proposals for reform of the criminal law and the law and practice relating to enforcement of, or administration of, criminal justice, including assessment of relevant initiatives and systems outside the State

- (f) in discharge of such functions in the administration of criminal justice as, in the Commission's opinion, are not appropriate to be discharged, or cannot be effectively discharged, by the Police Service or other agencies of the State, undertaking—

- (i) research and coordination of the processes of criminal law reform
- (ii) matters of witness protection
- (iii) investigation of official misconduct in units of public administration
- (iv) investigation of organised or major crime

- (g) monitoring the performance of the Police Service with a view to ensuring that the most appropriate policing

methods are being used, consistent with trends in the nature and incidence of crime and to ensuring the ability of the Police Service to respond to those trends

- (h) providing the Commissioner of the Police Service with policy directives based on the Commission's research, investigation and analysis, including, with respect to law enforcement priorities, education and training of police, revised methods of police operation, and the optimum use of law enforcement resources
- (i) overseeing reform of the Police Service
- (j) reporting regularly on the effectiveness of the administration of criminal justice, with particular reference to the incidence and prevention of crime (in particular, organised crime) and the efficiency of law enforcement by the Police Service
- (k) reporting, with a view to advising the Legislative Assembly, on the implementation of the recommendations in the Report of the Commission of Inquiry relating to the administration of criminal justice, and to the Police Service
- (l) taking such action as the Commission considers to be necessary or desirable in respect of such matters as, in the Commission's opinion, are pertinent to the administration of criminal justice.

CORPORATE PLAN

Our Corporate Plan describes what we do and how we go about achieving our goals. Copies are available upon request.

ACCOUNTABILITY

The Act makes the CJC free of Executive control, but still closely accountable to Parliament, the community and the courts.

This accountability is exercised through:

Parliamentary Criminal Justice Committee (PCJC)

The PCJC has members representing the major political parties in the Queensland Legislative Assembly. It is our direct link to Parliament and, ultimately, to the people of Queensland. Established under the Act to monitor and review the work of the CJC, the PCJC can refer matters to us for investigation and can require us to report to it on any matter.

Judicial Review and Supervision

The CJC is also subject to the scrutiny of the courts and other entities, and:

- must apply to a judge of the Supreme Court for approval to exercise a number of its statutory powers
- is subject to the courts in relation to the fairness of its procedures and the extent of its powers
- is subject to the *Judicial Review Act 1992*.

Complainants

The Act requires us to respond to people who complain to our Complaints Section as follows:

- what action has been taken, including the reason for, and the result of, the action, if known when we responded
- if no action has been taken, the reason why.

We notify all complainants in writing. When possible, we debrief complainants, usually by telephone.

Certain complainants need 'whistleblower' support; therefore we have established a Whistleblower Support Program.

The public

Aside from being accountable to Parliament and the courts, we keep the public informed of and involved in our work whenever possible (see Program 6 for further details).

Internal accountability

We have taken great pains to develop and follow procedures that meet or exceed accountability measures in the public sector. Some of the more significant are as follows:

- The Chairperson, Commissioners and staff must complete statutory declarations disclosing their personal backgrounds and business and financial interests.
- Commissioners must provide summaries of their pecuniary interests and personal and political associations, which are updated annually.
- The Chairperson, Commissioners and staff must sign a confidentiality agreement at the outset of their appointment.
- Internal forms and procedures have been initiated for the exercise of our statutory powers.

Complaints against the CJC and its Officers

Complaints made against the CJC and its officers are rigorously and independently investigated by a senior Crown prosecutor (nominated by the Director of Public Prosecutions) and a senior police officer or officers (nominated by the Commissioner of the Police Service). They report to the CJC's Chairperson, the Attorney-General and Minister for Justice, and the Minister for Police and Corrective Services and the Minister for Racing.

To enhance the effectiveness of these investigations, a retired judge or a person of similar standing may be engaged to conduct any preliminaries that are required. This person may also be engaged to conduct follow-on substantive inquiries. Appropriate powers under the Act may be conferred to enable an appointee to pursue inquiries.

The PCJC is advised of any need to conduct an investigation of this nature.

ORGANISATIONAL UNITS

Executive Management

The Executive Management Group, which consists of the Chairperson and divisional directors, meets weekly to discuss inter-divisional matters and set policies and priorities. This group also approves all major publications we produce.

Official Misconduct Division

This is our largest division. Its principal functions are to:

- further the investigative work begun by the Fitzgerald Inquiry
- investigate the incidence of official misconduct in the State, especially in units of public administration
- investigate alleged misconduct by police officers or official misconduct by officers in units of public administration in Queensland
- conduct investigations of organised or major crime when, in the CJC's opinion, such investigations are not appropriate to be discharged, or cannot be effectively discharged, by the QPS or other agencies of the State
- provide assistance, by way of education or liaison, to law enforcement agencies, units of public administration and others on the detection and prevention of official misconduct.

Organisational elements include:

- a Directorate
- a Complaints Section, consisting of a Chief Officer, an Assessment Unit, two Investigative Complaints Teams, a Review Unit, a senior Financial Analyst and support personnel including a Complaints Registry
- four multidisciplinary investigative teams (MDTs), which investigate the more complex complaints and undertake pro-active investigations into major and organised crime

- the Joint Organised Task Force (JOCTF) under the joint management of the QPS and the CJC, consisting of equal numbers of CJC and police investigators, which was established to focus on several organised crime groups
- a Financial Analysis Group
- a Proceeds of Crime Team
- a Surveillance Section
- a Technical Unit.

