

mission


October 1999

The Honourable Peter Beattie MLA
Premier of Queensland
Parliament House
George Street
Brisbane Qld 4000

Dear Premier

We are pleased to present to Parliament the tenth Annual Report of the Criminal Justice Commission which covers the 1998–99 financial year. The report is 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*.

Yours sincerely


BRENDAN BUTLER sc
Chairperson


SALLY GOOLD OAM
Commissioner


KATHRYN BIGGS
Commissioner


RAY RINAUDO
Commissioner

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goals

1	To reduce the incidence of official misconduct in the public sector.
2	To assist the Queensland Police Service to achieve its goals and to reduce the incidence of misconduct.
3	To provide a professional and efficient witness protection service.
4	To promote understanding of criminal justice and public sector integrity issues.

operating principles

The Commission acts in the public interest.

The Commission operates within the high standards of its Code of Conduct.

The Commission is committed to fairness, impartiality and accountability.

The Commission operates using modern management practices, including Equal Employment Opportunity principles, that ensure the administrative and operational integrity of the Commission.

The Commission places emphasis on an integrated approach, utilising investigation, research, intelligence and prevention.



A message from the Chairperson

The past year has been a time of transition and consolidation for the CJC.

Transition

A changing of the guard in the senior ranks marked the transition. Firstly, there was a change in Chairperson following the completion by Mr Frank Clair of a term of over three years in the position.

Mr Clair guided the CJC through a period of considerable challenge. In the face of funding reductions and external criticism, he defended his staff and championed the independence of the CJC.

When I commenced as Chairperson in November 1998, the organisation was already focusing on new goals for the future. I acknowledge the contribution of Mr Clair to the achievements of the CJC this year.

In April 1999, the CJC lost the services of Professor Ross Homel, who served as a Commissioner for over four years. Professor Homel brought learning and vision to the deliberations of the Commission and contributed to the prevention focus

which now guides so much of the CJC's work.

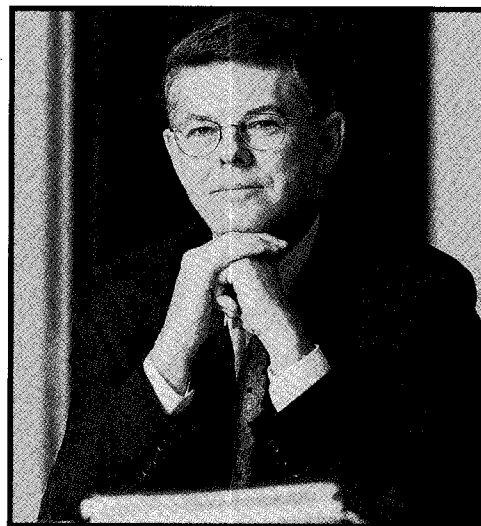
The current terms of appointment of two further Commissioners terminate in September 1999. They are Mrs Dina Browne AO and Mr James Crowley QC. Both have been

committed and tireless contributors. I am personally grateful for the generous support provided to me by my fellow Commissioners in my early days at the CJC.

There has also been a change in senior managers. Mr David Bevan replaced Mr Mark Le Grand in the important position of Director, Official Misconduct Division. Assistant Commissioner Andrew Kidcaff took over from Assistant Commissioner John McDonnell as Director of Operations and Witness Protection.

Consolidation

The year has been a period of building on the existing strengths of the organisation to ensure it is better placed to



Courier-Mail, 17 May 1999

expose corruption and promote ethical conduct in the Queensland public sector. While the operational effectiveness of the organisation has been maintained, significant emphasis has also been placed on management and governance initiatives.

Corporate matters

New strategic directions were identified in consultation with staff. The Corporate Support Subprogram was evaluated and recommendations for improvement delivered. Internal audit and risk management processes were enhanced. New positions were created to promote corporate governance and staff development.

In recognition of the vital role our employees play in the success of the organisation, a Commission Consultative Committee was formed to provide elected staff representatives with direct access to management on workplace issues.

Operational activities

The year also saw an increase in the operational activities which are the primary work of the CJC.

Complaints received in the year represented the highest annual total since the creation of the CJC.

Proactive investigation of possible corruption in the police service, correctional institutions, the public sector and local government continued during the year.

Investigations resulted in 162 criminal charges and 196 disciplinary charges being recommended.

Witness protection

The Witness Protection Division continued its record of success in safeguarding persons in danger because

they had assisted the courts or law enforcement agencies.

The correctional jurisdiction

A new multidisciplinary investigation team targeting corruption in state-run correctional centres commenced operations.

Experience tells us that the closed prison environment generates temptation and opportunities for corruption of correctional officers and other employees. The CJC is committed to developing an effective response in this new area of its jurisdiction. Regrettably, under present law, the CJC's jurisdiction is limited to state-run institutions and does not extend to privately operated correctional institutions.

Partnership with police

Successful outcomes in a number of research projects demonstrate the partnership which has been forged between the CJC and the Queensland Police Service in promoting innovative reform initiatives in the area of policing. A number of joint

CJC and Police Service projects — such as the Beenleigh Break and Enter Reduction Project — will contribute to the quality of police services and the safety of the community.

Corruption prevention initiatives

The CJC took a strategic decision to enhance its ability to promote corruption prevention initiatives in the public sector. In 1998–99, five additional corruption prevention officers were appointed. Greater liaison has been initiated with local government and the public service as the CJC deliberately emphasises prevention as a desired outcome of all its work.

Achievement

The staff of the CJC can be proud of their achievements this year. The combination of successful operational results and organisational improvements provides a platform for further achievement in the years ahead.



BRENDAN BUTLER sc
Chairperson

The year at a glance

Around the CJC

July 1998	Office of the Commission established to assist the Commission meet its strategic and corporate governance responsibilities.
July 1998	Research and Corruption Prevention Divisions merged to form the Research and Prevention Division.
October 1998	Information technology staff commenced the upgrade of our standard operating environment.
November 1998	Established the Target Development Unit, one of the recommendations of <i>Police and Drugs: Report of an Investigation of Cases Involving Queensland Police Officers (Carter Report)</i> .
November 1998	Assistant Commissioner Andrew Kidcaff took over from Assistant Commissioner John McDonnell as Director of Operations and Witness Protection.
November 1998	Mr Brendan Buder sc took over from Mr Frank Clair as Chairperson.
February 1999	Mr Mark Le Grand, OMD Director, left the CJC.
April 1999	Professor Ross Homel, Commissioner, left the CJC.
May 1999	Commission Consultative Committee established to give staff of the CJC the opportunity to influence the internal decision-making process.
June 1999	Mr David Bevan appointed OMD Director.

Output

July 1998	Published <i>Policing and the Community in Brisbane</i> .
August 1998	Published the first of two reports of the Kinnear Inquiry.
August 1998	The Police Education Advisory Council published its two-year review of the recruitment and selection process of the QPS.
October 1998	The Corrective Services Multidisciplinary Team toured state-run correctional centres to promote the CJC's jurisdiction.
October 1998	Announced the Beenleigh Break and Enter Reduction Project.
February 1999	Published the second report of the Kinnear Inquiry.
February 1999	Published volume 4 of the <i>Criminal Justice System Monitor</i> .
February 1999	Published <i>A Snapshot of Crime in Queensland</i> .
March 1999	Published draft report examining the reasons for the dramatic increase in prisoner numbers in Queensland since 1993.
March 1999	Published an interim report of an investigative hearing relating to complaints about the Children's Commissioner.
May 1999	Launched the Prevention Pointers series.
April 1999	Published an evaluation report on the Crime Prevention Partnerships Initiative.
May 1999	Published research paper on Notices to Appear.
June 1999	Published Corrective Services brochures.

June 1999

Published a follow-up report on the

June 1999

Together with the QPS, published a

June 1999

Commenced second Defenders Survey

June 1999

Commenced production of the first

Prevention Pays!

Statistical highlights

- 2768 standard complaints were registered, comprising 5815 separate allegations, the highest annual total ever and an increase of over 10 per cent on the previous year
- 675 misconduct allegations were referred to the QPS for investigation, compared with 466 last year
- 504 allegations were referred to the QPS for informal resolution, compared with 419 in the previous year
- 410 notices to produce and 4 notices to furnish were issued
- 358 charges were recommended, 162 of which related to criminal charges and 196 to disciplinary charges
- 72 FOI applications were received
- 64 corruption prevention workshops/presentations were given to the QPS, 38 to the public sector and 36 to correctional centres
- 61 sessions on the CJC's role and functions or on risk management were presented to Aboriginal and Torres Strait Islander groups
- 59 people accepted witness protection
- 40 witnesses were summonsed to give evidence at Commission hearings and 29 appeared before the Commission
- 20 search warrants were obtained under the police powers legislation
- 25 recommendations for procedural reform were made
- 17 public service departments and statutory authorities adopted our *Protocol on the Disciplinary Process*
- 13 matters were heard in private hearings and 1 public hearing was concluded
- 11 research publications and 3 investigative reports were published
- 7 offenders were brought to justice on perjury charges
- 5 prisoners were directed to appear before the Commission
- 6 listening device applications were approved by the Supreme Court
- 3 authorities to enter public premises were executed



Abbreviations

AIC
CCC
CEO
CID
CJ Act
CLE
CPP
CPSR
DCS
DPP
EEO
FOI
IIA
MDT
MLA
NTA
ODPP
OMD
PCJC
PEAC
PP&R Act
QAO
QCC
QPCU
QPS
QPUE
SETONS
Y2K

Financial summary

Revenue

The major source of our revenue each year is the appropriation received from the State Government.

In 1998–99, this was \$23.731 million, representing 97.7 per cent of our revenue.

The remaining 2.3 per cent came from bank interest, taxing of legal costs and federal funding for a special research project (namely, the Beenleigh Break and Enter Reduction project — see page 38).

Expenses

Most of our expenses for the year related to employees, supplies and services, and depreciation.

Total expenses were \$23.162 million, compared with \$21.293 million in 1997–98. The increase was mainly due to enterprise bargaining costs and the higher expenses associated with police superannuation.

Assets

Our total non-current assets increased by \$0.078 million to \$1.320 million in 1998–99 after allowing for accumulated depreciation. This represents only a minor increase in asset purchases.

Liabilities

Our total liabilities for the year were \$1.702 million.

These comprised \$1.658 million in employee leave entitlements accrued but not taken, and \$0.044 million in sundry creditors.

Net assets

The year ended with an increase in net assets from –\$0.476 million in 1997–98 to \$0.660 million in 1998–99.

However, this figure needs to be read in conjunction with a commitment of \$0.602 million for assets ordered in 1998–99 but not delivered until the 1999–2000 financial year.

See pages 93–103 for our full financial statements for the year 1998–99.

Table 1: Financial summary				
	1998–99 \$000s	1997–98 \$000s	Change \$000s	Change (%)
For the year				
Queensland Government Grant	23 731	22 161	1 570	7
Operating revenue	566	174	392	225
Operating expenses	23 162	21 293	1 869	9
Operating surplus	1 136	1 042	94	9
At 30 June				
Total assets	2 362	1 844	518	28
Total liabilities	1 702	2 320	–618	–27
Net assets	660	–476	1 136	239



About the CJC

Our beginnings

Who we serve

Who we work with

Our structure

Our beginnings

The CJC has been part of the Queensland criminal justice system since April 1990. It was set up to restore confidence in our public institutions following the revelations of the 1987–89 Fitzgerald Inquiry into police corruption.

Operating under the *Criminal Justice Act 1989* (CJ Act), the CJC's role is essentially twofold: watchdog and educator/reformer.

Who we serve

The CJC belongs to all Queenslanders. It serves the people in two ways: by *exposing unethical conduct* (watchdog role) and *promoting ethical conduct* (educator/reformer role) in the Queensland public sector, including the Queensland Police Service (QPS).

Working on behalf of the public, staff of the CJC:

- receive and assess complaints and information concerning serious misconduct by

state public sector officials and police

- investigate those matters assessed as genuine and capable of investigation
- initiate proactive investigations based on intelligence
- investigate people suspected of making false and vexatious complaints
- hold public and private hearings to uncover the truth of a matter
- advise whistleblowers and encourage public sector agencies to offer a whistleblower support service
- educate officials in corruption prevention strategies
- research policing and criminal justice issues
- initiate reform in the QPS and the public sector
- offer protection to witnesses who are in need of it because of having assisted the CJC or another state law enforcement agency.

The public is kept informed of our work through:

- regular media releases announcing our plans and activities

- reports to Parliament on our investigations and major research work as well as on various other research papers and reports
- informational publications such as a corruption prevention newspaper currently in production
- our web site, which, among other things, contains information about our research projects and public inquiries
- talks to schools, universities and community groups including Indigenous groups
- formal and informal liaison with police, public sector departments and local government councils.

In the spirit of more open communication with the people of Queensland, the Commission gave the approval this year for the CJC to have a stand in the Government Pavilion at the Royal National Agricultural Exhibition. This first-time presence at the Exhibition is intended to remind Queenslanders that we exist for them and that our activities are open to scrutiny.

When does the CJC become involved in a matter?

Under the CJ Act, the CJC may become involved in a matter only when it relates to misconduct in the QPS or official misconduct in one of the following areas:

- state government departments
- state statutory bodies
- state-run schools and universities
- local government councils
- state-run prisons
- the Queensland Parliament and Executive Council.

'Official misconduct' is any inappropriate conduct of a public official that:

- (1) is related to the performance of his or her duties, AND*
- (2) amounts to a criminal offence OR would reasonably warrant dismissal.*

Who may complain to the CJC?

Chief Executive Officers of State Government departments and agencies and all police officers are required by law to refer to the CJC all cases of wrongdoing that come to their attention. But anyone may make a complaint to us or give us information. If it relates to one of the above areas, we are obliged to respond.

What happens when a complaint is lodged at the CJC?

Complaints may be made to the CJC by telephone, in writing or in person. Even anonymous complaints are accepted, although they are not encouraged for the simple reason that they are difficult to investigate.

Complaints are received by officers in the Complaints Section, who register the complaint in a database. Each complaint is then assessed to see whether it:

- is within the jurisdiction of the CJC to investigate
- is genuine and capable of investigation
- can best be investigated by us, the QPS or the relevant government agency.

If the complaint is accepted as genuine and suitable for investigation by the CJC, it is handed over to an investigation team.

When apparent wrongdoing is uncovered, we recommend the laying of charges but do not ourselves prosecute. Sometimes our investigations reveal poor practices rather than actual wrongdoing, hence we recommend strategies to prevent or minimise the conduct recurring.

We also have jurisdiction over private sector individuals and organisations

who may have contributed to official misconduct.

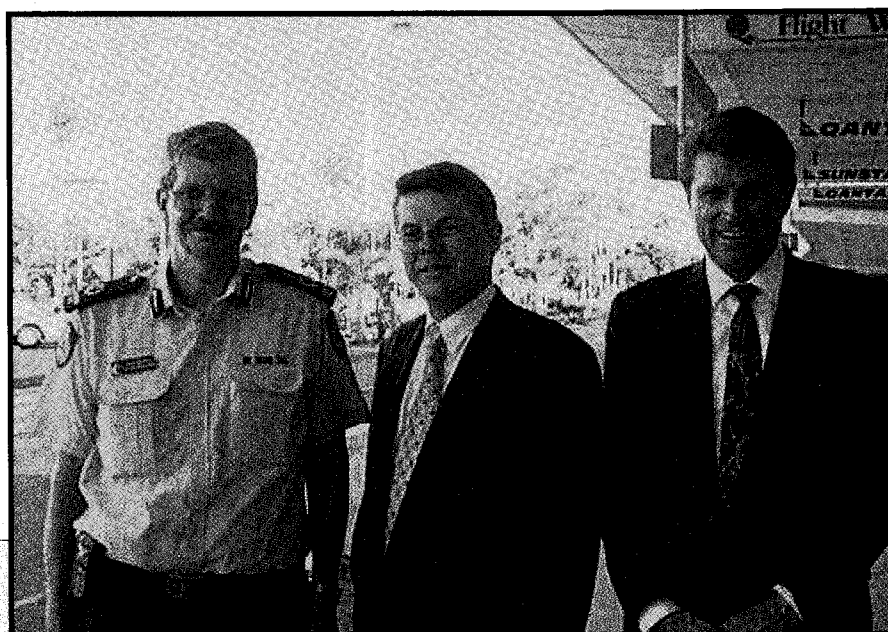
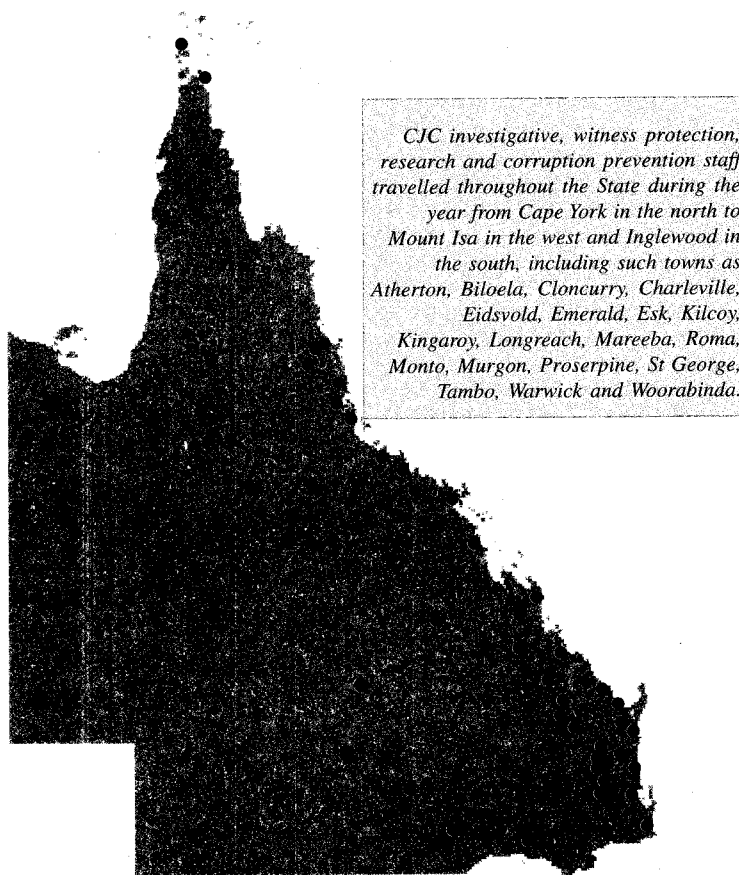
More than just a complaints-handling body

We also undertake proactive investigations, play a key role in QPS and criminal justice reform, promote public sector ethics and provide witness protection. In addition, we are required by our legislation to undertake criminal justice functions that cannot effectively or appropriately be carried out by the police or other agencies of the State.

Who we work with

As well as overseeing the police and the public sector, we work in partnership with the QPS (particularly its Ethical Standards Command) and State Government departments through various liaison programs and cooperative ventures. We also have cooperative arrangements with the Queensland Crime Commission (QCC), which investigates organised crime, and with the wider community, through organisations such as the Aboriginal and Torres Strait Islander Liaison Committee, to increase the public's awareness of the effects of corrupt behaviour on our society.

The CJC's jurisdiction covers Queensland only, but our work brings us into contact with law-enforcement agencies in other States, such as the National Crime Authority, the NSW Crime Commission, the NSW Independent Commission Against Corruption, the NSW Police Integrity Commission, the Victoria Police Service Ethical Standards Department and the WA Anti-Corruption Commission.



Chairperson Brendan Butler sc (centre) and Assistant Commissioner Andrew Kidcaff recently visited police and community groups in the regional centres of Mount Isa, Townsville, Cairns, Mackay and Rockhampton to reinforce the message that the CJC is for all Queenslanders, not just those in the south-east corner. They are pictured here in Townsville with Assistant Commissioner David Jeffries (left).

Our structure

The CJC is a statutory body, separate from the government of the day. This is in keeping with Fitzgerald's vision of a corruption-fighting body independent of Executive control. However, we are accountable to the people of Queensland through the Parliamentary Criminal Justice Committee (see page 13).

The Commission

The Chief Executive Officer of the CJC is the Chairperson, who also heads the Commission, the policy-making body of the CJC.

The Commission comprises

the full-time Chairperson and four Commissioners who are part-time. Our Act requires that three of these Commissioners have an interest and ability in community affairs and the fourth is a practising lawyer with an interest in civil liberties. The Commissioners help and advise the Chairperson and CJC officers. Appointment terms are usually for three years, with provision for renewal.

The Commission meets formally each fortnight to consider issues affecting all areas of the organisation including financial, staffing and managerial issues, specific operations and

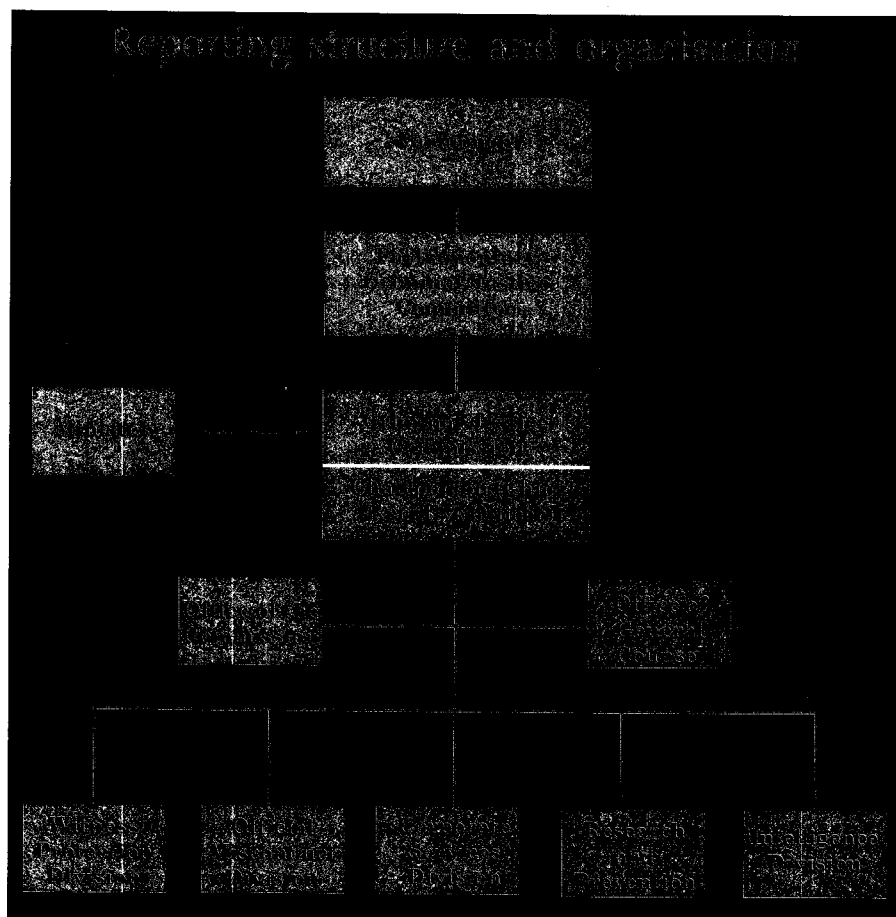
corruption prevention activities. When urgent matters arise, special meetings are convened at short notice either in person or by telephone. Details of meetings attended during the year are contained in table 2 (page 7).

Strategic plan

This year the Commission operated one program — the Criminal Justice Program — under its *Strategic Plan 1998–2001*. The Chairperson, as Chief Executive Officer, managed the program, which had three subprograms — Investigations, Research and Prevention, and Witness Protection — managed, respectively, by the directors of Official Misconduct, Research and Prevention and Witness Protection. These divisions are, in turn, supported by the Intelligence Division, the Corporate Services Division, the Office of the Commission and the Office of General Counsel.

The divisions

The **Official Misconduct Division**, commonly referred to as 'OMD', receives, assesses and investigates allegations of official misconduct against the QPS and other units of public administration. It can also investigate matters on its own initiative. See *Investigations Subprogram*.



The **Intelligence Division** maintains a specialist intelligence storage, retrieval and analysis service for the CJC. The CJC's intelligence work both supports investigations and contributes to the CJC's prevention work by identifying new targets and areas for investigation. The division also responds to problems uncovered in investigations and works with other divisions on preventive measures. *See Investigations Subprogram.*

The **Research and Prevention Division** was formed on 1 July 1998 when the former Research Division and Corruption Prevention Division merged. The amalgamation reflects the Commission's desire to enhance opportunities for research into corruption prevention needs and strategies, particularly in the state and local authority public sector areas. The division also researches matters affecting the administration of criminal law in Queensland. It recommends reforms of criminal law and criminal justice administration, and reviews and monitors QPS programs and methods. *See Research and Prevention Subprogram.*

The **Witness Protection Division** protects people who are in need of it as a

result of assisting the CJC or any other state law enforcement agency in the discharge of its duty. Services range from close personal protection to relocation and re-identification. Most of the staff of the division are police officers. *See Witness Protection Subprogram.*

The **Corporate Services Division** supports the other divisions by providing financial, administrative, human resource and information technology services. *See Corporate Support.*

Other major areas

The **Office of the Commission** was established in July 1998 to provide support to the Commission in meeting its strategic and corporate governance responsibilities. The office provides secretarial support for Commission meetings, manages the interaction between the CJC and the PCJC, manages the CJC's communications strategy, both internally and with stakeholders such as the media, and establishes procedures for external and internal accountability in compliance with legislation and standards. *See Corporate Governance.*

The **Office of General Counsel** provides legal

advice to the CJC as required. In 1998–99, it:

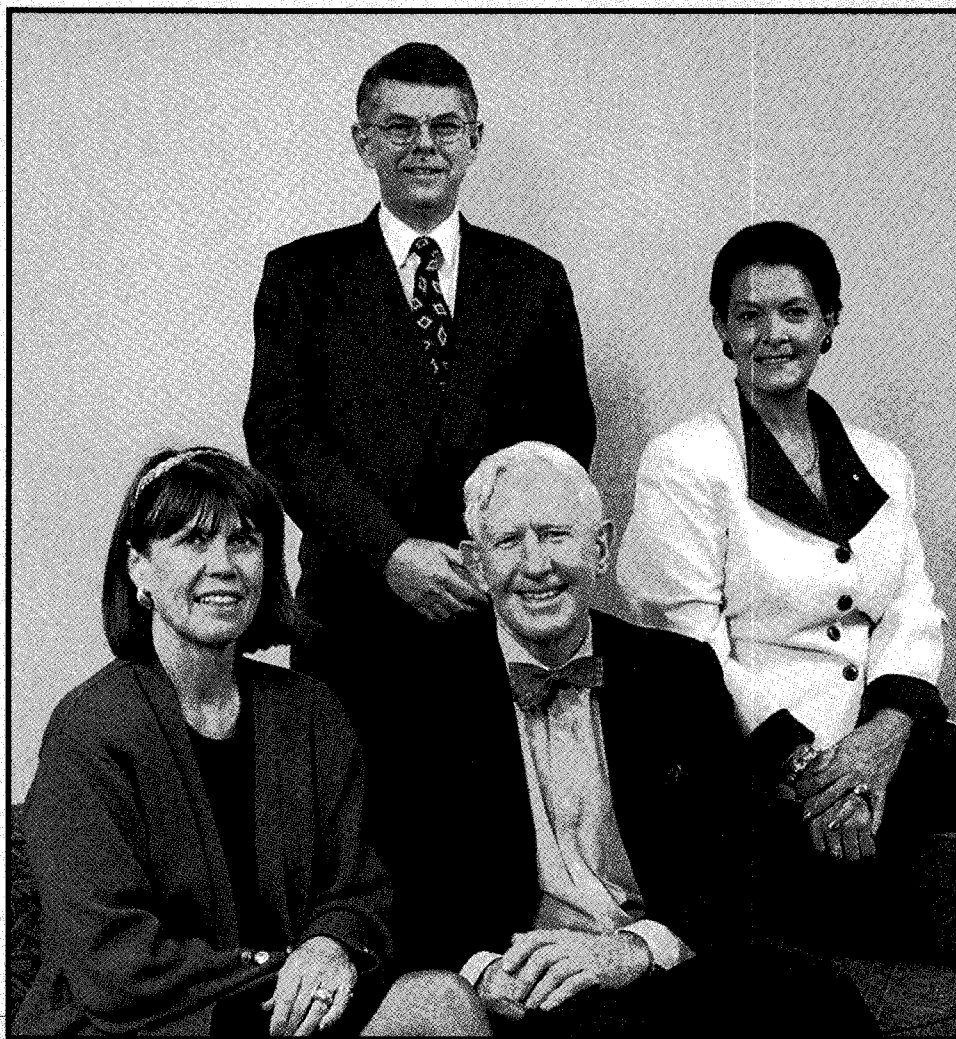
- instructed senior and junior counsel before various courts including the Supreme Court and the Court of Appeal
- instructed Counsel in public and private hearings
- instructed Counsel and appeared in all jurisdictions to resist subpoenas served on the CJC seeking the production of CJC documents in cases where the disclosure of such documents was protected by public interest immunity
- provided legal advice to the Commission and its divisions on various matters involving criminal law, administrative law, contract law and personal injuries claims.

For details of legal cases, see appendix D.



Theresa Hamilton has been General Counsel since 1995. She came to the Commission in 1990 from the Aboriginal Legal Service where she was Principal Solicitor.

The Commission 1998-99



As at 30 June 1999, the Commission comprised the Chairperson and three Commissioners: (clockwise from top) Mr Brendan Butler sc (Chairperson), Mrs Dina Browne AO, Mr James Crowley QC and Mrs Kathryn Biggs, the fourth, Professor Ross Homel (facing page), having left the Commission last April. (See 'Our future' for details on new Commissioners.)

The Chairperson

Mr Brendan Butler sc was appointed Chairperson of the CJC in November 1998.

An experienced lawyer, manager and investigator, Mr Butler holds the degrees of Bachelor of Arts, Bachelor of Laws and Master of Laws from the University of

Queensland. He attained recognition as a Senior Counsel in 1994.

Mr Butler has practised as a criminal barrister in Queensland for 23 years and was Counsel Assisting the Fitzgerald Inquiry from June 1987 to September 1989. He is, therefore, well acquainted

with the events that led up to the formation of the CJC. From November 1989 to July 1996, he served as Deputy Director of Public Prosecutions including two periods as Acting Director. He is a co-author of the 10th and 11th editions of *Carter's Criminal Law of Queensland*.

The Commissioners

Mrs Kathryn Biggs

(appointed June 1997) holds a BA and BEc from the University of Queensland and a BA from the Queensland College of Art. She has worked as a research assistant, computer programmer and statistician, and was a Consultant and Company Director for Worldcare from 1983 to 1997. Mrs Biggs has taken an active interest in education in this State, including being a Queensland Joint Parent Council delegate to the Board of Senior Secondary School Studies Arts Advisory Committee.

Mrs Dina Browne AO

(appointed September 1996) has a BA from the University of Natal, has taught in South Africa and Swaziland as well as Australia, and was Director of Children's Television for the Seven Network from 1989 to 1993.

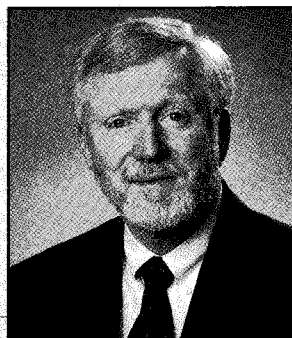
Mrs Browne has produced audiovisual educational material for the Education Department, co-authored a children's book, written for ABC school programs and produced more than 1400 hours of national children's television. She was Manager of the Festival of Television for Australian Children in 1995 and 1996, is a recipient of the United Nations Media Peace Award, and has three personal Logies.

Mrs Browne's current appointment expires in September 1999.

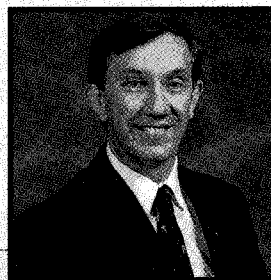
Mr James Crowley QC

(appointed September 1996) is a practising barrister with many years' experience in all classes and types of litigation. He also served in the Australian Army Legal Corps for 25 years, retiring with the rank of Colonel.

Mr Crowley's current appointment expires in September 1999.



Mr Frank Clair was Chairperson from May 1995 to November 1998. He came to the Commission from a long and distinguished career in the law and steered the CJC through a difficult period in its history.



Professor Ross Homel served the Commission for over four years from December 1994 to April 1999. He holds the Foundation Chair of Justice Administration at Griffith University.

Table 3: Attendance of Commissioners at meetings in 1998

Name	Meetings with the PCJC (No.: 5)	Commission Meetings*	
	No. attended	Ordinary meetings (No.: 21)	Special meetings# (No.: 23)
F J Clair®	1	6	10
B Butler®	3	13	13
K Biggs	5	19	16
D Browne	4	20	16
J Crowley QC	5	20	18
R Homel®	2	14	9

Notes:

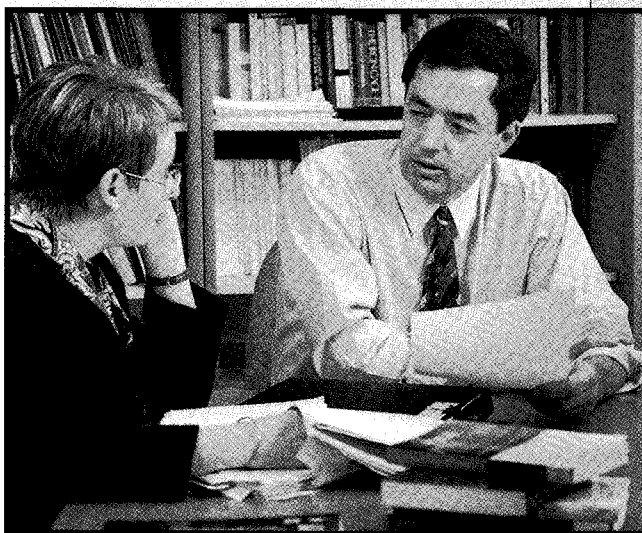
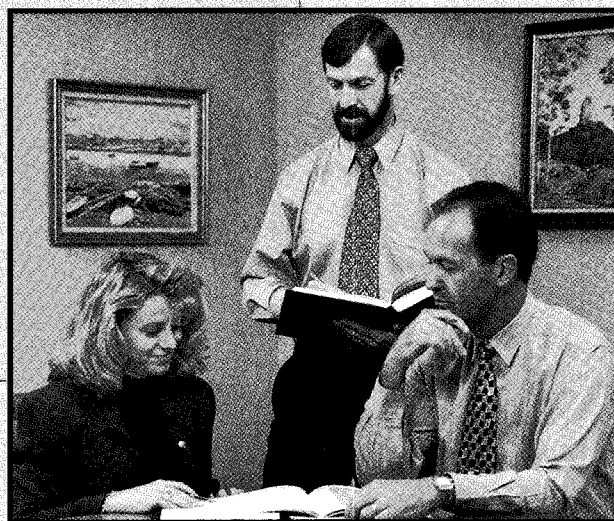
* Commission members met 44 times during the year (compared with 52 times in 1997-98, 29 of which were special meetings)

11 of the special Commission meetings were held, as permitted by s. 16A(1) of the CJ Act, by telephone. For the purposes of these meetings, contact with Commissioners to participate in the meeting ceased once the number required to constitute a quorum was obtained.