Research and Coordination Division

This division:

- researches issues affecting the administration and enforcement of criminal justice and law reform in the State
- reviews the effectiveness of programs and methods of the QPS, including community policing, crime prevention and police recruitment, education and training
- publishes and publicises the results of its research
- helps develop procedures and systems for coordinating the activities of other criminal justice agencies in the State.

The division's reports have examined many law reform and criminal justice administration issues, offering findings and recommendations for change in policy and practice. The public reports, in particular, have greatly contributed to public awareness of criminal justice issues, as reflected in numerous public debates.

The division has completed most of the projects that were given priority by the Fitzgerald Report.

Intelligence Division

The goal of this division is to provide an effective, professional and specialist criminal intelligence service. Its client groups include the investigative arm of the Commission, the QPS, the Queensland Government and other law enforcement

agencies in Australia and overseas. The division is required to:

- create a database of intelligence concerning criminal activities and persons concerned therein, from all lawful sources
- secure the database and records so that only those people who satisfy the Chairperson or Director that they have a legitimate need for information are able to access it
- oversee the performance of the Bureau of Criminal Intelligence, Queensland (BCIQ)
- control and maintain all data and records of the Fitzgerald Commission of Inquiry under the *Commission of Inquiry Continuation Act 1989*
- subject to the CJC's approval, report to the Minister and the Minister of the Crown responsible for the QPS on matters of intelligence pertinent to the Government.

Information-sharing is important in meeting law enforcement objectives, particularly those focusing on organised and major crime, so the division liaises with other law enforcement and government agencies.

The division also provides ongoing tactical support to MDT operations. Intelligence staff are routinely included as members of specialist groups investigating organised and major crime activities.

Witness Protection Division

Witness protection programs are now internationally recognised as vital to the efforts of law enforcement agencies to combat organised and major crime.

Many persons under protection are hardened criminals whose reason for entering the program is fear for their own safety rather than a commitment to social order. To argue that they do not deserve this assistance is to misunderstand the purpose of the division.

Protected witnesses are often part of the criminal milieu, not model citizens. They are under protection to assist the criminal justice system to bring to justice those people who, because of their ability to intimidate witnesses and associates, have previously been beyond the reach of the law. They are protected in the interests of the community, not in their own interest.

Confidentiality is essential in a successful protection program, so operational procedures must not become public knowledge.

Corruption Prevention Division

This division focuses on anti-corruption activities by means of:

- public sector liaison
- official misconduct risk management reviews
- education and training
- whistleblower support.

The division liaises with agencies and persons concerned with the detection and prevention of official misconduct and to increase ethical awareness and promote pro-active corruption prevention methods such as risk assessment and strategic management. This is important because corruption thrives in organisations with poorly developed corruption prevention strategies or lax management practices.

Official misconduct risk management reviews analyse what management systems are in place to control corrupt behaviour, identify weak points and loopholes, and make recommendations on ways of improving systems.

The division also trains and informs public sector employees about what is involved in official misconduct, how to report suspect behaviour, and how to carry out risk assessments.

Through whistleblower support, the division offers advice, support and referral to people who are experiencing harassment or added stress as a result of having made a complaint to the CJC.

Corporate Services Division

This division provides administrative and logistical support for CJC operations in the areas of information management, personnel services, security, media liaison, finance and administration.

The CJC's financial accountability is achieved through compliance with the *Financial Administration and Audit Act 1977*, and the Public Finance Standards.

Office of General Counsel

The Office of General Counsel provides legal advice to the CJC and liaises with other agencies and the legal profession on legal issues. It coordinates CJC submissions on legal issues and proposed legislative changes. The Office also oversees administration of the Misconduct Tribunals.

Misconduct Tribunals

The Misconduct Tribunals were established under the Act. They are independent of the QPS and other units of public administration. Members of the Tribunals must not hold office in any unit of public administration (other than an office held *ex officio*) or in the CJC.

The Misconduct Tribunals review decisions on disciplinary matters within the QPS and make original administrative decisions on allegations of official misconduct by police and other officials.

In November 1994, we were advised by the then Minister for Justice and Attorney-General that the Tribunals would be removed from the CJC and transferred to the District Court. That decision is yet to be implemented.

THE CJC AND THE QUEENSLAND POLICE SERVICE

Reform of the Queensland Police Service

The CJC monitors the performance of the QPS to ensure that the most appropriate policing methods are being used. We also propose reforms to QPS practices by participating on committees such as:

- the Police Service Education Advisory Council
- the Police Prosecution Function Review Committee
- Inter-agency Forum on Law Reform
- Police Service PSMC Recommendation Implementation Teams
- Interdepartmental Working Group on Watchhouse Detention
- Serious White Collar Crime State Liaison Committee
- the Police Academy Council.

COMMISSIONERS FOR POLICE SERVICE REVIEWS

The part-time Commissioners of the CJC are eligible to sit as Commissioners for Police Service Reviews. Each Commissioner hears appeals under the *Police Service Administration Act 1990* and the *Police Service (Review of Decisions) Regulation 1990* by members of the QPS relating to:

- promotions
- transfers
- stand-downs or suspensions
- dismissals (other than a dismissal pursuant to a finding of misconduct or official misconduct)
- imposition of a disciplinary sanction (other than one imposed pursuant to a finding of misconduct or official misconduct)
- appointment of an officer as a staff member.

The reviews are informal and non-adversarial and legal representation is not permitted.