@ Mr Clair ceased in November 1998. Mr Butler commenced formally in December 1998. Professor Homel ceased in April 1999.

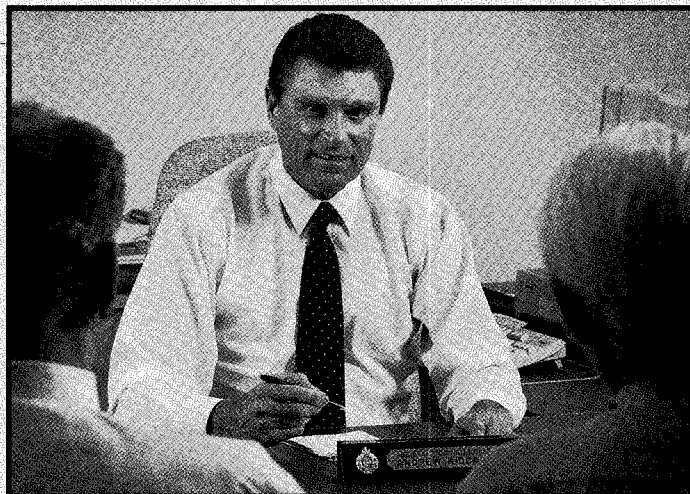
The directors

Official Misconduct Director **David Bevan**, a barrister since 1973, came to the CJC in 1990 as its first Chief Officer of Complaints. He was appointed Deputy Director of OMD in 1992 and Director in June 1999, replacing Mark Le Grand. He is pictured here (centre) with senior staff from the division, Amanda Austin and Forbes Smith.



Research and Prevention Director **Dr David Brereton** holds a PhD in political science from Stanford University. He came to the CJC in June 1993 from La Trobe University, where he taught Legal Studies. He has authored numerous research reports and published in several Australian and international academic journals. He is pictured here with Executive Assistant Lisa Evans.

Assistant Commissioner **Andrew Kidcaff** replaced Assistant Commissioner John McDonnell as Director of Operations and Witness Protection in November 1998. Mr Kidcaff has been a Queensland police officer for more than 30 years. During the Fitzgerald Inquiry, he served with distinction as a detective with the Licensing Branch. He was appointed Assistant Commissioner, North Coast Region, in 1994.





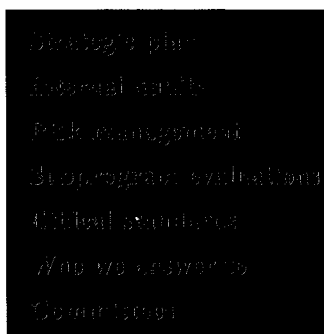
Intelligence Director **Paul Roger** (third from left) came to the CJC in 1990 from the Royal Hong Kong Police, with 24 years of law enforcement management experience including 16 years in the intelligence field. He is pictured here at a divisional management meeting with (l. to r.) Rik Modderman (Security Manager), Lytton Wellings (Principal Analyst) and Ian Wells (Principal Analyst).



Executive Director **Graham Brighton** (second from left, standing) heads the Corporate Services Division and the Office of the Commission. Mr Brighton came to the Commission in June 1990 after many years' experience in senior organisational management in the Queensland public service. He is pictured here with his management team (*clockwise from Graham*) Susan McKew (Information Technology), Don Jeppesen (Administration), Bob Dowling (Personnel), Allan Ebert (Corporate Governance), Greg Rigby (Information Management), Janet Walker (Records) and Norm Hung (Finance).



Corporate governance



Strategic plan

During the year, we reassessed the performance measures in our *Strategic Plan 1998–2001* to prepare for a new plan for the years 1999–2002.

The new plan will reflect the strategy that is now government policy, 'Managing for Outcomes'.

An external consultant was engaged to help us in this process. Discussions were held with Commissioners, directors and other CJC staff as well as stakeholders including the PCJC. An intensive workshop was held with Commissioners and senior management.

As a result, our new plan identifies a range of goals and strategies that are both meaningful and clearly measurable within the current operational environment of the Commission. Under this policy, the CJC has a single

output contributing towards the priority 'safer and more supportive communities'.

Key initiatives for 1999–2002 evolving from the plan include:

- the development of strategies to encourage people to lodge legitimate complaints concerning our relatively new corrective services jurisdiction
- a review of the complaints management system to simplify and expedite the process, including more resolution options and fewer fact-finding investigations
- greater emphasis on improving corruption prevention systems in the public sector
- greater effort to raise public consciousness of the importance of integrity and ethics within a more open and client-focused approach
- the development of more effective ways of working with the QPS to deal with complaints of misconduct against police officers.

Internal audits

In addition to the CJC's overall strategic plan, the Internal Audit Committee this year commissioned and endorsed its own strategic plan for the three years 1999–2002. Initial audits completed were:

- Exhibit/External Register
- Search Warrant Register
- Registration of Notices
- Controls over Ammunition
- Firearms Exhibits.

The Committee has drawn up a timetable to ensure that the audits proposed are carried out according to the plan.

Risk management

The Risk Management Committee developed and issued a policy on risk management and all staff were briefed on their responsibilities in managing everyday risks. An initial risk assessment of the Commission's activities was prepared with control procedures identified for implementation.

We also commenced work on a fraud control plan, which will be implemented next year. Our staff training program will be expanded to include risk management and fraud control.

Subprogram evaluations

As flagged in last year's Annual Report, we evaluated the Corporate Support Subprogram, the key recommendations being:

- a restructure of the Corporate Services Division to enable the Executive Director to focus more on the strategic direction of the organisation
- an enhanced customer focus with a review of work practices, the development of a service-level agreement, and training of staff.

A steering committee headed by Commissioner Biggs will oversee the implementation of the recommendations.

We also commenced an evaluation of the multi-disciplinary teams (MDTs).

Ethical standards

Our policies and procedures take proper regard of the Code of Conduct and the *Public Sector Ethics Act 1994*. Copies of the Code of Conduct were made readily accessible to all staff, and anyone on request. As usual, new employees were given a personal copy. We also began a review of the Code (introduced 1996), and a further series of ethics training workshops for staff.

Who we answer to

There are four mechanisms for ensuring that the CJC remains fully accountable.

The PCJC (see facing page)

The Parliamentary Criminal Justice

Commissioner, who has wide-ranging powers to audit and review our activities and to investigate complaints made against us.

The Minister, currently Premier Peter Beattie, who is responsible for our infrastructure and financial obligations only.

The Public Interest

Monitor, who is empowered by the *Police and Other Legislation (Miscellaneous Provisions) Act 1998* to monitor applications by State law enforcement agencies for listening devices, covert search warrants and surveillance warrants under several Acts including the CJ Act.

Committees

■ Executive Group

Meets each week to support the Chief Executive Officer in his stewardship of the CJC. Members:

- Chairperson
- Divisional Directors

■ Internal Audit Committee

Met five times this year to manage the CJC's compliance with the *Financial Management Standard*. Members:

- Commissioner (Chair)
- Manager, Corruption Prevention
- External, independent member
- Chairperson and Executive Director (ex officio members)

■ Budget Committee

Meets as needed to determine the budget for the year and to monitor its progress. Members:

- Chairperson
- Executive Director
- Executive Manager, OMD
- Finance Manager

■ Risk Management Committee

Responsible for developing, implementing and maintaining a risk management strategy. Met five times during 1998–99. Members:

- Intelligence Director (Chair)
- Security Manager
- Manager, Corporate Governance
- Superintendent Complaints
- Principal Financial Analyst

■ Enterprise Bargaining Coordinating Committee

Meets as required to assess progress. Members:

- Chairperson
- Executive Director
- Personnel Manager
- Executive Legal Officer

■ Workplace Health and Safety Committee

Meets each month to review, monitor and implement strategies. Members:

- Executive Director (Chair)
- Safety Officer
- 6 WH&S representatives

■ Equal Employment Opportunity Consultative Committee

Meets as required to ensure that administrative practices are fair and equitable. Members:

- Executive Legal Officer (Chair)
- Research Officer (Deputy Chair)
- Senior Sergeant (Secretary)
- Commissioner
- 8 staff from various areas

Our principal watchdog: The PCJC

Our principal watchdog is the **Parliamentary Criminal Justice Committee (PCJC)**, a six-member, all-party Committee of the Queensland Legislative Assembly established to monitor and review our activities and to deal with complaints against our officers. Specifically, the PCJC:

- receives and considers complaints against the CJC
- reviews CJC guidelines and makes suggestions for improvement of CJC practices
- reviews CJC reports including its annual report and research reports
- requests reports from the CJC on matters which have come to its attention through the media or by other means
- deals with issues concerning the CJC as they arise.

Committee members are appointed for the life of the current Parliament. Throughout its term, the Committee keeps Parliament informed of the CJC's activities and at the end of the term provides a comprehensive report to Parliament. Meetings between the CJC and the PCJC are usually held every two months. In 1998-99, five meetings were held (see table 2, page 7).

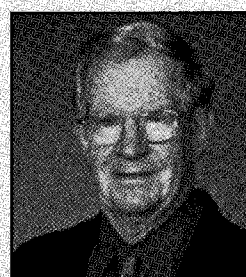
Complaints against CJC staff

During this financial year, the decision was made, effective from 1 July 1999, to enable the PCJC to determine the investigation process for complaints against CJC staff and manage its outcomes. This process may include the Parliamentary Commissioner either investigating a complaint or overseeing an investigation.

Given the nature of our work, it is particularly vital for us to have an independent and credible mechanism for handling complaints against ourselves. Until now, such complaints have been handled by the DPP or a retired judge.



*Mr Paul Lucas MLA (Chair),
Member for Lytton*



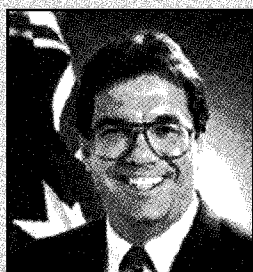
*The Honourable Vince Lester MLA
(Deputy Chair), Member for Keppel*



*Dr Lesley Clark MLA, Member
for Barron River*



*Mr John Hegarty MLA, Member
for Redlands*



*Mr Santo Santoro MLA, Member
for Clayfield*



*Ms Karen Struthers MLA,
Member for Archerfield*

A closer look at 1998–99

Investigations
Prevention and Review
Misconduct Investigation and
Review Stream
Complaints Project

INVESTIGATIONS SUBPROGRAM

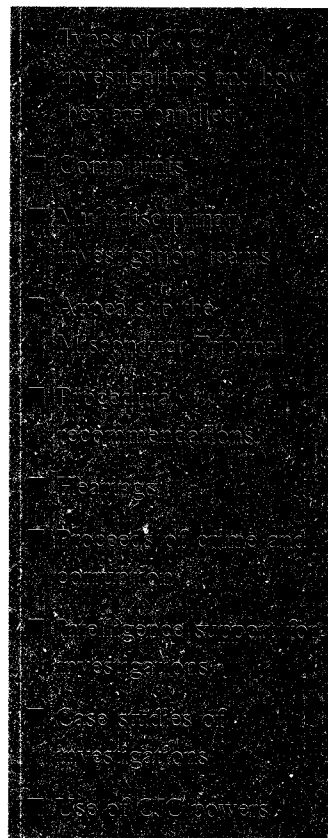
This subprogram is carried out mainly by OMD and Intelligence.

There is an interrelationship between the Investigations Subprogram and the Research and Prevention Subprogram in that investigations frequently reveal areas that require systematic research or expose deficiencies in public sector practices that can be remedied with the advice of the CJC's corruption prevention team.

Conversely, research and corruption prevention activity may reveal areas requiring investigation.

Outcomes from last year's future directions

Projected activity	Outcome in 1998–99
Implement the recommendations adopted from the subprogram evaluation of the Misconduct Investigation and Review Stream (now part of the Investigations Subprogram).	We commenced implementation of the recommendations.
Implement the recommendations adopted from the PCJC's review of the CJC as they affect the Misconduct Investigation and Review Stream.	We implemented most of the recommendations as they affect the Investigations Subprogram
Complete the Complaints Database Redevelopment Project.	See page 18.
Undertake proactive targeted integrity testing as part of investigations into serious police corruption.	See page 20.
Undertake investigations into allegations of official misconduct by prison officers.	See pages 21–22
Monitor developments in corruption/official misconduct in other parts of Australia and overseas to identify emerging trends and assess any potential impact of such activity on Queensland.	See page 27, In Perspective.
Provide specialist intelligence support to investigations as an integral part of the CJC's multidisciplinary approach to investigations.	See pages 17, 27.
Maintain close links with other intelligence agencies to ensure appropriate sharing of information.	See page 28.
Participate in joint projects with other CJC divisions to assist in the planning of appropriate strategies to prevent and deter corruption or official misconduct.	See page 27, Project Sunbeam.
Complete an upgrade of the intelligence database.	See page 28.



Types of CJC investigations and how they are handled

CJC investigations are of two types: reactive (that is, complaint-driven) and proactive (that is, intelligence-driven).

Reactive investigations occur in response to complaints of wrongdoing in the QPS or the state public sector. Complaints may come from any person or organisation.

Proactive investigations are commenced by the CJC after analysis of intelligence and complaints data. These investigations rely upon an

investigative cross-divisional approach which uses MDTs together with procedural advice and witness protection support where necessary.

Many investigations are both reactive and proactive in that they are prompted by a complaint but proceed by way of proactive strategies.

When investigations are referred to the QPS or another public sector agency for investigation, we monitor the investigation and review the outcome.

Complaints

One of the core functions of the CJC is to assess and investigate complaints. The Complaints Section and MDTs perform this function.

Complaints statistics

See appendix C for detailed complaints statistics for the year and comparisons with previous years.

In just over nine years, the CJC has handled more than 22 000 standard complaints involving nearly 48 000 separate allegations.

By 'standard complaints', we mean those complaints involving serious misconduct by police or other public officers.

A standard complaint often includes more than one allegation — for example, an

officer may be accused of unlawfully arresting a person and also using excessive force in making the arrest.

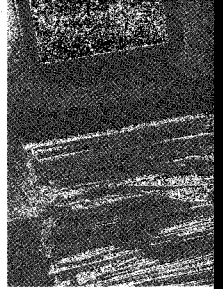
In 1998–99, 2768 standard complaints were registered, the highest annual total ever and an increase of over 10 per cent on the previous year.

Although some of this increase can be attributed to gaining the Corrective Services jurisdiction, it is also a sign of the continuing public confidence in the Commission's complaints-handling processes. Almost 60 per cent of complaints received were from members of the public.

Despite the increase in complaints, we finalised 38 more matters this year than in the previous year, the average time for completion being 11 days compared with 12 days in 1997–98. Forty-one per cent of matters were finalised within one week of registration and 55.9 per cent in under a fortnight. Only 9.4 per cent took longer than six months.

Only 34 matters registered before June 1997 remained incomplete at 30 June 1999.

The six months from January to June 1999 were the busiest on record for the Complaints Section. Hence the number of matters still on hand (that is, awaiting assessment or awaiting completion of investigation)



was significantly higher than for the previous year (475 compared with 360).

Of the 5815 allegations made during the year, approximately 99 per cent concerned the four major subjects of complaint — corrective services, police, public sector and local government officers. The types of allegations are set out in figures C9–C12 (appendix C).

Complaints against police, as a proportion of all complaints received, fell over 4 per cent. Of such complaints, there were more this year from police officers.

Referrals to the QPS

In keeping with our aim to give the QPS greater responsibility for investigating the less serious misconduct matters, 675 such allegations were referred to the Service for investigation (compared with 466 in the previous year).

We reviewed all these investigations to ensure that they were effectively investigated.

Informal resolution

As well, we referred 504 allegations to the QPS for informal resolution (compared with 419 in the previous year).

Informal resolution enables less serious complaints to be

dealt with more swiftly and with less bureaucratic red tape by allowing a complainant to discuss his or her concerns directly with a senior police officer.

Charges recommended

Our investigations sometimes result in recommendations for criminal or disciplinary action. This year 358 charges were recommended, 162 of which related to criminal charges. See table C1 and figure C1 (appendix C) for more information.

Perjury prosecutions

Perjury is a serious offence because it strikes at the foundation of the justice system. In 1998–99, the CJC was instrumental in bringing seven offenders to justice as part of four separate operations: Caesar II, Lime, Monument and Jetski.

Three offenders were serving police officers, one a former police officer and three were civilians. They received sentences ranging from 12 months' to three and a half years' imprisonment.

Initiatives taken to improve the complaints-handling process

During the year, we took several initiatives to improve the way we handle complaints, including the way we liaise with the QPS and other units of public

administration. Some of these initiatives were a result of an evaluation of the Complaints Section performed by an independent consultant.

Integration of intelligence analysts within MDTs

To better integrate the CJC's intelligence function with the Investigations Subprogram, this year saw the integration of intelligence analysts within the Complaints Section and within the Corrective Services and Public Sector MDTs.

This integration of the intelligence function within the Complaints Section contributed to the quality of investigations and increased the information exchange between the divisions.