EFFECTS OF CJC ACTIVITIES ON THE COMMUNITY

Many of our activities are not always visible, but they have considerable effects on the community.

Direct effects include:

- giving people a way for their complaints about the conduct of employees of public sector agencies to be investigated
- giving them a voice in decisions on law reform issues by making submissions to us
- providing information on matters of concern to the community.

Our investigative powers can affect individuals. We can:

- require persons to make statements or give us information relevant to our investigations
- authorise our officers to enter public premises to search records.

In addition, police officers seconded to the CJC retain the powers that they possess as QPS members. These officers may exercise those powers when carrying out investigations for the CJC.

In the public interest, the CJC takes care to ensure the proper and effective use of its powers.

Indirect effects include:

- ongoing investigations of organised and major crime
- confiscating criminal assets and seizing drugs etc.
- carrying out of strategic, pro-active, anti-corruption operations
- cooperating with the QPS and other agencies to meet law enforcement objectives.

The CJC cannot prosecute. Where an investigation reveals evidence of a criminal offence, the Director of the Official

Misconduct Division reports to the Chairperson who may authorise reports to the Director of Public Prosecutions, the Commissioner of Police or another appropriate prosecuting authority for such proceedings as that authority considers warranted.

COMMUNITY PARTICIPATION IN THE FORMULATION OF POLICY

Though individual members of the public have no way to participate formally in the formulation of CJC policies, they may write to us or the PCJC, or publicly express their views. The CJC may consider these views, or correspond with individuals about our policies, but we are not obliged to do so.

Some avenues for community participation in this area are:

Cooperation

You are encouraged to contact us if you have information that may assist us, or if you want information about the CJC.

Submissions

We seek responses from the public to our issue papers, reports and research papers. Members of the community and interest groups have made valuable contributions to our reports and recommendations. For example, the issue paper *Police Powers in Queensland*, released in September 1991, attracted more than one hundred submissions from individuals and interest groups, a number of whom were invited to appear before the subsequent public hearing.

The PCJC may also call for public submissions on CJC reports, which are independent of those that we receive.

Hearings

Hearings are a potent reminder of the necessity for and utility of openness by public sector organisations. Our public hearings are published in newspapers' Law Lists. Anyone interested may attend. Investigative hearings may also be made open to the public.

Part-time Commissioners

Individuals may seek appointment as a part-time Commissioner and thus directly contribute to the policies and work of the CJC. The Act states that three of the part-time Commissioners shall be persons who have demonstrated an interest and ability in community affairs, of whom at least one has proven senior management experience in a large organisation.

Appointments are made by the Governor-in-Council on the recommendation of the responsible Minister.

Bodies established to advise the CJC

There are no such boards, councils, committees and other bodies whose meetings are open to the public or the minutes of whose meetings are available for public inspection.

DOCUMENTS HELD

For our library holdings, see the specific listing under Program 6.

General documents

The CJC usually holds documents of the following kinds:

- CJC annual reports
- brochures and posters on subjects such as
 - Freedom of Information
 - Promoting justice and integrity in Queensland
 - Reporting corrupt conduct in the Queensland public sector
 - Whistleblowing
- CJC corporate plans
- CJC records relating to investigative hearings, e.g. transcripts, summonses, decisions and correspondence
- documents seized by, or produced to, the CJC during its investigations such as financial records, diaries, business files and correspondence

- exhibits tendered during the Commission of Inquiry, Misconduct Tribunal Hearings and CJC hearings
- files containing documents such as statements, statutory declarations, complaints forms, summonses, notices to produce, photographs, audiotapes, videotapes, correspondence, file notes and telephone attendance notes, compiled during the course of the fulfilment of the CJC's functions and responsibilities (listed at the beginning of this Statement)
- financial records, including books of account, annual budget papers etc.
- human resources records such as contracts of employment, personal interest declarations, pay or leave records and work appraisal records relating to CJC staff
- information held in the library and on various CJC databases
- information papers or issue papers on matters researched and reviewed by the Research and Coordination Division
- minutes and records of CJC internal meetings and procedures
- Misconduct Tribunal records, e.g. transcripts, summonses, decisions and correspondence relating to Misconduct Tribunal hearings
- Police Complaints Tribunal records and files
- submissions received by the CJC.

These documents may be originals or copies, written, printed, on audio or video tape, or in electronic forms.

Access is available to only some of these documents. Where access is available, it will be under the FOI Act, under the Act, or informally.

Further information about the documents we hold can be had through our Freedom of Information Coordinator. If you would like to know how to request access, refer to page 111 or contact our Freedom of Information Coordinator.

Publications

The following table lists all documents published by the CJC. Copies of those documents that are still in stock (at the time of writing this report) are attainable upon request from us. You may also be able to find them—as well as those that are out of print—at libraries throughout the State.

Date of issue	Title	Availability
May 1990	Reforms in Laws Relating to Homosexuality—An Information Paper	Out of print
May 1990	Report on Gaming Machine Concerns and Regulations	Out of print
September 1990	Criminal Justice Commission Queensland Annual Report 1989–1990	Out of print
November 1990	SP Bookmaking and Other Aspects of Criminal Activity in the Racing Industry—An Issue Paper	Out of print
November 1990	Corporate Plan	Out of print
February 1991	Directory of Researchers of Crime and Criminal Justice—Prepared in Conjunction with the Australian Institute of Criminology	Out of print
March 1991	Review of Prostitution-related Laws in Queensland — An Information and Issue Paper	Out of print
March 1991	The Jury System in Criminal Trials in Queensland—An Issue Paper	Out of print
March 1991	Report of an Investigative Hearing into Alleged Jury Interference	Out of print
April 1991	Submission on Monitoring of the Functions of the Criminal Justice Commission	Out of print
May 1991	Report on the Investigation into the Complaints of James Gerrard Soorley against the Brisbane City Council	Out of print
May 1991	Attitudes Towards Queensland Police Service — A Report (Survey by REARK)	Out of print
June 1991	The Police and the Community, Conference Proceedings —Prepared in Conjunction with the Australian Institute of Criminology following the Conference held 23–25 October 1990 in Brisbane	Out of print
July 1991	Report on a Public Inquiry into Certain Allegations against Employees of the Queensland Prison Service and its Successor, the Queensland Corrective Services Commission	Out of print
July 1991	Complaints against Local Government Authorities in Queensland —Six Case Studies	Out of print
July 1991	Report on the Investigation into the Complaint of Mr T R Cooper, MLA, Leader of the Opposition against the Honourable T M Mackenroth, MLA, Minister for Police and Emergency Services	In stock
August 1991	Crime and Justice in Queensland	In stock
September 1991	Regulating Morality? An Inquiry into Prostitution in Queensland	In stock
September 1991	Police Powers—An Issue Paper	In stock
September 1991	Criminal Justice Commission Annual Report 1990/91	In stock
November 1991	Report on a Public Inquiry into Payments made by Land Developers to Aldermen and Candidates for Election to the Council of the City of Gold Coast	In stock
November 1991	Report on an Inquiry into Allegations of Police Misconduct at Inala in November 1990	In stock
November 1991	Corporate Plan 1991–1993	Out of print
December 1991	Report on an Investigation into Possible Misuse of Parliamentary Travel Entitlements by Members of the 1986–1989 Queensland Legislative Assembly	Out of print
January 1992	Report of the Committee to Review the Queensland Police Service Information Bureau	Out of print

Date of issue	Title	Availability
February 1992	Queensland Police Recruit Study, Summary Report #1	In stock
March 1992	Report on an Inquiry into Allegations Made by Terrance Michael Mackenroth MLA the Former Minister for Police and Emergency Services; and Associated Matters	Out of print
March 1992	Youth, Crime and Justice in Queensland — An Information and Issue Paper	Out of print
March 1992	Crime Victims Survey—Queensland 1991, A Joint Publication Produced by Government Statistician's Office, Queensland and the Criminal Justice Commission	In stock
June 1992	Forensic Science Services Register	Out of print
September 1992	Criminal Justice Commission Annual Report 1991/1992	In stock
September 1992	Beat Area Patrol—A Proposal for a Community Policing Project in Toowoomba	Out of print
October 1992	Pre-Evaluation Assessment of Police Recruit Certificate Course	In stock
November 1992	Report on S P Bookmaking and Related Criminal Activities in Queensland (<i>Originally produced as a confidential briefing paper to government in August 1991</i>)	In stock
November 1992	Report on an Investigation into the Complaints of Kelvin Ronald Condren and Others	Out of print
November 1992	Criminal Justice Commission Corporate Plan 1992–1995	Out of print
January 1993	First Year Constable Study Summary Report #2	Out of print
April 1993	Submission to the Parliamentary Criminal Justice Committee on the Use of the Commission's Powers under Section 3.1 of the <i>Criminal Justice Act 1989</i>	Out of print
May 1993	Report on a Review of Police Powers in Queensland Volume I: An Overview	In stock
May 1993	Report on a Review of Police Powers in Queensland Volume II: Entry, Search and Seizure	In stock
July 1993	Cannabis and the Law in Queensland: A Discussion Paper	Out of print
August 1993	Report by the Honourable W J Carter QC on his Inquiry into the Selection of the Jury for the Trial of Sir Johannes Bjelke-Petersen	In stock
August 1993	Statement of Affairs	In stock
September 1993	Report on the Implementation of the Fitzgerald Recommendations Relating to the Criminal Justice Commission	In stock
September 1993	Criminal Justice Commission Annual Report 1992/93	In stock
September 1993	Selling Your Secrets—Proceedings of a Conference on the Unlawful Release of Government Information	In stock
October 1993	Attitudes Towards Queensland Police Service—Second Survey (Survey by REARK)	Out of print
November 1993	Corruption Prevention Manual	In stock
November 1993	Report on a Review of Police Powers in Queensland Volume III: Arrest without Warrant, Demand Name and Address and Move-On Powers	In stock
November 1993	Whistleblowers—Concerned Citizens or Disloyal Mates?	Out of print
December 1993	Recruitment and Education in the Queensland Police Service: A Review	In stock
December 1993	Corporate Plan 1993–96	In stock
February 1994	Murder in Queensland: A Research Paper	Out of print
March 1994	Police Recruit Survey Summary Report #3	Out of print
March 1994	A Report of an Investigation into the Arrest and Death of Daniel Alfred Yock	Out of print