As well as providing intelligence support to the investigators, the analyst alerted other intelligence analysts to complaints relevant to their responsibilities and ensured that information suitable for collation in the Criminal Intelligence Database (CID) was identified.

Disciplinary protocol

Our publication *Protocol on the Disciplinary Process* was adopted by 17 public service departments and statutory authorities.

The Protocol refines the

arrangements for reporting official misconduct and for liaison between the CJC and the relevant entity so that timely feedback about investigations and the disciplinary process can be exchanged.

Referrals to the QPS

We held meetings with the Ethical Standards Command of the QPS to discuss the referral and investigation of police complaints. The aim of these discussions was twofold: to devolve greater responsibility to the Police Service for investigating misconduct matters and to find more efficient and satisfactory ways to resolve complaints about less serious police misconduct.

Whistleblower support

During the year, responsibility for whistleblower support was transferred from the Research and Prevention Division to the Complaints Section. The position was

redesignated Complaints Liaison and Whistleblower Support Officer.

The officer explains the complaints process within the CJC and advises generally as to the CJC's jurisdiction and courses of action open to it following the making of a complaint. The officer also helps potential whistleblowers understand the relevant issues and, where appropriate, refers them to complaints officers in the Complaints Section.

False complaints

The difficulty in prosecuting people who make false complaints prompted us to look at ways to minimise the likelihood of such complaints occurring.

False complaints are those complaints that are made maliciously by people who know the allegations to be untrue. We take such complaints very seriously because they damage the

integrity of the complaints process, are wasteful of resources and cause undeserved distress to the subject of the complaint.

As police officers are particularly vulnerable to these sorts of complaints, we produced a paper in our Prevention Pointers series designed to give police a clearer understanding of the nature of false complaints, how they are handled by the CJC, the difficulties encountered in their prosecution, and what police can do to make themselves less vulnerable.

No new prosecutions were commenced this year, though we did investigate three matters where a false complaint was suspected. The suspicions could not be substantiated to the requisite standard. As at 30 June, four matters commenced in previous years were still not completed owing to the difficulty of locating the complainants.

Complaints database

Our method of recording complaints and their progress through the system is critical to our work. Hence, in the 1997-98 financial year we commenced the complex process of upgrading and refining our current system, which has served us for more than nine years. Design and construction are now well under way, with a scheduled implementation date of March 2000. Some members of the team are pictured here (l. to r.) Heather Henderson, Darren Belcher, Helen Couper and Natalie Fox.





Monitoring and review

The Complaints Section's Review Unit reviews matters we have referred to external agencies for investigation, including matters:

- referred to the QPS for investigation of possible minor misconduct by police officers
- referred to the QPS for investigation of possible criminal conduct by public officials
- referred to government departments, local authorities or other public sector agencies for investigation and/or disciplinary action
- relating to major incidents involving police, such as high-speed pursuits, police shootings, serious injury or attempted suicides in custody.

The unit is client-focused and maintains regular contact with complainants and government agencies while monitoring the progress of investigations. At the end of an investigation, the details of the investigation and any proposals for further action are explained to the complainant. A typical case study follows.

For information on the types of matters reviewed during the year, see table C2 (appendix C).

Case study: High-speed pursuit

We reviewed the conduct of numerous police who pursued a vehicle driven by an 18-year-old female. The pursuit ended in a collision causing the death of the 67-year-old male passenger.

The QPS investigation recommended that the matter be dealt with as breaches of discipline by the two officers who, in separate vehicles, continued the pursuit despite a radio direction from the controlling officer at the Police Operations Centre to cease. The QPS also recommended managerial guidance be given to several other officers who joined the pursuit contrary to guidelines.

Upon review, we found that there was no reasonable basis for initiating a pursuit because there was no evidence of the commission of an offence. The police had sighted the vehicle near a park and assumed it to be occupied by juveniles and that drugs might be in the vehicle.

We also considered that the vehicle might have been intercepted by use of a tactic other than high-speed pursuit.

The relevant officers received managerial guidance in those matters. We also recommended counselling for the other 10 officers involved.

We considered that the actions of the two officers in continuing the pursuit contrary to directions to be serious misconduct, especially considering that the pursued vehicle lost control. We recommended that the officers be subject to disciplinary action for misconduct.

Multidisciplinary investigation teams

Proactive investigations into ongoing corrupt activity by police and public sector officials have been conducted by the CJC since shortly after its establishment in 1990.

Complex or prolonged investigations are referred to the MDTs, which comprise lawyers, police, civilian investigators, intelligence analysts and financial analysts.

Three MDTs operated during the year — Project Shield, the Corrective Services Team and the Public Sector Team.

Project Shield MDT

Background to Project Shield

A series of complaints to the CJC regarding possible police involvement in drug-related official misconduct led the CJC in mid-1996 to commence several proactive investigations, collectively codenamed Project Shield.

As a result of those investigations, the Commission engaged retired Supreme Court Judge, The Honourable W J Carter QC, to review our operations and offer direction.

Carter report

Mr Carter presented his report, *Police and Drugs: A Report of an Investigation of Cases Involving Queensland Police Officers*, in October 1997.

The report contained 14 recommendations, which the CJC and the QPS have sought to implement through a joint committee. One of these recommendations was the immediate establishment of a police anti-corruption unit, separate from the Complaints Section and multidisciplinary in concept.

The Commission accepted Mr Carter's recommendation and Project Shield became a permanent unit within the Commission staffed by police and civilian investigators and supported by legal expertise, intelligence and financial analysis, surveillance and technical know-how, and administrative support.

Target Development Unit

In November 1998, also in response to the Carter recommendations, we established a Target Development Unit staffed by an investigator and an intelligence analyst. Using four main sources of information — complaints, intelligence sources, information acquired in the course of investigations and information provided by

other law-enforcement agencies — the Unit develops for Project Shield well-defined individual targets or areas of corruption that have a reasonable prospect of being successfully investigated.

Follow-up Carter report

In June 1999, we published a follow-up report on the status of the Carter recommendations made in *Police and Drugs*.

We reported that substantial progress had been made towards implementing the recommendations and that we would assist the QPS in this process.

However, we also noted that some recommendations had not been accepted by the QPS or were progressing too slowly. These related to:

- enforced maximum tenure of police officers
- the Police Commissioner's discretion to transfer police officers
- installation of a computer access security screen
- the establishment of a full audit trail for email.

We shall continue to press for the acceptance and implementation of these recommendations.

Proactive strategies

An example of an operation using proactive strategies is

Operation Caesar II, which began in 1996. In June 1999, a principal offender was convicted for his involvement.

Case study: Operation Caesar II

This operation began when we received information that a Gold Coast drug dealer claimed to be receiving police protection. We arranged for a cooperating witness to purchase cannabis from the drug dealer.

Arrangements were made through the drug dealer for the witness to be introduced to a former police officer to whom payments were made for police protection for the witness.

As a result of this operation, two serving police officers and the former police officer were convicted of official corruption and perjury.

One of the officers was sentenced to four years' imprisonment for official corruption and three years for perjury with a recommendation for parole after 15 months. A pecuniary penalty order was also obtained against this officer for \$12 500.

The second officer was sentenced to five and a half years' imprisonment for official corruption and two for perjury with a recommendation for parole after two years.

Integrity testing of police

One of the proactive investigative strategies used by Project Shield is targeted integrity testing.

An integrity test involves creating a situation that would occur under normal circumstances to enable us to test whether the targeted officer reacts appropriately. CJC integrity tests are not conducted randomly but only when there is a suspicion of wrongdoing. Operation Earl is an example of one that occurred this year.

Case study: Operation Earl

We received information from a member of the public that a serving QPS officer was supplying dangerous drugs to others. As intelligence checks corroborated the substance of the information received, we conducted an integrity test on the officer.

Articles of value were left where the officer would find them. The officer stole the articles instead of dealing with them in accordance with the law and his duty as a police officer. He resigned from the QPS and later pleaded guilty to an offence of stealing. He was convicted and fined \$800.

Corrective Services MDT

As the CJC received jurisdiction over state-run prisons only in late 1997, it was necessary to spend time throughout the year establishing our role. The Corrective Services MDT, formed in October 1998, toured all state-run correctional centres to:

- promote our jurisdiction, and
- present to corrections officers, prison inmates

and others connected with the corrections system the procedures for reporting to the CJC suspected official misconduct.

To facilitate both objectives, we produced two brochures on the CJC's role, one for distribution to prisoners and the other to corrections officers.

Investigations

During the year, the team conducted 11 complex operations using traditional investigative strategies, sophisticated financial and intelligence analysis, and covert surveillance techniques. These operations examined the following types of allegations:

- improper use of official resources
- the possible involvement of corrections officers in the production of and trafficking in dangerous drugs
- the possible rape of a juvenile inmate and improper relations between officers and inmates
- theft and the receiving of stolen property
- the compromise of a corrections officer's position through involvement in criminal activities with inmates.

Case study: Operation Hale

We received information that inmates of a correctional centre had, contrary to prison regulations, been repainting and repairing motor vehicles said to be owned by inmates and corrections officers. The allegations also suggested that the officer in charge of the garage had been allowing this to occur by permitting the vehicles to be booked in under false names.

Questions that arose from this information were:

- had any parts for the vehicles been supplied by the correctional centre?
- had any of the motor vehicles been stolen?
- had anyone received an improper financial benefit or corrupt payment from the alleged scheme?

We checked the ownership of the vehicles, the financial status of the officer in charge of the garage, and obtained statements from all relevant witnesses. The officer was then interviewed. He admitted that one vehicle belonged to an inmate and that he had created false documentation to hide the fact that it was repaired at the facility.

Our investigation revealed:

- At least one amount of \$100 had been paid by an inmate to the corrections officer, probably to recompense the officer for parts that he contributed to the repair of the vehicle.
- Many of the vehicles had passed through the centre without any record being made of the work carried out on them. Many of them were prisoners' vehicles.

- A false invoice was created, on the instructions of the officer in charge, to hide the fact that one of the vehicles worked on was owned by an inmate.
- One vehicle at the correctional centre had a stolen motor in it. However, this was placed in the vehicle before it was worked on at the correctional centre. There was no evidence to suggest any corrections officer was aware that the motor may have been stolen.
- The officer had a number of his and his family's vehicles repaired or resprayed by the inmates at a nominal charge. In many instances the value of the vehicles was substantially increased.
- There is no evidence to suggest that materials were provided by the Department of Corrective Services (DCS).
- Despite the stated purpose for allowing inmates to work in the garage (namely, training), little training had occurred. Most of the work was done by already qualified inmates.

We prepared a brief in relation to official misconduct charges against the corrections officer and he was charged. The officer resigned before the matter could be heard by the Misconduct Tribunal, which as a result lost its jurisdiction to hear the matter.

Intelligence collection

The Corrective Services MDT also developed and commenced piloting an intensive collection plan (Project Indigo) whereby

CJC officers can collect information on allegations of official misconduct (mainly drug-related) within Queensland correctional centres.

The project is conducted collaboratively with the DCS and with the help of the QPS Corrective Services Investigation Unit.

The first collection program was undertaken at a regional correctional centre in May 1999.

Public Sector MDT

After budgetary constraints forced a temporary closure, the Public Sector MDT was re-established in 1998 on the recommendation of an independent evaluation.

The team's jurisdiction covers State government departments and agencies, and local councils. It works to:

- ensure that public sector misconduct is effectively investigated and that remedial and preventive action is taken by appropriate authorities, and
- assist units of public administration (with the aid of corruption prevention officers) to identify and reduce public sector misconduct.

An example of an operation conducted by the team is given below.

Case Study: Q-Rail employees selling scrap metal

We received a complaint alleging that certain Q-Rail employees were selling scrap material belonging to Q-Rail and using the proceeds to fund a social club.

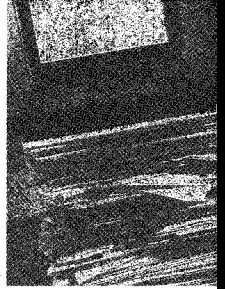
We obtained evidence suggesting that one employee had been involved in the improper sale of scrap material and recommended that Q-Rail take disciplinary action against the employee.

Of greater concern was the strong suspicion that the conduct was widespread. The cost to Q-Rail is potentially substantial.

Accordingly, the case was examined by corruption prevention officers and recommendations were made to Q-Rail to reduce the likelihood of the misconduct recurring.

The recommendations concerned stock control procedures, management supervision practices, staff use of vehicles and equipment and the dissemination of departmental policy relating to the disposal of scrap material.

In view of similar incidents reported to us concerning other units of public administration, we are preparing a paper on the subject for our Prevention Pointers series.



Appeals to the Misconduct Tribunal

Since the *Misconduct Tribunals Act 1997* gave the CJC the right to appeal against disciplinary decisions made by the QPS, four appeals have been heard and determined.

Two were allowed and resulted in financial penalties

being replaced with demotion (suspended pending the completion of a period of good behaviour).

The other two were dismissed because the financial penalties were held to be appropriate when considering the limited authority of the prescribed officer conducting the disciplinary hearing.

The appointment of appropriately ranked prescribed officers is to be considered during a review of the QPS disciplinary process. This review shall also consider the Commission's inability to respond to determinations by the QPS to pursue charges of breaches of discipline when the Commission has recommended more serious misconduct charges.

Misconduct Tribunal case studies

Failure to file report to Coroner

We reviewed a case where a Senior Constable of Police had been required to investigate and compile a report to the Coroner on the death of a person.

The investigation revealed that the officer failed to conduct any investigation or file a report. When questioned about the matter by his supervisor, the officer lied about what he had done. He again lied about those matters to a senior officer conducting the subsequent disciplinary investigation.

The officer was charged with misconduct. The prescribed officer hearing the charges found that there was sufficient evidence to substantiate the allegations, but imposed a fine of only one penalty unit (\$75) in relation to each of the two charges.

We considered that this penalty did not adequately reflect the seriousness of the three disciplinary offences, particularly as the officer had been dealt with on previous occasions for substantially similar misconduct.

We appealed to the Misconduct Tribunal and were successful. The officer was demoted. The demotion was suspended pending completion of a period of good behaviour.

Unauthorised use of a police vehicle

A senior police officer drove a vehicle from a regional station to collect a female constable from Brisbane Airport as arranged with his superiors.

However, the officer did not have authority to be in plain clothes and to be accompanied by an off-duty officer.

After collecting the constable, the three stopped at a hotel. On continuing the journey, the senior officer disobeyed a

give-way sign and collided with another vehicle. He continued for a short distance before returning to drive past the scene of the accident at least twice, but did not stop to speak to the driver of the other vehicle. When interviewed, the senior officer falsely stated that he had been pursuing a motor cyclist for not wearing a helmet.

We referred the matter to the Police Service for misconduct proceedings for his unauthorised use of the vehicle for personal purposes, his failure to take appropriate action after the accident and for providing knowingly false answers to the investigator. The senior officer was fined \$150.

After consideration by the Review Unit, we appealed to the Misconduct Tribunal. The appeal was successful and the penalty was replaced by demotion suspended for two years subject to satisfactory performance by the officer.

Procedural recommendations

The CJC's responsibility for promoting proper conduct by public officials is not limited to the investigation of complaints. We also identify flaws in systems and procedures, and frequently make recommendations designed to correct those deficiencies.

In 1998–99, we made 25 recommendations for procedural reform. An example is given in the case study below: 'Use of Internet and email in the Department of Education'.

Hearings

Apart from the final day of the Kimmins Inquiry, no public inquiries were held in

this financial year. There were 13 private hearings. (See table C3, appendix C.)

Two reports to Parliament were published on the findings of the Kimmins Inquiry, which was held between November 1997 and June 1998. The reports were published in August 1998 and February 1999.

Case study: Use of Internet and email in the Department of Education

Students at a regional high school reported to Education Queensland that they had seen pornographic images on a school computer system.

Acting in conjunction with Education Queensland, the CJC took immediate action to establish the nature of that material, to remove it from the school system and to commence an investigation as to how the images came to be there.

During the investigation, a number of interviews with witnesses were conducted and technical computer inquiries were made by an investigator and a computer specialist within OMD. A teacher was found to be responsible for the directory from which the offending files were recovered.

The teacher, who was responsible for the administration of the school's

computer system, admitted to initially searching some pornographic Internet sites. He said he did so as part of his testing procedures, to see if the department's filtering equipment blocked such sites from student access.

He also admitted to limited browsing of pornographic sites out of curiosity. He claimed that he had attempted to remove any objectionable material from the school computer but, through inexperience, had inadvertently left some material, some of which was found by a student.

The matter indicated a lack of appropriate professional support for schools in the administration of the security of Internet-enabled school computer systems.

The technical evidence arising from our investigation tended to support the teacher's explanation that he had not intentionally stored any offensive material on the school computer.

On that basis, the matter was returned to the department for disciplinary action against the teacher, to be dealt with as possible misconduct and/or a contravention of the department's Code of Conduct. The teacher was demoted.

Additionally, we made a number of procedural recommendations arising from the investigation concerning:

- a need for the department to develop an internal investigative capacity to deal with future complaints of a similar nature, and to be able to act urgently in such matters to preserve evidence
- the need for the department to examine its safeguards associated with the deployment of school Internet access, in order to ensure that they were appropriate
- a request that the department take steps to further promulgate its policy relating to use of the Internet and email.

Background to the Kimmins Inquiry

The Kimmins Inquiry occurred in a climate of public disquiet following allegations in the media of official cover-ups in the investigation of sexual offences against children. At about the same time, a report by the Children's Commissioner was tabled in Parliament purporting to identify incidences of paedophilia in Queensland and ineffectiveness by law enforcement agencies in the investigation and prosecution of offenders.

In response, in August 1997, the CJC, with the assistance of the QPS, established a special task force — Project Triton — to examine the allegations. In November, retired District Court Judge Jack Kimmins was appointed to preside at hearings and oversee the investigation. In addition, private counsel was appointed to assist.

Kimmins report

The Kimmins Inquiry established that there was no evidence of an official cover-up in the investigation of paedophilia by law enforcement agencies in Queensland. In doing so, it exposed as false a number of historical rumours that had received wide media exposure during the latter half of 1997.

These rumours included allegations that children had been murdered during the making of pornographic videos.

The Inquiry culminated in the publication of two reports. The first, entitled *Inquiry into Allegations of Misconduct in the Investigation of Paedophilia in Queensland*, published August 1998, reported Judge Kimmins's conclusions on the first four terms of reference, which related to public allegations of an official cover-up of paedophilia and related crime.

The second report, published February 1999, continued Judge Kimmins's findings on the fifth and final term of reference, which encompassed more than 50 individual complaints to the CJC. The latter report contained a recommendation for disciplinary action against a police officer regarding one of those complaints.

During the Inquiry, 43 witnesses were publicly examined on oath over 27 days. Judge Kimmins received the assistance of a number of CJC and QPS officers, including investigative, legal and administrative support.

Proceeds of crime and corruption

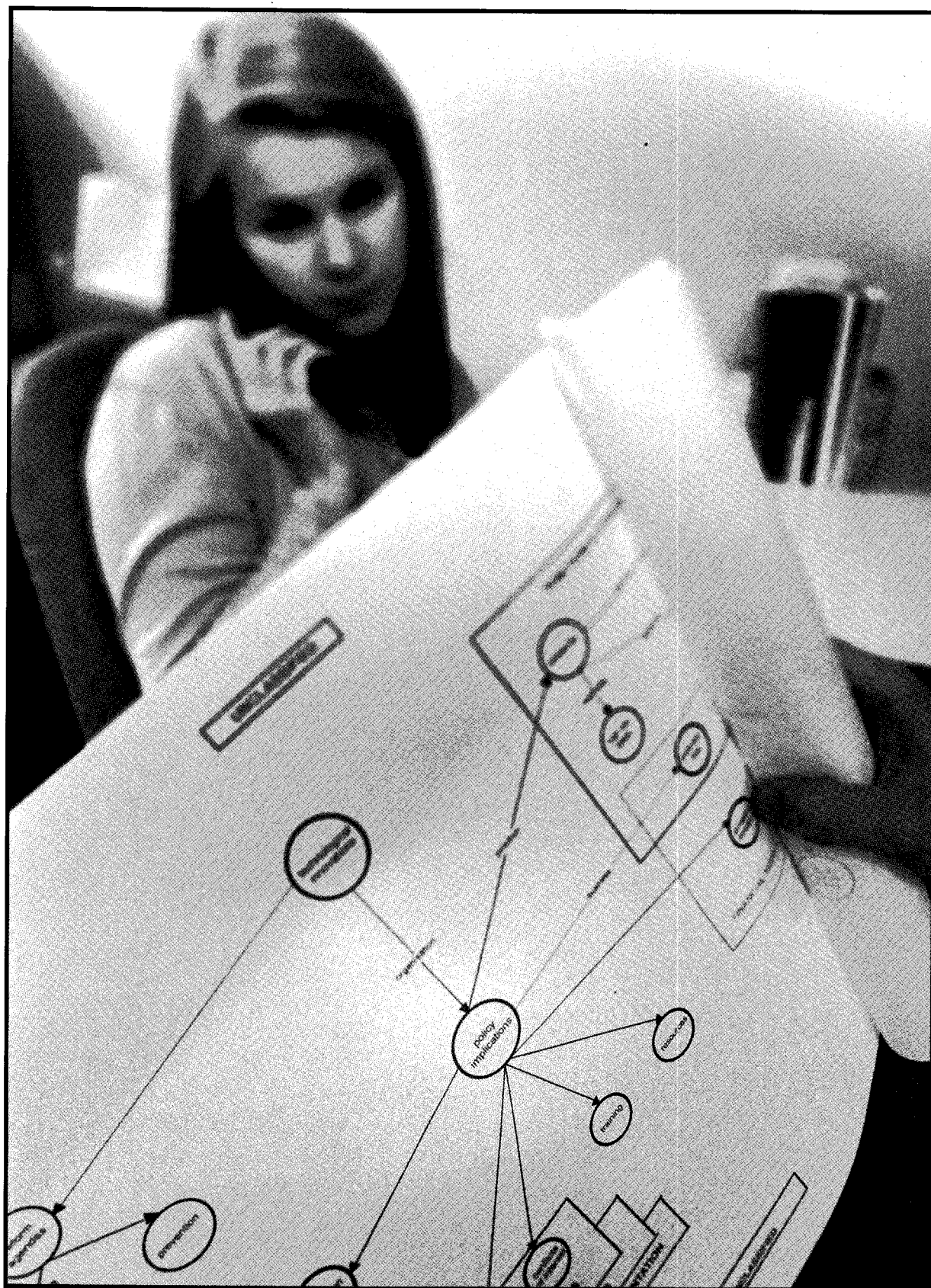
Criminals, particularly those involved in official corruption, are usually motivated by financial greed. Accordingly, we make every effort to deprive them of the proceeds of their crime, thereby reducing the incentive for engaging in such activities.

We do this under the *Crimes (Confiscation) Act 1989*, which allows us to restrain assets and obtain forfeiture or pecuniary penalty orders against people who have financially benefited from their illegal activity.

Before May 1998, when the CJC had jurisdiction to investigate organised crime, our major impact in this area was in confiscating the proceeds of organised and major crime. Now our focus is exclusively on the proceeds of criminal and corrupt activity by police and public sector officials.

Since our establishment in 1990, we have confiscated criminal assets totalling \$1 673 049.36 and have \$338 955.54 in outstanding pecuniary penalty orders.

Furthermore, we currently hold restraining orders against criminals to the value of \$474 062.77. A summary of the results of proceeds of crime action appears in table C4, appendix C.



Intelligence support for CJC investigations

The CJC's intelligence work is carried out by the Intelligence Division, which supports investigations by analysing information received and identifying new targets and areas for investigation. The division also responds to problems uncovered in investigations and works with the Research and Prevention Division on preventive measures.

In addition, staff of the division:

- develop and coordinate intelligence collection plans in support of large projects
- maintain and develop CID, the CJC's criminal intelligence database, to fulfil legislative requirements and offer an information retrieval service Commission-wide
- facilitate and coordinate dissemination of information to other law enforcement agencies
- evaluate new analytical techniques to identify corruption
- help vet QPS officers.

Statistics for the year

In 1998–99, the Intelligence Division was involved in 72 CJC operations, 36 of which commenced during the year,

with the remainder carried over from the previous year.

Fourteen operations were finalised this year.

The focus of analytical support was on official misconduct investigations, mainly in the police and corrective services areas. Of the 72 operations, 32 related to police, 13 to corrective services, 4 to the public sector and the remainder were general intelligence-gathering matters.

Strategic intelligence

In September 1998, an intelligence analyst was assigned specifically to the development of strategic projects. This analyst liaises with analysts from the operational teams and the Target Development Unit, and also with staff from the Research and Prevention Division on various projects

— for example, Project Sunbeam (below).

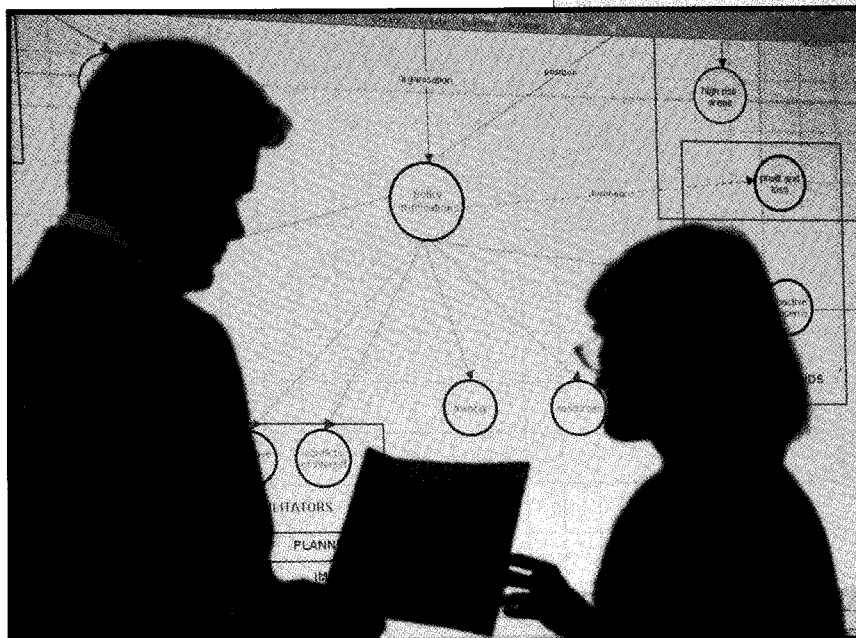
Project Sunbeam

Through Project Sunbeam we developed indicators of corruption for areas that fall within our jurisdiction — police, corrective services and the public sector.

Intelligence indicators are sets of information which, when viewed separately, may not appear of great value but, when combined, may indicate that something of interest is occurring.

Information from which indicators are drawn mainly comes from complaints and investigations. Three draft papers have been prepared on indicators of corruption in the police service, corrective services and the public sector. These draw on the

Staff participating in an intelligence briefing.



knowledge of analysts working in the areas, as well as research.

Project Sunbeam is a collaborative venture between Intelligence, Research and Prevention and OMD. When finished, it is expected that the indicators will provide managers and investigators with early warnings of corruption.

Maintaining an intelligence database

One of the primary tasks of the Intelligence Division is to maintain and develop the criminal intelligence database (CID), which is used by analysts to support CJC operations. The database also enables analysts to cross-check and match information across all

investigations and operations, thus facilitating analysis and assessment.

Set up in 1991, CID today holds a substantial and increasing amount of information on official misconduct and corruption in Queensland. Access to the database is on a strict need and right to know basis, both for internal and external requests.

During the year, 398 new documents were entered on CID, bringing the total number to 8036. There were 65 000 entities linked to these documents.

A major upgrade of the database was begun during the year to ensure that it is Year 2000 compliant.

Exchange of intelligence information

During the year, we disseminated intelligence on our own initiative 37 times to external bodies and were able to respond positively to 61 of the total 138 requests for information.

In Perspective

As part of monitoring developments in corruption/official misconduct in other parts of Australia and overseas (to identify emerging trends and assess any potential impact on Queensland), we produce each month an in-house staff bulletin called *In Perspective*, setting out trends in this area for the information of all staff.

Intelligence staff reviewing an issue of In Perspective: (l. to r.) Rosanne Jaunitis, Will Siemon and Dorothy Keily.



The QPS intelligence function

Although our direct oversight role of the QPS Bureau of Criminal Intelligence ceased in line with changes to the CJ Act, we continue to monitor developments in the QPS intelligence function in line with our more general responsibilities to the QPS.

In 1998-99, the Intelligence Director continued to participate in several meetings with the QPS. These included participation in the QPS Intelligence Management Board and the Security Intelligence Branch Control Committee.

Case studies of investigations

Follow-up on operations mentioned last year

Operation Lime

This operation commenced in June 1997 as a result of information that a police Constable was obtaining dangerous drugs and weapons. False information was fed to the Constable, as a result of which he and another officer conspired to break into a place where they believed there were drugs and firearms.

The two officers were dismissed from the QPS and one was sentenced to five years' imprisonment for conspiring to break into the premises and for a number of drug-related offences, with no recommendation for parole.

In January 1999, the second officer pleaded guilty to conspiring to break into premises and perjury. He was sentenced to four and a half years' imprisonment with no recommendation for parole.

Operation Hermit

In mid-1997, we commenced a covert investigation into an allegation that a serving police officer was involved in trafficking in dangerous drugs. Intelligence checks confirmed frequent links between the police officer and the people suspected of being involved in drug activity.

In February 1999, the officer pleaded guilty to three charges

of supplying a dangerous drug, namely amphetamine. He was sentenced to four years' imprisonment with a recommendation for parole after 15 months. A pecuniary penalty application in the sum of \$2580 was adjourned to a date to be fixed.

The DPP also approved a charge of supplying a dangerous drug against the person who supplied the officer with the amphetamine.

Operation Monument

This operation concerned a suspected corrupt relationship between a serving police officer and two suspected drug offenders.

In February 1999, the police officer, who had been dismissed from the QPS as a result of our investigation, pleaded guilty to official corruption and was sentenced to four and a half years' imprisonment.

Upon appeal, the sentence was reduced to three and a half years. In May 1999, one of the suspected drug offenders pleaded guilty to trafficking in dangerous drugs and a number of drug-related offences and was sentenced to four and a half years' imprisonment. He later also pleaded guilty to perjury and was sentenced to 20 months' imprisonment.

The convicted drug dealer is still to stand trial for an offence of official corruption.

Examples of 1998-99 investigations

Theft of weapons from police armoury (Operation Tuskar)

This operation commenced in September 1998 as a joint venture with the QPS — specifically, the QPS's Inspectorate and Evaluation Branch in the Ethical Standards Command.

The operation's primary task was to investigate anomalies detected by the Inspectorate and Evaluation Branch during an audit of the police armoury at West End. The audit found a substantial number of items in the armoury that could not be accounted for in QPS weapons recording systems.

Inquiries led to the expansion of the investigation to cover aspects of the administration of the Queensland firearms compensation scheme undertaken under the 1996 uniform national gun laws.

As a result of these investigations, four people were convicted in the criminal courts. Two of these were employees of the Firearms Compensation Centres who stole weapons surrendered to the centres. Two others were convicted of unlawfully being in possession of weapons stolen from Firearms Compensation Centres.

Four criminal briefs relating to possible charges of stealing were prepared against one police officer and referred to the DPP. Reports concerning some administrative aspects of the Firearms Compensation Scheme are near completion.

Assault of a civilian by a police officer

In 1997, a young man complained to the CJC that he had been assaulted by a police officer while being taken to the Brisbane City watchhouse after being arrested outside a nightclub.

After investigating the matter, we recommended that the officer be charged with assault.

In July 1997, the officer was acquitted but we continued to pursue the matter. We were advised by independent counsel that proceedings for official misconduct against the officer were warranted. In October 1998 the officer faced a Misconduct Tribunal. On the third day of the hearing, he changed his plea to guilty and was fined \$3000.

This case study demonstrates the difference between criminal and disciplinary proceedings. Even if a police officer is found not guilty of a criminal offence, the officer may still be found guilty of official misconduct because the standard of proof and the offences for

which the officer is charged differ. The purpose of disciplinary proceedings is not so much to punish an offender as to protect the public and the reputation of the Police Service.

Department of Main Roads employee (Operation Sundial)

We received a complaint that an officer of the Department of Main Roads was engaged in purchasing materials for use in departmental projects managed by him. It was alleged that the officer had:

- failed to comply with the State Purchasing Policy
- failed to comply with departmental policy relating to the use of a corporate credit card and the purchase of official supplies
- received kick-backs from a private business which he favoured when purchasing official supplies.

After a lengthy investigation we found evidence to support the first two allegations and recommended counselling of the employee. There was insufficient evidence to substantiate the third allegation.

The material was examined by corruption prevention officers who made recommendations for systemic reform.

The recommendations

related to improvements in stock control systems and procedures for the acquisition of materials including ensuring compliance with relevant purchasing policies. Many of these have already been adopted by the department.

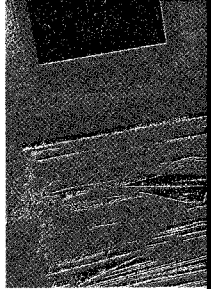
Children's Commissioner and junior staff member (Operation Mangrove)

In late November 1998, the CJC commenced an investigation of allegations of official misconduct against the Queensland Children's Commissioner and a junior staff member.

The investigation probed alleged criminal conduct on the part of the junior staff member and a complaint that his appointment to the Children's Commission had been improperly influenced by the Commissioner.

At first, our investigation was based largely upon information provided by whistleblowers within the office of the Children's Commission. Later a number of persons were summonsed to give evidence before an investigative hearing, over which the CJC Chairperson presided.

On 17 March 1999, an interim report on the investigative hearing was published. At the time of the interim report, the Commission had not



determined whether the evidence justified disciplinary proceedings before the Misconduct Tribunal against the Commissioner (the junior staffer had recently resigned and was thus no longer subject to the jurisdiction of the Tribunal).

After publication of the interim report, the Children's Commissioner resigned, removing himself from the jurisdiction of the Tribunal.

Investigation of an allegation about the Commissioner's possible misuse of a government-issued credit card was still current as at 30 June 1999.

Sexual misconduct by an employee of the Department of Families, Youth and Community Care

We received information from the department that an employee had been found in compromising circumstances with a youth. The man, a casual employee, was responsible for supervising probation arrangements.

We approached the youth who made disclosures alleging serious criminal conduct by the man. Using our surveillance and technical capabilities, we recorded the man making admissions about some criminal activities. Given the seriousness of the offences

and the danger that the man might continue to offend, he was arrested without delay.

He declined to participate in an interview and was arrested on charges relating to unlawful sexual acts. The evidence we obtained suggested that the man had committed sexual offences against the youth after plying him with alcohol.