Date of issue	Title	Availability
April 1994	Report by the Honourable R H Matthews QC on his Investigation into the Allegations of Lorrelle Anne Saunders Concerning the Circumstances Surrounding her being Charged with Criminal Offences in 1982, and Related Matters: Volume I and Volume II	In stock •
May 1994	Report on a Review of Police Powers in Queensland Volume IV: Suspects' Rights, Police Questioning and Pre-Charge Detention	In stock
June 1994	Report on an Investigation into Complaints against Six Aboriginal and Island Councils	In stock •
June 1994	Report on Cannabis and the Law in Queensland	In stock
June 1994	Selling your Secrets: Who's Selling What? Issue Paper	In stock
July 1994	Report by the Criminal Justice Commission on its Public Hearings Conducted by the Honourable R H Matthews QC into the Improper Disposal of Liquid Waste in South-East Queensland Volume 1: Report Regarding Evidence Received on Mining Issues	In stock •
July 1994	Submission to the Parliamentary Criminal Justice Committee on its Review of the Criminal Justice Commission's Activities	Out of print
August 1994	Implementation of Reform within the Queensland Police Service: The Response of the Queensland Police Service to the Fitzgerald Inquiry Recommendations	In stock
August 1994	Statement of Affairs	Out of print
September 1994	A Report of an Investigation into the Cape Melville Incident	In stock •
October 1994	Criminal Justice Commission Annual Report 1993/94	In stock
October 1994	Report on a Review of Police Powers in Queensland Volume V: Electronic Surveillance and Other Investigative Procedures	In stock
October 1994	Report on an Investigation Conducted by the Honourable R H Matthews QC into the Improper Disposal of Liquid Waste in South-East Queensland Volume II: Transportation and Disposal	In stock •
November 1994	Report on an Investigation into the Tow Truck and Smash Repair Industries	In stock •
November 1994	Informal Complaint Resolution in the Queensland Police Service: An Evaluation	Out of print
December 1994	A Report into Allegations that the Private Telephone of Lorrelle Anne Saunders Was 'Bugged' in 1982 by Persons Unknown, and Related Matters	In stock •
December 1994	Fear of Crime: A Research Paper	Out of print
December 1994	Aboriginal and Islander Councils Investigations—Issue Paper	In stock
January 1995	Telecommunications Interception and Criminal Investigation in Queensland: A Report	Out of print
February 1995	Beat Policing Resource Kit	In stock
March 1995	Report on an Inquiry Conducted by the Honourable D G Stewart into Allegations of Official Misconduct at the Basil Stafford Centre	Out of print •
April 1995	Corporate Plan 1994-97	In stock
April 1995	Report on the Sufficiency of Funding of the Legal Aid Commission of Queensland and the Office of the Director of Public Prosecutions, Queensland	In stock
May 1995	Toowoomba Beat Policing Pilot Project: Main Evaluation Report	In stock
June 1995	The Inala Community and Police Network: An Evaluation	In stock
July 1995	Public Attitudes Towards the Queensland Police Service — June 1995 Survey: Summary of Findings	In stock
July 1995	External Oversight of Complaints against Police in Australia: A Cross-Jurisdictional Comparison	In stock

Date of issue	Title	Availability
August 1995	Criminal Justice System Monitor	In stock
September 1995	Beat Policing: A Case Study—A Research Paper	In stock
September 1995	Children, Crime and Justice in Queensland—A Research Paper	In stock
October 1995	Crime Victims Surveys in Australia—Conference Proceedings	In stock
November 1995	Criminal Justice Commission Annual Report 1994/95	Out of print
November 1995	Criminal Justice Commission Annual Report Summary 1994/95	In stock
November 1995	Ethical Conduct and Discipline in the Queensland Police Service: The Views of Recruits, First Year Constables and Experienced Officers	In stock
December 1995	Corporate Plan 1995–96	In stock
December 1995	Report on an Inquiry Conducted by Mr R V Hanson QC into the Alleged Unauthorised Dissemination of Information Concerning Operation Wallah	In stock
December 1995	Protecting Public Sector Whistleblowers—A Statutory Responsibility —An Issue Paper	In stock
January 1996	Residential Burglary in Queensland—A Research Paper	In stock
March 1996	Utilising Calls for Service Data	In stock
March 1996	The West End Police Beat: An Evaluation	In stock
April 1996	On the Record—The CJC Six Years On	In stock
April 1996	Informal Complaint Resolution in the Queensland Police Service: Follow-up Evaluation	In stock
May 1996	The Nature of General Police Work—A Research Paper	In stock
June 1996	Police Recruit Selection—Predictors of Academy Performance	In stock
June 1996	Regional Delivery of First Year Constable Training: An Evaluation	In stock
Brochures		
1992	Reporting Corrupt Conduct in the Queensland Public Sector —13 Questions	Out of print
1993	Freedom of Information—Your Right to Know	In stock
1993	Promoting Justice and Integrity in Queensland	Out of print
1995	Whistleblower Support Program	Out of print
1996	Making a Complaint against a Member of the Queensland Police Service	In stock
1996	How to Report Corruption to the CJC	In stock
1996	Whistleblower Support Program Services	In stock
1996	A Message to the Community from the CJC	In stock
1996	How You Can Help the Queensland Public Sector Remain Honest — Aboriginal and Torres Strait Islanders Liaison Program	In stock
Posters		
1992	You Are Invited to Help Combat Public Sector Corruption	In stock
1995	Whistleblower Support Program	In stock

Subscriptions or free mailing lists

Although we do not offer subscription services and free mailing lists, we can arrange to send our publications to you upon request. If you are interested in receiving any of the publications still listed as in stock, please contact us with the details.

ACCESSING CJC DOCUMENTS

If you require access to any CJC document, please give us a clear description of the document so that it can be identified readily.

In general, CJC documents may be made available to members of the community where such action does not endanger the integrity and confidentiality of our operations and sources of information.

An application under the FOI Act is not always required for access. The options are:

Informal access

Certain documents are held at public libraries and at the CJC. If you want access to research reports or issue or information papers held at the CJC, contact the Research and Coordination Division. If you have any doubt about how to seek access, contact our Executive Support Unit.

Access under the FOI Act

If you have queries about FOI applications, please contact our Freedom of Information Coordinator.

Applications

Applications under the FOI Act must be in writing. No particular application forms are required, but we prefer you to use one of the following forms:

- Request for Access to Documents
- Request to Amend Personal Documents
- Request for Internal Review.

Requests for access

Even if you do not use the preferred forms, your application should:

- identify the information or document(s) sought
- give as much detail as possible about the information or document(s)
- indicate the type of access required, e.g. supply of copies or personal inspection
- give proof of identity where personal affairs documents are involved
- include a written authority for a person or organisation requesting access to documents on your behalf.

Request to change personal documents

Requests to have amendments made to information about a person which is contained in a document held by the Commission should specify:

- the identification of the document in which the information is contained
- the information to be changed and whether it is inaccurate, incomplete, out of date or misleading
- the amendments that are required to be made.

Any evidence that exists in support of the amendment requested should be provided. Proof of identity may also be required.

Request for internal review

If you are denied access in full or in part to a document, or not allowed to amend a document containing personal information about you, you may apply for an internal review of the decision. You will be advised of your rights in this regard when you are told of the decision denying access.

Charges

Charges for access to documents are prescribed by the Freedom of Information Regulation 1992 and are set out below. Charges depend on whether the document concerns your personal affairs and on the type of access you seek. You will be advised of any charges that apply.

Application fee

Personal affairs	Nil
Non-personal affairs	\$30.00
(payable when the application is made)	

Access charges

Personal affairs	Nil
Non-personal affairs	

- a charge of \$0.50¢ for each page for a photocopy of a document in A4 size
- a reasonable charge to cover the production of a copy (other than A4 size photocopy) of a document
- a reasonable charge to arrange to hear or view a document which is an article

or material from which sounds or visual images are capable of being produced

- A deposit of 20 per cent may be required if the total of charges is expected to exceed \$25.

Inspection of documents

If we grant you access to documents, they will be made available at the CJC, 557 Coronation Drive, Toowong. We provide a reading room for viewing documents.

When we decide to grant you access, one of our officers will contact you to discuss the arrangements. If you cannot come to us, the officer will discuss other arrangements with you.

APPENDIX 5
Financial Statements

**Annual Financial Statements of
Criminal Justice Commission
for the period
1 July 1995 to 30 June 1996**

OPERATING STATEMENT
For the year ended 30 June 1996

	Notes	1996 \$	1995 \$
COSTS OF SERVICES			
Operating expenses			
Salaries and related expenses	1	13 872 120	13 033 650
Administration	2	4 322 330	3 686 467
Operational	3	496 366	390 881
Consulting	4	116 143	202 714
Accommodation	5	2 821 030	2 739 759
Transfers to provisions	6	964 138	901 159
Write-offs		15 038	21 702
Loss on sale of plant and equipment		10 715	12 693
Total operating expenses		22 617 880	20 989 025
Operating revenue from independent sources			
Interest		206 003	203 096
Other	7	77 803	75 557
Total operating revenue from independent sources		283 806	278 653
Net cost of services		22 334 074	20 710 372
REVENUE FROM GOVERNMENT			
Parliamentary appropriations received	8	21 614 000	21 065 000
Total revenue from Government		21 614 000	21 065 000
Change in net assets resulting from operations		(720 074)	354 628
Abnormal item	9	(900 009)	-
Change in net assets resulting from operations and adjustment to accumulated funds		(1 620 083)	354 628

STATEMENT OF FINANCIAL POSITION
As at 30 June 1996

	Notes	1996 \$	1995 \$
CURRENT ASSETS			
Cash	10	15 054	405 380
Receivables		20 061	27 885
Other:			
Prepayments		252 028	16 232
Total current assets		287 143	449 497
NON-CURRENT ASSETS			
Investments	9	–	900 009
Plant and equipment	11	2 336 673	2 414 871
Total non-current assets		2 336 673	3 314 880
TOTAL ASSETS		2 623 816	3 764 377
CURRENT LIABILITIES			
Salaries payable		265 254	225 638
Sundry creditors		200 024	8 211
Provisions	12	570 108	490 633
Total current liabilities		1 035 386	724 482
NON-CURRENT LIABILITIES			
Provisions	12	649 417	480 799
Total non-current liabilities		649 417	480 799
Total liabilities		1 684 803	1 205 281
NET ASSETS		939 013	2 559 096
EQUITY			
Accumulated results from operations		939 013	2 559 096
TOTAL EQUITY		939 013	2 559 096

STATEMENT OF CASH FLOWS
For the year ended 30 June 1996

	Notes	1996 \$	1995 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Inflows:			
Interest		208 126	195 905
Dividends		-	42 904
Other		83 504	45 728
Total inflows		291 630	284 537
Outflows:			
Salaries and related expenses		(14 547 637)	(13 670 844)
Suppliers		(7 059 880)	(6 358 427)
Total outflows		(21 607 517)	(20 029 271)
Net cash used in operating activities	A	(21 315 887)	(19 744 734)
CASH FLOWS FROM INVESTING ACTIVITIES			
Inflows:			
Proceeds from sale of plant and equipment		143 228	317 666
Outflows:			
Payments for purchase of plant and equipment		(831 667)	(1 252 952)
Total outflows		(831 667)	(1 252 952)
Net cash used in investing activities		(688 439)	(935 286)
CASH FLOWS FROM GOVERNMENT			
Inflows:			
Parliamentary appropriations	B	21 614 000	21 065 000
Net cash provided by Government		21 614 000	21 065 000
Net increase or decrease in cash held		(390 326)	384 980
Cash at beginning of reporting period		405 380	20 400
Cash at end of reporting period	C	15 054	405 380

STATEMENT OF CASH FLOWS (Continued)
For the year ended 30 June 1996

Note A Reconciliation of change in net assets resulting from operations with net cash provided or used by operating activities.