The DPP determined that the charges relating to the youth should proceed. On 14 January 1999, the defendant appeared in the District Court, pleaded guilty, and received a sentence of three years' imprisonment, suspended after six months.

Sexual relationships between teachers and students

In April 1998, as a result of media exposure given to the issue of improper sexual relationships between teachers and students, Education Queensland established a telephone 'hotline' inviting members of the public to lodge any such complaints directly with it.

About 30 responses were received, which were referred to us for assessment and, in some cases, investigation. In one case a complaint was received from the estranged wife of a high-school teacher alleging that he had engaged in sexual misconduct with female students.

Our investigation obtained evidence suggesting that the teacher had had sexual intercourse with a student when she was under the age of legal consent, being 16 years old. Our investigation also unearthed evidence suggesting that the teacher may have misused his position to entice another older female student to become involved in a relationship with him. We forwarded evidence of that relationship to Education Queensland, who immediately dismissed the teacher.

We obtained sufficient evidence to recommend criminal charges against the teacher in relation to the student under the age of legal consent. The teacher eventually pleaded guilty in the Brisbane District Court to a number of counts of unlawful carnal knowledge. He received a sentence of 12 months' imprisonment, suspended for 18 months.

Alleged theft of Council monies by employees

We investigated two separate complaints alleging that employees of the Gold Coast City Council and Brisbane City Council stole large amounts of money from their employers, during the course of their duties.

In the first matter, a Gold Coast City Council officer was employed to count the

proceeds collected from Council parking meters. An audit detected some discrepancies in the amount of revenue that was being collected and processed.

During our investigation, the officer was seen substituting large denomination coins with ones of lesser value. He was intercepted on his way home and found to have about \$1650 in coins. More coins were found in his home. He admitted to taking sums of money over a long period and an examination of his banking records by one of our financial analysts confirmed that about \$43 000 had been deposited into his accounts.

A criminal charge of stealing as a servant was preferred against the officer and he appeared in the District Court in May 1999. He pleaded guilty and received a sentence of three years' jail.

In the second matter, a Brisbane City Council bus conductor was charged with 11 criminal offences after our investigation revealed that he had been manipulating the audit tape in ticket-vending machines and keeping fares for himself. The charges went to trial in the District Court.

The case against the conductor relied largely upon our financial analysis, which established how much money he had

misappropriated. He was found guilty, sentenced to two and a half years' imprisonment, and ordered to make restitution of over \$10 000 to the Council.

Misuse of Council resources

We investigated an allegation that two senior local government employees had systematically misappropriated property of Inglewood Shire Council over several years.

The employees operated a fictitious company for the purpose of engaging in the private sale of gravel that belonged to the Council or local landholders. One of the employees also used Council labour, equipment and materials for conducting privately remunerated construction work without accounting to the Council for their use.

An extensive investigation ended in both employees appearing before the District Court and entering pleas of guilty to criminal charges of misappropriation of Council property. They were convicted and fined. One employee was dismissed and the other resigned.

The investigation had proved difficult at first because of the general reluctance by some co-workers and local residents to implicate the two employees. But at the

end of our investigation the Council requested our assistance to review Council systems and procedures.

Corruption prevention officers met with the investigation team and the Council's Shire Engineer. As a result, a joint prevention project was begun. The project's focus was on identifying patterns of possible corrupt conduct, unregulated access to Council resources and opportunities to engage in unauthorised activities.

In addition, we assisted the Council to be more alert to signs of corrupt behaviour. Our report recommended:

- a review of Council procedures for the hire of plant and equipment
- a review of the Council's Code of Conduct to ensure that it complies with the provisions of the *Public Sector Ethics Act 1994*
- a risk analysis of staff
- a review of the Council's purchasing policy
- enhanced staff training which emphasises the importance of a code of conduct and purchasing policy.

Since then, the Council has commenced changes to its structure, recruitment/selection process and purchasing system.

Use of CJC powers

The CJC's powers are essential information-gathering tools used to combat official misconduct in the public sector. They can only be exercised by officers of the Commission in the course of investigating matters and are always used in the public interest. In addition to the powers available to QPS officers under the *Police Powers and Responsibilities Act 1997* (PP&R Act), our powers include:

- ▶ **power to require a person to furnish information and/or produce records or things relevant to a CJC investigation (CJ Act, s. 69 – issued on Chairperson's authority)**

During 1998–99, we issued 410 notices to produce and four notices to furnish. We also sought to obtain an amendment to the Act allowing us to direct the recipients of a notice to produce not to disclose the fact because premature disclosure of covert investigations may destroy their effectiveness and put investigators at personal risk.

- ▶ **power to enter a unit of public administration, inspect any record or thing in those premises, and seize or take copies of any record or thing that is relevant to a CJC investigation (CJ Act, s. 70 – issued on Chairperson's authority)**

We executed three authorities to enter public premises in 1998–99.

- ▶ **power to apply to the Supreme Court for a warrant to enter and search premises (CJ Act, s. 71)**

No applications were made in 1998–99. However, the CJC obtained 20 search warrants under the PP&R Act.

- ▶ **power to summons a person to attend before the Commission at a hearing to give evidence and produce such records or things as are referred to in the summons (CJ Act, s. 74 – issued on Chairperson's authority after the CJC has authorised that a hearing be held)**

Hearings are an effective means for gathering evidence that cannot be secured through more traditional investigative methods.

During 1998–99, 40 witnesses were summonsed to give evidence at Commission hearings and 29 actually gave evidence.

- ▶ **power to direct a prisoner to appear before the Commission (CJ Act, s. 81 – issued on Chairperson's authority)**

Five prisoners were directed to appear before the Commission during the year.

- ▶ **power to apply to the Supreme Court for a listening device (CJ Act, s. 82)**

In 1998–99, the installation of listening devices was approved by the Supreme Court on six occasions.

Powers	Section	No.
Notice to furnish a statement	69(a)	4
Notice to produce records or things	69(b)	410
Authority to enter public premises	70	3
Warrant to enter, search and seize ¹	71	0
Summons to procure evidence	74	40
Direction for attendance of a prisoner	81	5
Applications for listening devices	82	6

¹ Twenty search warrants under the PP&R Act obtained.

Projected activity for
1998-2000

- ▶ Complete the Complaints Database Redevelopment Project.
- ▶ Complete the upgrade of the intelligence database.
- ▶ Conduct strategic intelligence assessments relevant to the CJC's jurisdiction.
- ▶ Obtain an independent evaluation of the workings of the multidisciplinary team structure, and implement the recommendations.
- ▶ Obtain an independent evaluation of the activities and organisation of support officers within the Investigations Subprogram, and implement the recommendations.
- ▶ Review and change the way work is selected by the Commission.
- ▶ Develop new methods for the proactive investigation of corruption and other official misconduct.
- ▶ Develop ways of resolving complaints in a more constructive and timely manner.
- ▶ Continue undertaking proactive targeted integrity testing as part of investigations into serious police corruption.
- ▶ Work with local government councils to further their understanding of the complaints-handling process, the protocol for referring issues to the CJC, and whistleblower support issues.
- ▶ Continue implementing cross-divisional initiatives and forming operational task forces that integrate investigative, research, corruption prevention, intelligence and witness protection resources.

RESEARCH AND PREVENTION SUBPROGRAM

This subprogram is carried out mainly by the Research and Prevention Division with contributions from Official Misconduct and Intelligence.

The work of the subprogram centres on monitoring the QPS and the Queensland criminal justice system to ensure that the Fitzgerald reforms are implemented and maintained, and on educating public officials in corruption prevention strategies for the workplace.

Outcomes from last year's future directions

Projected activity

Publish volume 4 of the Criminal Justice System Monitor.

Publish the first issue in a Police Service Monitor series.

Continue to monitor the operation of the police powers legislation.

Conduct a second survey of defendants' perceptions of the investigative and arrest process.

Publish the findings of research into the factors that have contributed to the increase in the imprisonment rate in Queensland.

Complete the review of the QPS recruit selection procedures and commence implementation of the recommendations.

With the QPS, implement the Beenleigh Break and Enter Reduction Project.

Finalise the report on the reduction of assault complaints against police and monitor the implementation of initiatives to reduce such complaints.

Enhance the utilisation of CJC complaints data for preventive purposes.

Develop a revised corruption prevention strategic program.

Develop a range of corruption prevention information publications.

Provide an integrated corruption prevention program targeting Queensland correctional centres.

Provide advice and comment to public sector units.

Outcome in 1998-99

Published February 1999.

Not yet produced, due to staffing shortages, but we have undertaken other activities that monitor police service reform (see page 20, *Police and Drugs: A follow-up report*).

See page 41.

Survey was administered in June 1999. See also pages 41-42.

Draft report produced in March 1999 and distributed to stakeholders. Final report to be published in late 1999.

Report published August 1998. CJC represented on implementation committee.

Commenced October 1998. See also page 38.

Final report published (jointly with the QPS) September 1998.

See the Complaints Database Redevelopment Project, page 18. We are also preparing statistical reports to be sent to public sector organisations to keep them better informed.

See page 46.

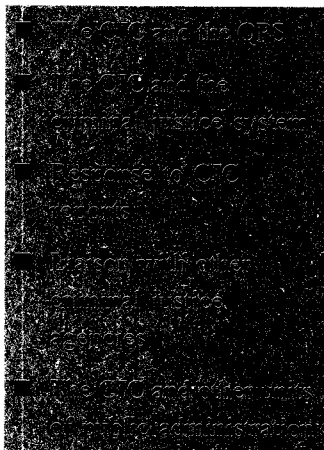
See page 51.

See page 49.

See pages 46-53.

Staff of the combined Research and Prevention Division on the first anniversary of the merger.





The CJC and the QPS

The subprogram's first objective is to monitor and enhance the professionalism, effectiveness and responsiveness of the QPS.

We do this by conducting research into specific policing areas, either at the request of the QPS itself or on our own initiative, and publishing our findings.

These findings may then be used to inform public debate, influence legislation and construct programs and strategies to improve the operation of the Service.

The following projects and publications show how we carry out this objective.

Monitoring and enhancing the professionalism of the QPS

Out of the Blues

The QPS asked us to evaluate its 'Out of the Blues' program, which had

been implemented in 1995 to counteract the dramatically rising number of stress-related sickness claims made by its staff.

Our evaluation, published in April 1999, found that the program had not been as successful as had been hoped because it had not reached its target population and was not adequately resourced. The report recommended various ways to get the program back on track, including statewide implementation as core QPS business with full and demonstrable support from management.

OUTCOME: The Out of the Blues program has been transferred to the Organisational Improvement Unit of the Office of the Commissioner to facilitate statewide organisational development and support.

Impact of information technology on policing

We continued the project begun 18 months ago to investigate the impact of information technology on policing in Queensland.

The project is run in conjunction with Associate Professor Janet Chan of the School of Social Sciences, University of NSW, with funding from the Australian Research Council. Its expected completion date is mid-2000.

EXPECTED OUTCOME: The project will inform police managers and policy makers of the extent to which information technology is improving efficiency and accountability, the extent of acceptance among its users, the level and nature of any resistance to its use, its impact on police culture and practices, and any unintended consequences. This will allow for training, modification and reform.

Promotion and transfer

In November 1998, we released *Queensland Police Officers' Perceptions of the Promotion and Transfer System: Results of the 1998 Baseline Survey*. The survey collected data on the perceptions held by police officers about the fairness and efficiency of the promotion and transfer system of the QPS before the introduction of a new selection panel system.

OUTCOME: The key finding was that police had negative perceptions of the system. The survey will be repeated in late-1999 as a means of assessing the effectiveness of the new system.

Australasian Women and Policing Council

In support of initiatives to improve policing services, the CJC recently became a Corporate Member of the Council. One officer acts as a committee member on the Management Committee which oversees the activities of the Council.

Monitoring and enhancing the effectiveness of the QPS

Recruitment and selection

The Police Education Advisory Council (PEAC) finalised its two-year review of the recruitment and selection process of the QPS and published its report, *Police for the Future*, in August 1998.

The review was facilitated by a subcommittee of PEAC which made recommendations for the consideration of PEAC. Membership of the subcommittee comprised representatives from the QPS, the CJC and the community.

Staff from the Research and Prevention Division contributed to the report as principal authors and researchers.



An independent expert reviewer described Police for the Future as 'rigorous, thorough and clearly presented' and that it 'should be of value to all police agencies and other researchers in the field'.



The CJC Policing Research Team (l. to r.): Andre LeGosz, David Brereton, Mark Pathe, Dennis Budz, Linda Waugh and Sue Cummins.

OUTCOME: The report's 87 recommendations have been endorsed by the QPS and an Implementation Committee set up, chaired by The Honourable W J Carter QC and with QPS and CJC representation. So far, the physical competency test has been removed, an interviewer training program has been developed, new scales to assess applicants' education and employment histories have been introduced, and a new integrity screening process has been put in place.

QPS Safe Driving Committee

Following our report *Police Pursuits in Queensland Resulting in Death or Injury* (April 1998) and the QPS report *A Review of Police Pursuit Policy and Practice in the QPS*, the QPS formed a Police Driving Policy and Practice Committee (with CJC representation) to implement the recommendations of the QPS report.

OUTCOMES:

- Development of a revised QPS policy on pursuits and urgent duty driving, which is likely to be implemented in early 2000.

- Commencement of 'Project Christopher' at the QPS Academy, which seeks to develop 'best practice' driver training for recruits.
- Trial implementation of a tyre deflating device which, when deployed in front of a fleeing vehicle, can bring pursuits to a safe conclusion.
- Implementation of a marketing plan for the policy.

Capsicum spray trial

Together with the QPS, we monitored the trial use of capsicum spray in Metropolitan North and South-Eastern regions as a tool for officers faced with dangerous incidents and published the evaluation report in June 1999. The report found that the spray stopped violent behaviour in most cases and averted injuries to police and citizens.

OUTCOME: The report's recommendations were accepted by the QPS and a Steering Committee is to be convened to oversee the statewide implementation of capsicum spray. Another evaluation will be carried out in 12 months' time.

Policing and the community

In July 1998, we published the research report *Policing and the Community in Brisbane*, which examined the role of partnership policing in metropolitan Brisbane, identified the obstacles to implementation of partnership policing and suggested strategies to overcome them. An independent expert reviewer described *Policing and the Community* as a 'comprehensive examination of the issues from a range of perspectives'.

OUTCOME: The research highlighted the difficulty experienced by Officers in Charge and rank-and-file officers in attempting to meet the dual demands of responding to calls for service and working in partnership with the local community. The report made several suggestions for ensuring that corporate commitment to partnership policing is successfully integrated into service delivery.

Monitoring and enhancing the responsiveness of the QPS

Beenleigh Break and Enter Reduction Project

This joint QPS-CJC project, with sponsorship from National Crime Prevention, commenced in October 1998 with the aim of improving the way police respond to residential burglary.

The 12-month, three-phase project involves trialling a range of strategies designed to prevent break and enters and reduce the risk of repeat victimisation.

PROJECTED OUTCOME: A full evaluation report will be published in late 1999 when the project is finished. If the strategies trialled are deemed successful, they can be adopted by police elsewhere in Queensland and in other parts of Australia.

Problem-oriented policing and partnerships

A research officer worked collaboratively with QPS staff to produce a basic problem-solving guide for QPS officers designed to introduce police officers to a four-stage problem-solving model called 'SARA' (Scanning, Analysis, Response, Assessment).

The model enhances an officer's ability to attack the underlying causes of policing problems.

OUTCOME: The guide was launched on 20 May 1999 by the Minister for Police and Corrective Services.

Youth Drug and Alcohol Diversion Project

Together with the QPS, we reviewed the operation of the Service's Aboriginal and Torres Strait Islander Youth Drug and Alcohol Diversion Project.

Our evaluation found some notable improvements in relationships between police and Indigenous peoples as a result of the program and concluded that the QPS should continue funding.

OUTCOME: The QPS has approved further funding.



The day-to-day operation of the Beenleigh Break and Enter Reduction Project is the responsibility of a small team of researchers and an experienced police officer from Beenleigh Division, pictured here (l. to r.): Maggie Blyth (Research Officer), Michael Townsley (Research Officer), Dennis Budz (Project Manager) and Sergeant Neil Peggall (Project Officer).

Commissioners for Police Service Reviews

Our involvement in the QPS reform process continued through the Commissioners for Police Service Reviews (Review Commissioners). Under the *Police Service Administration Act 1990*, police may appeal against decisions on promotions, transfers, suspensions, dismissals and disciplinary action (other than those arising from misconduct findings). Hearings before the Review Commissioners are informal and non-adversarial; legal counsel is not permitted. The role of Review Commissioner is undertaken by current and former CJC Commissioners.

In 1998-99, Mrs Kathryn Biggs, Mr Bob Bleakley, Mrs Dina Browne and Mr Barrie Ffrench heard promotion and transfer review matters, and Mr James Crowley continued to hear disciplinary-type review applications. In addition to conducting hearings, over the past year the Review Commissioners have:

- ▶ identified problems occurring in the QPS Promotions and Transfer and Discipline Systems through the hearing of review applications during the year

OUTCOME: These matters have been addressed both in individual recommendations and periodic correspondence with the Police Commissioner.

- ▶ regularly consulted with QPS management on various issues relating to the QPS promotion and transfer system and policy (including amendments to the HRM Manual)
- ▶ conveyed their views on the selection process to the QPS Human Resources Division
- ▶ liaised with the QPS and the Queensland Police Union of Employees (QPCU) to put in place strategies to improve the information and advice available to QPS officers on the review process

OUTCOMES:

- Review Commissioners extended an invitation to the Executive of the QPUE to attend promotion and transfer review hearings as observers in an attempt to educate QPS officers about the review process.
- At the suggestion of the QPUE, a Review Commissioner's recommendation in a review report (minus the names of the parties involved) was published in the *Police Union Journal*.
- ▶ attended QPS conferences designed to enhance the effectiveness of the QPS promotion and transfer selection process.