	Notes	1996	1995
		\$	\$
Change in net assets resulting from operations		(720 074)	354 628
Depreciation expense		740 884	745 912
Write-offs (non-cash)		15 038	20 823
Loss on sale of plant and equipment		10 715	12 693
Decrease in accounts receivable		7 824	5 884
(Increase) Decrease in prepaid expenses		(235 796)	1 454
Increase (Decrease) in trade creditors		191 813	(82 939)
Increase in salaries payable		39 616	86 307
Provisions — recreation leave and long service leave		248 093	175 504
Government revenues		(21 614 000)	(21 065 000)
Net cash provided or used in operating activities		(21 315 887)	(19 744 734)

Note B Receipts from parliamentary appropriations

Total received	21 614 000	21 065 000
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Note C Reconciliation of cash

For the purposes of this statement of cash flows, cash includes:

- (i) cash on hand and in 'at call' deposits with banks or financial institutions; and
- (ii) investments in money market instruments not exceeding three months to maturity.

Cash at the end of the year is shown in the statement of financial position as:

Cash at bank	(5 346)	384 980
Cash on hand	20 400	20 400
	15 054	405 380

Note D Tax status

The activities of the Criminal Justice Commission are exempt from taxation.

NOTES TO AND FORMING PART OF THE ACCOUNTS

Statement of Significant Accounting Policies

The significant accounting policies which have been adopted in the preparation of these accounts are:

(a) Basis of accounts

The accounts have been prepared on an historical cost basis, consistent with the basis applied in the previous financial year. Income and expenditure are brought to account on an accrual basis.

Policies adopted conform with the Public Finance Standards including professional Statements of Accounting Concepts and applicable Australian Accounting Standards.

(b) Plant and equipment

All plant and equipment is included in the accounts at cost less accumulated depreciation. Depreciation has been applied using the straight line method based on the useful life of the asset.

Plant and equipment includes those items over \$1000 in value and attractive items identified by management below this value.

Software is not capitalised.

(c) Accommodation

The Commission meets charges by Administrative Services Department for lease of office accommodation, security, cleaning, waste disposal and landscaping.

(d) Employee leave entitlements

Annual leave — Provision has been made for unpaid annual leave entitlements arising from services rendered by employees.

Non-vesting sick leave — No amount has been recognised for non-vesting sick leave since these amounts are not considered to be material. Sick leave is brought to account as incurred.

Long Service leave — Provision has been made for the nominal amount of the unconditional legal entitlement and conditional legal entitlement for Long Service leave.

NOTES TO AND FORMING PART OF THE ACCOUNTS

(Continued)

	1996	1995
	\$	\$
Note 1 Salaries and related expenses		
Salaries, wages and allowances	11 506 402	10 773 518
Overtime	420 905	373 630
Payroll and fringe benefits taxes	846 925	824 229
Superannuation contribution	1 066 597	1 057 346
Workers' Compensation	31 291	4 927
	<u>13 872 120</u>	<u>13 033 650</u>
 Note 2 Administration		
Airfares, taxis, hire cars and travel allowances	421 125	391 591
Telephones, pagers, facsimile	272 200	324 425
Postage and petty cash	34 683	40 214
Advertising	46 860	36 077
Subscriptions, books	63 608	57 327
Stores and stationery	105 136	79 368
Printing and publication	116 455	201 838
Q-Fleet leasing	163 723	185 149
Petrol, maintenance, registration	260 413	296 768
Equipment	165 224	115 664
Computing expenses and software	304 659	321 354
Witness fees and expenses	20 458	16 246
Transcription	103 910	73 477
Audit fees	12 600	10 800
Recruitment and training	226 556	139 002
Litigation costs	28 900	19 712
Information retrieval	88 243	94 026
Depreciation	740 884	745 912
Sundry costs of Inquiries	135 065	-
Legal advice (a)	692 619	286 689
Other	319 009	250 828
	<u>4 322 330</u>	<u>3 686 467</u>

(a) Legal advice during 1995-96 financial year includes costs of the Carruthers and Wallah inquiries. These costs include advice and representation by counsel and remuneration to former judges to undertake the inquiries.

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Note 3 Operational

This consists of expenditure incurred in the carrying out of operations relating to investigations.

NOTES TO AND FORMING PART OF THE ACCOUNTS

(Continued)

Note 4 Consulting	1996	1995
	\$	\$
Contracted research	26 208	121 150
Forensic document examination	-	6 610
Program evaluation	6 000	300
Enterprise bargaining	-	150
Corporate planning	17 187	8 280
Position evaluations	18 450	4 375
Corruption prevention	42 798	56 884
Assistance with documentation of policies and procedures	-	2 900
Report — Local Government	-	2 065
Structural review	5 500	-
	116 143	202 714
 Note 5 Accommodation		
Lease	2 110 394	2 056 360
Security	344 054	323 080
Cleaning	143 147	139 223
Electricity	148 313	175 495
Refurbishment	39 005	2 445
Other	36 117	43 156
	2 821 030	2 739 759
 Note 6 Transfers to provisions		
Long Service leave	232 784	218 260
Recreation leave	731 354	682 899
	964 138	901 159
 Note 7 Other		
Dividends — Q-Fleet	-	31 685
Sundry Income	77 803	43 872
	77 803	75 557
 Note 8 Queensland Government appropriation		
Appropriation	21 614 000	21 065 000

NOTES TO AND FORMING PART OF THE ACCOUNTS

(Continued)

Note 9 Abnormal Item	1996	1995
	\$	\$
Adjustments to accumulated funds/investments —		
Equity in Q-Fleet leasing scheme	(900 009)	—
[As a result of a decision by Treasury Department to restructure the existing equity arrangements in Q-Fleet to a commercially based capital structure, the equity in Q-Fleet was cancelled during 1995.]		
Note 10 Cash		
Cash at bank	(5 346)	384 980
Cash on hand	20 400	20 400
	15 054	405 380
Note 11 Plant and equipment (at cost)		
Office machines & equipment	507 369	592 299
Less accumulated depreciation	265 517	268 347
	241 852	323 952
Operations equipment	1 176 605	1 101 103
Less accumulated depreciation	838 236	737 879
	338 369	363 224
Furniture and fittings	152 934	153 228
Less accumulated depreciation	58 973	46 692
	93 961	106 536
Computing equipment	2 906 858	2 840 205
Less accumulated depreciation	1 786 183	1 724 859
	1 120 675	1 115 346
Motor vehicles	729 661	635 095
Less accumulated depreciation	187 845	129 282
	541 816	505 813
Total plant and equipment	2 336 673	2 414 871

NOTES TO AND FORMING PART OF THE ACCOUNTS

(Continued)

Note 12 Provisions	1996	1995
	\$	\$
Current Recreation leave	533 508	490 633
Current Long Service leave	36 600	—
	570 108	490 633
Non-current Long Service leave	649 417	480 799
	1 219 525	971 432

Note: The liabilities expected to arise in future in respect of service accrued at the reporting date have been calculated on the assumption that salaries will increase on average by 6% p.a. and also in line with age-based promotional salary scales appropriate to the employees. The expected cash flows have been discounted to present value using a discount rate of 8.5% p.a. The assumed rates of salary inflation and discount rate are based on Commonwealth Government bond yields at the reporting date and the expected long-term gap between salary inflation and investment return. The weighted average term to settlement of the liabilities is approximately 14 years.

Note 13 Segment reporting

The Commission is primarily associated with the administration of criminal justice in Queensland.

Note 14 Capital commitments

Capital commitments consist of a motor vehicle as at 30 June valued at approximately \$24 700 (1995, approximately \$116 757). Commitments are payable within one year.

Note 15 Lease commitments

The Commission leases motor vehicles from Q-Fleet Division of Administrative Services Department. These operating leases vary according to the timing of the replacement of the vehicle.

Note 16 Contingent assets/liabilities

There were no known contingent assets or liabilities of a significant nature as at 30 June 1996.

Note 17 Services provided below fair value	1996	1995
	\$	\$
Services received —		
Department of Justice (Crown Law) — legal services	1 757	—

CERTIFICATE OF THE CRIMINAL JUSTICE COMMISSION

The foregoing Financial Statements have been prepared pursuant to the provisions of the *Financial Administration and Audit Act 1977*. We certify that:

- (a) the foregoing financial statements and notes to and forming part thereof are in agreement with the accounts and records of the Criminal Justice Commission;
- (b) in our opinion —
 - (i) the prescribed requirements in respect of the establishment and keeping of accounts have been complied with in all material respects; and
 - (ii) the foregoing statements have been drawn up in accordance with the Public Finance Standards so as to present a true and fair view of the transactions of the Criminal Justice Commission for the year ended 30 June 1996, and of the financial position as at 30 June 1996.

3 Sept. 1996



Date

F J CLAIR
Chairperson



G M BRIGHTON
Executive Director

AUDIT CERTIFICATE

SCOPE

I have audited the financial statements of the Criminal Justice Commission for the year ended 30 June 1996 comprising the Operating Statement, Statement of Financial Position, Statement of Cash Flows, Notes to and forming part of the Accounts, and Certificates given by the Chairperson and person responsible for financial administration as required by the *Financial Administration and Audit Act 1977*.

The Criminal Justice Commission is responsible for the preparation and the form of presentation of the financial statements and the information they contain. I have audited the financial statements in order to express an opinion on them.

The audit has been conducted in accordance with *QAO Auditing Standards* to provide reasonable assurance as to whether the financial statements are free of material misstatement. Audit procedures adopted have included the examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly, in accordance with prescribed accounting standards and other prescribed requirements, so as to present a view which is consistent with my understanding of the entity's financial position and the results of its operations.

The audit opinion expressed in this certificate has been formed on the above basis.

AUDIT OPINION

In accordance with the provisions of the *Financial Administration and Audit Act 1977*, I certify that I have received all the information and explanations I have required in respect of the financial statements of the Criminal Justice Commission and, in my opinion:

- the prescribed requirements in respect of the establishment and keeping of accounts have been complied with in all material respects; and
- the statements have been drawn up so as to present a true and fair view in accordance with prescribed accounting standards and other prescribed requirements of the transactions of the Criminal Justice Commission for the financial year ended 30 June 1996 and of the financial position as at the end of that year.



V P MANERA

Deputy Auditor-General

(Delegate of the Auditor-General)

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