OUTCOMES:

- Review Commissioners attended a panel convenor workshop in August 1998 and later facilitated a 'Best Practice' session at the QPS panel convenor conference in April 1999.
- Review Commissioners Biggs and Browne addressed personnel officers at the QPS's Regional Human Resource Managers Conference in March 1999 and discussed the role of personnel officers in ensuring that panel convenors provide the necessary documentation to Review Commissioners during the review process.

Monitoring the QPS review process

In October 1998, we published *Monitoring the QPS Promotion and Transfer Review Process* in response to a 1996 recommendation from the QPS Review Committee that the CJC establish procedures for monitoring and auditing the QPS's promotion and transfer review process.

The paper outlines some key monitoring strategies, which include an upgrade of the CPSR database, the use of a client satisfaction survey of officers involved in the review process, quarterly meetings of Review Commissioners to discuss issues and ensure a consensus approach, and regular liaison meetings with representatives of the QPS Human Resources Division.

The report also drew on data collected from a statewide survey of officers' perceptions of the QPS promotion and transfer system, specifically the review process. A key finding of the report was that the majority of officers perceive the review process as confusing. The research also found that the average time taken in review matters, from lodgement to hearing, was substantially longer than the optimum period of eight weeks. One of the reasons for such delay is the late receipt of documentation from the panel convenors.

OUTCOMES:

- Review Commissioners are working with the QPS and the QPUE to put in place strategies to reduce the amount of confusion and misinformation.
- The Office of the CPSR, in conjunction with the QPS Reviews Section, has implemented follow-up measures to improve the timeliness of panel convenor documentation.

Table 4: Results of matters heard by Review Commissioners

Application type	Affirmed	Varied	Set aside	Out of time	No jurisdiction	Total
Promotion	91	21	1	2	1	116
Transfer	7	2	—	—	—	9
Suspension	—	—	—	—	—	—
Disciplinary sanction	1	2	2	—	—	5
Unapplied for transfer	1	—	—	—	—	1
Total	100	23	3	2	1	130

Table 5: Types of applications lodged (1998-99)

Type	Number
Promotion	264
Transfer	21
Stand down	—
Suspension	—
Disciplinary sanction	6
Unapplied for transfer	3
Total	294

Table 6: Status of matters

Status	Number
Matters lodged	294
Matters heard*	118
Matters withdrawn	144
Matters out of time/no jurisdiction	3
Matters awaiting hearing	29

*Refers to only those matters lodged in the 1998-99 financial year

Police Academy Briefings

As in previous years, we continued to monitor training and education programs provided by the QPS Academy through regular briefings with all program managers. At these briefings, each program manager provides a status report on his/her program. Areas of concern are identified and strategies jointly developed to address them. We also provide the program managers with details of the activities of the Research and Prevention Division which may be of interest to them.

The CJC and the criminal justice system

The subprogram's next two objectives — to contribute to the development of criminal justice policies and to contribute to informed public discussion on policing and criminal justice issues — interrelate and overlap.

Throughout the year, we played a key role within the Queensland criminal justice system by providing information and policy advice on the following system-wide issues.

Police powers monitoring role

Along with the Police Powers Review Committee, we have responsibility for monitoring the implementation of the PP&R Act, which came into operation on 6 April 1998. Projects undertaken throughout the year were:

► *Analysis of interview tapes*

As a means of assessing police compliance with the new legislative provisions, we analysed 136 taped police interviews with suspects from the period 3 to 9 August 1998. Each tape was reviewed for compliance with cautioning requirements and the questioning provisions of the PP&R Act. We published the results in March in *Analysis of interview tapes: Police*

powers review briefing paper. Despite the recency of the legislation, we found there was substantial compliance with the new statutory obligations.

OUTCOME: The QPS has implemented strategies to increase police understanding of the new legislation. We plan to conduct a similar audit early in 2000, preferably in conjunction with the QPS, to monitor any change in police compliance.

► *Notices to appear*

In May 1999, we published a research paper — *Police Powers in Queensland: Notices to Appear* — which examined the use of NTAs in their first six months of operation. These notices provide an alternative way of commencing criminal proceedings. Instead of arresting and charging a person, or serving a summons, police may now issue a notice, similar to an infringement notice, which requires the defendant to appear in a nominated court on a designated date.

FINDINGS: Our research revealed that NTAs have had a noticeable impact. We found that:

- NTAs were used most frequently for traffic (including drink driving), prostitution, drug and weapon offences
- more than half the NTAs were issued after the person had been arrested, detained, or otherwise taken into police custody

- watchhouse workloads were reduced significantly
- 'net-widening' effects appear to have been restricted to the area of good order offences
- there was no clear sign that NTAs had reduced complaints of misconduct against police
- there was some evidence that failure to appear rates were higher for suspects who had been issued an NTA.

► *Defendants survey*

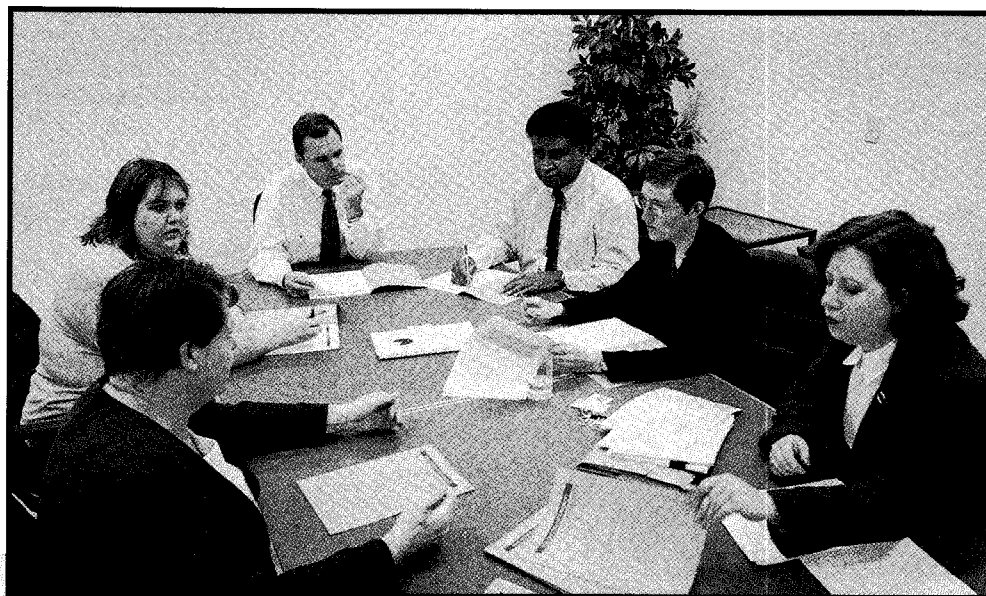
In June 1999, we commenced gathering data for the second Defendants Survey to be conducted by the CJC.

The first survey was conducted in 1996, before the introduction of the PP&R Act, to establish baseline measures to facilitate an assessment of the impact of the new legislation.

The survey aims to collect information about police arrest, questioning and searching practices from the perspective of people who had been subject to the exercise of these powers.

The data are obtained by means of a survey questionnaire administered in a face-to-face interview with defendants on their first appearance at court.

PROJECTED OUTCOME: A full report on the findings of the survey should be completed by early 2000.



Research and Prevention staff meet with two of the people trained to conduct the Defendants Survey interviews (l. to r.): Pam Saunders and Carol Ronken (interviewers), Mark Lynch, Dan Abednego, Anne Edwards and Tracey Stenzel (Research & Prevention staff).

The monitoring agenda for the coming year will include:

- an analysis of police registers for fingerprinting, roadblocks and crime scenes
- a survey of police (both general duties and investigating officers), which will be carried out in conjunction with the QPS
- a case study of a notified move-on area and use of the move-on power.

Prisoner numbers project

This project is directed towards the identification of the key factors underpinning the dramatic increase in prisoner numbers in Queensland since 1993.

The project draws together data from across the criminal

justice system and provides a detailed account of the nature and extent of the changing dynamics of the criminal justice system in Queensland.

OUTCOME: A draft report on the project was produced in March 1999 and circulated to stakeholders. The final report is due later in 1999.

Crime prevention evaluation strategy

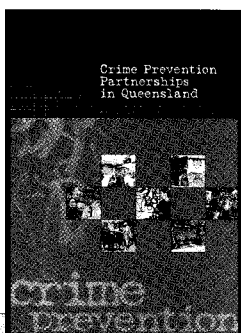
We are playing a key role in this whole-of-government crime prevention strategy. The director of the Research and Prevention Division is the Chair of the Evaluation Task Group responsible for the development of an evaluation framework for the overall strategy.

OUTCOME: The Evaluation Task Group has formulated a comprehensive and empirically rigorous evaluation plan which has been formally endorsed by all participating departments and bodies. The division has made substantial contributions to the development of this framework.

Crime prevention partnership initiative

The Crime Prevention Partnership initiative was established by the Coalition government in late 1997 as a 12-month pilot project, and was administered through the office of the Minister for Police. The incoming Labor Minister for Police, The Honourable Tom Barton MLA, requested the CJC to evaluate the program.

Our report strongly endorsed the concept of a partnership approach to prevention. It



The final report of the evaluation was released in April 1999.

indicated a number of aspects of the program that require improvement to enable individual partnership committees to succeed in their objectives. In particular, the report concluded that partnerships require central support, and indicated the need for a reporting system that documents local crime problems, and demonstrates the outcomes of initiatives.

Woorabinda Crime Prevention Partnership

A separate paper, produced in September 1998, described an evaluation of the Woorabinda CPP, which had been established some months after the other pilot partnerships. The evaluation found there were some clear challenges facing the CPP, including:

- the attendance and commitment of partnership members to the meetings
- the need to see concrete results and outcomes
- ensuring key agencies and groups are represented.

OUTCOME: Both reports were presented to the Crime Prevention Taskforce and funding has been continued.

Police Cautioning of Adults: Drug and other offences (April 1999)

This briefing paper examined a number of adult cautioning programs currently operating (or being trialled) in Australia and the United Kingdom. The paper focuses, in particular, on adult cautioning programs that target drug offenders.

OUTCOME: The State Government has used the paper extensively to develop policy options.

Reported and unreported sexual abuse in Queensland (Project Axis)

Project Axis is a project designed to assess, strategically, the nature, causes, extent and overall impact of criminal paedophilia in Queensland. Conducted jointly by the QPS and the QCC, it is intelligence-driven and research-based.

We contributed to the work of the project by providing a chapter for a forthcoming discussion paper to be published by the QCC. The chapter provides:

- data on the reported incidence of childhood sexual abuse in this State
- an analysis of the characteristics of sexual offences, trends in delays

in reporting, annual and regional trends, and police action and clear-up rates

- a summary of the processing of childhood sexual abuse cases by the court system
- a literature review of the prevalence of child sexual abuse in Queensland, nationally and internationally.

Taskforce on Women and the Criminal Code

The Attorney-General's Taskforce on Women and the Criminal Code asked us for information about the extent and nature of reported sexual assault in Queensland. In response, we have undertaken to prepare a briefing paper based on statistical data obtained from such sources as the QPS, the Office of the Director of Public Prosecutions, the Office of Economic and Statistical Research and the DCS. The analysis is under way.

Monitoring of watchhouses

Since our 1996 *Report on Police Watchhouses in Queensland* and our follow-up report to Parliament in 1997, we have continued to monitor the implementation of the recommendations and to monitor numbers and lengths of stay. During the year:

- the Government took steps to address the problem of fine

defaulters in custody by introducing legislation providing a new system for fines enforcement

- the QPS has continued to upgrade and replace watchhouse facilities across the State
- QPS data from the State's busiest watchhouses indicated that, in general, the duration of stay by prisoners had remained below seven days
- there was clear evidence of a rising prisoner population, most being detained by the DCS.

Criminal Justice System Monitor

We published volume 4 of the Criminal Justice System Monitor in February 1999.

This series reports and analyses data on the operation of the Queensland criminal justice system. Volume 4 also includes

information on the average lengths of prison sentences imposed by the Queensland courts and information on the cost of the criminal justice system.

FURTHER RESEARCH: The Monitor identified the following areas for further research:

- the implications of the large increase in the number of SETONS Court appearances
- the impact of funding constraints on Legal Aid Queensland
- the implications of increased use of suspended prison sentences
- the continuing impact of increased prisoner numbers on corrective services.

A Snapshot of Crime in Queensland

Published February 1999, this paper informs Queenslanders about the extent and nature of crime in the State. Issues include:

- the main crime trends in Queensland
- areas that have the highest crime rate
- groups most at risk
- groups most likely to offend
- crimes of most concern at the local level
- Queensland compared to other jurisdictions.

OUTCOME: The paper was widely disseminated and used by the Queensland Government's Crime Prevention Taskforce in its public consultation process.

Liaison with other agencies

Our Act requires us to coordinate our research activities with other agencies concerned with the administration of criminal justice in Queensland. We do this by developing and consolidating links with similar research units in other Australian jurisdictions and by developing effective working relations with the core agencies in Queensland, in particular the Office of Economic and Statistical Research (formerly the Government Statistician's Office) and research arms of the DCS, Department of Justice and Attorney General, Department of Families, Youth and Community Care, and the QPS.



The team that produces the Criminal Justice System Monitor (l. to r.) Kelly Maddren, Mark Pathe, Julie Butner and Tara McGee.

Committees

Criminal Justice

- Crime Prevention Taskforce and the Crime Prevention Taskforce Evaluation Group
- Police Powers Review Committee
- CEO Steering Committee on Growth in Prisoner Numbers
- Criminal Justice Information Integration Steering Committee (CJIIIS) and the Chief Executive Officers Steering Committee, which oversees the CJIIIS
- Crime Statistics Users' Network

Queensland Police Service

- PEAC
- CJC-QPS Research Liaison Group
- Policing Strategies Steering Committee
- QPS Drug and Alcohol Working Group
- Ethics Committee for the Management Development Program

Interstate

- AIC Advisory Committee on Inter-jurisdictional Variations in Crime

- Drug Use Monitoring Australia (DUMA) Steering Committee
- Australian Public Sector Ethics Network
- National Expert Advisory Committee on Illicit Drugs (Commonwealth Health Department)

We also participate regularly in seminars and conferences and are in the process of establishing a Research Reference Group with academics working in the areas of criminal justice and ethics.

Response to CJC reports

Some of our reports to Parliament make specific recommendations for

changing criminal justice processes or the law. We keep track of these recommendations to identify instances where further action may be required.

The table below offers a brief summary of the responses to the reports produced since June 1993.

Report	Action taken
Review of Police Powers Volumes I-V (May 1993 to Nov. 1995)	The PP&R Act, which came into effect in April 1998, implemented wholly or partly many of the recommendations of these reports. (See CJC report <i>Recent Changes to Police Powers in Queensland: A Comparison with the Recommendations of the Criminal Justice Commission</i> .)
Report on Cannabis and the Law in Queensland (June 1994)	The PCJC reported on this matter in November 1996. Its recommendations broadly agreed with those of the CJC report. No response has been received from Government.
Report on Implementation of Reform within the QPS: The Response of the QPS to the Fitzgerald Recommendations (Aug. 1994)	Many of the issues identified in this report were addressed by the 1997 <i>Review of the Queensland Police Service</i> (Bingham Review).
Telecommunications Interception and Criminal Investigation in Queensland: A Report (Jan. 1995)	Recommendations broadly endorsed in a report by the PCJC in 1995, but no legislative action as yet. Telecommunications (Interception) Qld Bill introduced in March 1998 but lapsed with the change in government.
Report of the Sufficiency of Funding of the Legal Aid Commission of Queensland and the Office of the DPP (July 1995)	Updated data on funding, published in the <i>Criminal Justice System Monitor</i> (vol. 4), show that ODPP revenue has increased by 123 per cent over the decade. Over the last six years real per capita funding for Legal Aid Queensland has remained stable. A follow-up to this report is planned for 1999-2000.
Aboriginal Witnesses in Queensland's Criminal Courts (July 1996)	In late 1999 the Department of Justice and Attorney-General will trial the use of 'Communication Facilitators' in courts. These facilitators will identify breakdowns in communication with Aboriginal witnesses and explain proceedings to defendants. The department has also developed a reference hand book for use by officials of the court.
Report on Police Watchhouses in Queensland (Sept. 1997)	The Government has reviewed options for fine defaulters and, as a result, tabled in Parliament the State Penalties Enforcement Bill 1999 (June). This Bill aims to divert fine defaulters from prison through the State Penalties Enforcement Registry and will establish civil debt recovery procedures.

The CJC and other units of public administration

The fourth and final objective of the subprogram — to assist units of public administration to identify and reduce public sector misconduct — is carried out primarily by the corruption prevention section of the Research and Prevention Division, but with increasing input from OMD and Intelligence.

The section experienced a re-establishment period over 1998–99, coming to full strength in June 1999. Five new officers were appointed between December 1998 and June 1999 to deal specifically with the following areas: police, public sector, local government, education and information, and systems analysis.

The corruption prevention section is divided into five sub-sections, each with its own mandate.

A corruption prevention officer is responsible for the identification, investigation and reporting of corruption in the public sector.

A corruption prevention officer is also responsible for the identification and reporting of corruption in the private sector.

A corruption prevention officer is also responsible for the identification and reporting of corruption in the public sector, local government, education and information, and systems analysis.

A corruption prevention officer is also responsible for the identification and reporting of corruption in the public sector, local government, education and information, and systems analysis.

Liaison role

Fewer meetings were held with public sector agency Chief Executive Officers and their boards of management this year than in previous years because of reduced staff resources in the first part of the year (see table 8). However, we will be fully resuming this strategy in the 1999–2000 year because such meetings are an important way to provide senior managers with detailed analyses of complaints and allegations made against their organisation, and the outcomes of our investigations. This information assists managers to develop more effective prevention strategies.

Such meetings also give us the opportunity to provide briefings on current trends and guidelines for the development of an integrated



Corruption Prevention staff: (standing l. to r.) Rhyl Hurley (Education and Training), Andre LeGosz (Police), Dorretti DeGraaff (Systems Analysis), Cathy Tregoe (Support Officer); (seated l. to r.) Dan Abednego (Aboriginal and Torres Strait Islander Liaison Officer), John Boyd (Manager), Michelle Clarke (Local Government) and Gary Adams (Public Sector).

Table 3: Liaison Officers' Meetings (1997-98 and 1998-99)

Agency	1997-98	1998-99
Boards of Management meetings	27	4
CJC Liaison Officer meetings	1	1
Meetings with other agencies	12	4

Table 4: CJC Liaison Officers' Meetings (1997-98 and 1998-99)

Activity	Criteria	Helpfulness rating*
Senior Management Meetings	Level of assistance provided to senior management in formulating strategies	80
Liaison Officers' Meeting	Usefulness in your duties as a CJC Liaison Officer	69

*Average score — 0 = nil; 100 = maximum

Activity	1997-98	1998-99
QPS workshops/presentations	75	64
Public sector workshops/presentations	46	38
Corrective Services presentations	—	36
Aboriginal and Torres Strait Islander information sessions/presentations	40	62
Conference papers	16	3
Lectures: Universities, TAFE Colleges and schools	9	10
Responding to requests for advice or assistance	56	55
Total	242	262

corruption prevention strategy. This year we noticed an increased interest in organisation-wide risk assessments and development of fraud prevention policies.

We participated in 47 general meetings with officers from public sector agencies, a significantly increased number compared with last year. We also meet frequently with QPS representatives. We expect that the advice and assistance from these meetings will lead to greater empowerment of organisations to further address corruption prevention issues within their agencies.

Much of our regular communication with

government departments and local authorities was, as usual, through the Liaison Officers' network. One formal meeting of Liaison Officers organised by the CJC was attended by 34 Liaison Officers from various public sector agencies. As at 30 June 1999, plans were under way to hold another in July 1999, specifically for local authority representatives.

As the issues of prime interest at these meetings include the complaints-handling process, whistleblower support and the protocol for referring issues to the CJC, our work in this area involves close interaction with officers from OMD. Divisional

officers also attended regular CJC-QPS research liaison meetings and quarterly QPS Ethics in Training Workgroup meetings.

Advice and training

During the year, we found an increasing willingness for agencies to seek our advice on such matters as:

- corruption prevention organisation policies
- policies on reporting misconduct and protecting those making public interest disclosures
- corporate governance issues
- the development and content of fraud prevention policies

- use of corporate credit cards
- QPS property handling procedures
- QPS drivers' licence issuing procedures
- the disposal and ownership of waste
- development and contents of codes of conduct
- declaring material personal interests
- internal control guidelines.

Our advice and training activity is summarised in table 9, which also compares 1998-99 figures with the previous year's figures. Client assessment of these activities is summarised in table 10.

Public sector

Government departments frequently sought our help to initiate programs, policies and training related to fraud/corruption prevention and ethical conduct. Feedback shows the training assistance provided was well received with high ratings given to the relevance and value of material.

We commenced a consultation process wherein each government agency was invited to discuss its concerns with us and the assistance it required. At the completion of the process, a comprehensive corruption prevention service for

government departments will be developed.

Strategies to prevent the recurrence of misconduct identified during investigations were included in OMD reports to agencies.

Thirty-eight public sector workshops or presentations were delivered during the year. However, because of the resource demands of these workshops and presentation, we revised our focus in this area to concentrate less on training individuals and more on 'training the trainer' so that government departments can do more of their own training.

Queensland Police Service

The following projects are some key examples of our work in the area of corruption prevention in the QPS:

- evaluating the interim and final reports on Project Alchemy (the purpose of Project Alchemy is to find better management practices for handling cash and drug seizures from point of collection to storage and destruction)
- reviewing the property handling procedures in the QPS
- increasing awareness within the QPS of the risks that may arise in recruiting police officers

from other jurisdictions without conducting a comprehensive vetting process

- reporting on progress in the achievement of initiatives resulting from the Joint CJC-QPS Working Group for the Reduction of Assault Complaints Against Police
- reviewing complaints against police regarding the issuing of drivers' licences as assistance in a risk assessment
- monitoring trends in complaints against police to ensure the relevance of education and training sessions.

We gave 64 presentations or workshops to QPS recruits, First Year Constables in the Constable Development Program and Senior Sergeants attending the Management Development Program (see table 9). Most of these were on the role and functions of the CJC and the complaints process.

In September 1998, the QPS assumed responsibility for ethical decision-making training for recruits and all other staff. The corruption prevention officer specialising in QPS activities represented the CJC on the Ethics in Training Work Group (to monitor the effectiveness of the integration of ethics into the

QPS training program) and on the Consultation Team for the QPS Drug and Alcohol Policy.

In addition, we made a presentation to the QPS Watchhouse Managers Workshop on complaints against police, highlighting issues relating to the improvement of watchhouse services.

Local government

Since commencing duties in December 1998, the new corruption prevention officer specialising in local government has worked to enhance relationships with local government councils and their liaison officers, the Queensland Local Government Association and the Department of Information and Communication, Local Government and Planning.

Enquiries for advice on guidelines on policies and procedures showed a steady increase. Workshops were held for all senior staff and supervisors of a major City Council on ethical decision making. Eighty per cent of participants reported the workshop to be useful and relevant to their work.

A training kit was developed for the Council's use and can be adapted for use in other councils. Internal liaison with the Complaints Section investigation teams,

particularly those dealing with local government, is continuing and prevention recommendations are included in investigative reports.

The CJC will participate in the Local Government Annual Conference later this year with a trade display booth and workshop arranged.

Corrective Services

When we gained jurisdiction over state-run correctional centres in late 1997, we made a preliminary study to determine what corruption prevention initiatives we could most effectively offer.

Prevention staff assisted OMD staff in delivering 36 presentations to Corrective Services recruits, Custodial Correction Officers and prisoners on the role and functions of the CJC (see table 10). Staff have also been involved with a series of liaison activities, particularly with the DCS, based on the principles of:

- capacity building within the agency, so they can effectively address corruption prevention issues themselves
- using information and research to guide prevention activities
- where possible, undertaking projects in cooperation with other interested stakeholders.

Our future liaison activities will primarily focus on:

- liaison with the DCS Training and Development Centre
- raising awareness within the DCS of the role and functions of the CJC
- assisting the DCS to undertake more, and more effective, training in their Code of Conduct and ethical decision making
- monitoring of proposed new systems in industries and drug detection
- developing close relationships with the new audit function
- liaison with senior management, particularly on codes of conduct and whistleblower support systems.

Indigenous communities

Our Aboriginal and Torres Strait Islander Liaison Officer continued to work with the Indigenous community to ensure a free two-way flow of information and advice.

Liaison also involves working with individual communities and, in particular, the Chairperson, Councillors and senior staff of the Aboriginal and Torres Strait Islander Community Committee.

Visits were made to communities of the Cape York and Torres Strait Islander region where sessions were conducted with New Mapoon, Umagico and Injinoo Aboriginal communities and with Seisea Torres Strait Islander Community and Murray, Darnley, Stephen, Yorke, Coconut, Yam and Sue Island communities.

Sixty-one sessions on the CJC's role and function or on risk management were presented to Aboriginal and Torres Strait Islander groups.

Information was disseminated and presentations were given to students undertaking Justice Studies at the Southbank Institute of TAFE, Kangaroo Point, and Bremer College of TAFE.

The Liaison Officer attended eight QPS cross-cultural awareness days for police recruits and police undertaking the operational conversion course at the Ngui Tana Lui Aboriginal and Islander Cultural Studies Centre. Four QPS Assessment and Development community forums were attended and three CJC-Aboriginal and Torres Strait Islander Advisory Committee

meetings facilitated. These forums allow the Aboriginal and Torres Strait Islander community and the CJC to exchange information and address certain criminal justice issues relevant to Aboriginal and Torres Strait Islander communities.

The current strategic review of the CJC's Aboriginal and Torres Strait Islander liaison function has resulted in the extension of the liaison function to all areas within the Commission. As at 30 June 1999, we were finalising the appointment of a second Liaison Officer, who will work specifically with Indigenous women.

Corruption Prevention Management Systems

Since early 1999, there has been a steady increase in interaction between investigation and corruption prevention staff.

In the past, prevention staff were generally not involved in providing advice until after a CJC investigation was at an end. Now we are called in while the investigation is still current to advise on those systemic problems that gave rise to the problem in the first place. (A good example of this is Operation Vesta, next page.)

We use a risk management strategy consistent with the Australian and New Zealand Standard on Risk Management.

System risk reviews are designed to help agencies analyse how they control workplace corruption 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.

Experience has shown that workplace crime often flourishes in organisations that have poor internal controls or inadequate reporting procedures, as these help to conceal corrupt activities, protect wrongdoers from exposure and lead to the victimisation of whistleblowers.

These reviews have been welcomed by the agencies because they are conducted in an informal, non-intrusive manner, working closely with agency staff whenever possible. The following case studies highlight examples of management and administrative systems reviewed.

Case studies

Operation Vesta

In this case (which is still under investigation by OMD), cash received by an education facility was deposited by senior officers into a staff social club account over which they had control. An allegation that staff improperly used some of the money for private purposes was the subject of investigation.

Early in the investigation, the new managers of the facility invited us to look at issues which we had identified from the case, such as the quality of management decision making, staff acceptance of questionable practices, inadequate tendering processes and the effectiveness of financial controls.

We discussed preventive measures and provided resource material and guidance on implementation. The new management was receptive to advice and had already made a number of changes. Our recommendations included:

- auditing similar facilities to ensure deficiencies were not repeated
- changing some auditing protocols to make detection

of inappropriate practices easier

- specifying in control manuals the proper operation of a social club account
- introducing whistleblower and ethical decision-making training for staff
- implementing staff rotation practices.

Operation Harmony

Operation Harmony involved the misuse of Council resources by two senior local government employees, who were convicted of misappropriation charges by the District Court. At the end of the investigation, the Council requested our assistance to review Council systems.

Our prevention approach focused on patterns of conduct, unregulated access and opportunities to engage in unauthorised activities, and assistance in developing an awareness of the signs of such behaviour and to make improvements.

The Council had already commenced a number of changes to the structure, recruitment and selection process and purchasing system. It considered the

advice and recommendations made by the Commission and has instructed the CEO to implement changes. We gave the Council resource materials and offered to conduct a further risk analysis. Our recommendations included:

- review of Council procedures for hire of plant and equipment
- training for employees emphasising the importance of following procedures (particularly for private works)
- reviewing the Code of Conduct to comply with the provisions of the *Public Sector Ethics Act* including the provision of education and training
- conduct a regular risk assessment involving staff
- review the Council's purchasing policy.

Prevention requires visible management commitment to a code of conduct, staff training, effective supervision, timely checks and effective internal communication. The Council has already taken steps to improve its systems and we will continue to monitor its progress.

Further strategies

New publications

A number of new publications are at various stages of development.

Prevention Pays! The first edition of a corruption prevention newspaper is timed for release at the CJC

stand at the RNA Exhibition in August 1999. The purpose of the paper is to raise awareness of the role the CJC plays in preventing and combating public sector corruption on behalf of the people of Queensland. Future editions will more particularly focus on the

public sector audience and will contribute accurate, up-to-date information about criminal justice issues in this State so that the public is well informed.

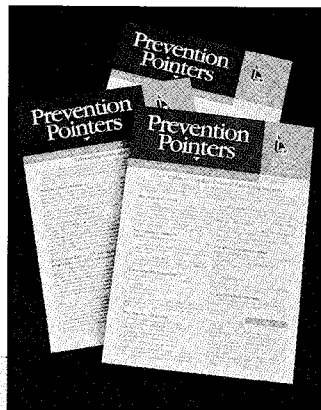
Prevention Pointers. This new series was launched in May 1999.

The first three Pointers:

- *False Complaints against Police*
- *Disclosing a Material Personal Interest*
- *How Codes of Conduct Promote Ethics and Integrity*

have been very favourably received and have generated requests for assistance. Further titles are in production including several dealing with problems encountered by Councillors.

These user-friendly publications offer advice and concisely explain definitions and legislation.



A Prevention Pointer is an A4 double-sided sheet of concise information with suggested practical preventive action. Each one is designed for a specific target group (for example, police, local government, public sector) on a clearly defined topic.

Fact Sheets. A4 Fact Sheets are being developed in-house, which offer comprehensive data on the nature of complaints received, outcomes and overall patterns and trends for both the agency and the generic grouping (for example, local authorities). These sheets will complement visits with the agencies and be available for wider distribution.

The RNA Exhibition

The CJC stand at the Brisbane RNA Exhibition is designed to house a desk, pictorial and written display area, a bank of six video screens, and an interactive CD-ROM touch-screen containing *Ten Questions and Answers about the CJC* and *Ethics Scenarios* designed for three specific groups: children, teenagers and adults. A video, *The Human Face of the CJC*, is also being produced.

Informing public debate and discussion

The Research and Prevention Division has been instrumental in informing the public, the media, criminal justice agencies and other government departments during the year through a continuous programme of interviews to television and print media.

Copies of our major publications were distributed widely through the media and distributed to all members of the Queensland Police, the Queensland Government, the Queensland Parliament, the Queensland Magistrates' Courts, the Queensland Criminal Justice System, Queensland Libraries, major libraries, university research centres, a broad range of government agencies. We also made our publications available on our web site, either in full or as part of the Staff of the division and the following publications:

- Boyd, J.M. (1998). *Management of the Criminal Justice System: Corporate Governance and Corruption Prevention in the Queensland Government and Internal Control Systems* (2000, 2 July 1998).
- French, M. (1998). *The Queensland Police and Police Work in Queensland and Management* (1998, 275).
- Wagh, L., Reed, J. (1998). *Police and the public: police and criminal justice misconduct*, in *Police and Management* (1998, 300).



Projects and reports for 1998-99

- ▶ Publish an evaluation report on the Beenleigh Break and Enter Reduction Project.
- ▶ Publish a report on prisoner numbers in Queensland.
- ▶ Publish the findings of the 1999 Defendants Survey.
- ▶ Publish volume 5 of the *Criminal Justice Monitor*.
- ▶ Conduct, and publish the findings of, the 1999 Public Attitude Survey (these surveys are conducted every few years to find out the attitudes of the general public towards the CJC, the QPS and local government).
- ▶ Continue monitoring police powers legislation including the issue of strip searches.
- ▶ Publish a Prevention Pointer on Internet misuse.
- ▶ Publish Prevention Pointers on topics of specific interest to police, local government Councillors and public sector employees.
- ▶ Publish two issues of the corruption prevention newspaper *Prevention Pays!*
- ▶ Continue publishing Fact Sheets on complaints data.
- ▶ Conduct research into teacher-student misconduct and complaints involving children.
- ▶ Expand our Aboriginal and Torres Strait Islander liaison function to address issues specific to Indigenous women.
- ▶ Continue to participate in committees, seminars and conferences on criminal justice issues.
- ▶ Report on the CJC's first representation at the 1999 RNA Exhibition in the Government Pavilion.
- ▶ Produce a kit on the role and functions of the CJC for use in TAFE colleges.
- ▶ Increase the level of corruption prevention involvement in investigations.
- ▶ Enhance liaison with public sector agencies and local government, and continue liaison with the QPS.
- ▶ Prepare an update of our 1995 *Report on the Sufficiency of Funding of the Legal Aid Commission Queensland and the Office of the Director of Public Prosecutions*.

WITNESS PROTECTION SUBPROGRAM

This subprogram is carried out solely by the Witness Protection Division. People are referred to the division by the CJC, the QPS and other State law-enforcement agencies.

- What is 'witness protection'?
- Statistics for the year
- Legislative changes
- Developing better methods
- Training programs

What is 'witness protection'?

The CJ Act defines witness protection as the:

protection of the personal safety of a person who has assisted the Commission, or any law enforcement agency of the State, in the discharge of its functions and responsibilities and who, in the opinion of the Chairperson, is in need of protection.

Witness protection should not be confused with whistleblower protection.

Whistleblowers are usually honest citizens who, in the

Outcomes from last year's future directions

Projected activity	Outcome in 1998-99
Continue to press for the enactment of complementary state legislation to the federal <i>Witness Protection Act 1994</i> .	Discussions held with the Department of the Premier and Cabinet.
Implement all recommendations of the subprogram's evaluation.	Recommendations implemented.
Continue to review our policies and procedures to ensure that high standards are maintained and the community receives the best possible witness protection service.	This review process is ongoing.
Continue our involvement in the development of National Competency Standards for Witness Protection officers	We continued our involvement.

normal course of everyday life, notice wrongdoing by public officials and draw it to the attention of the police or the CJC. Sometimes they are victimised for their action and, for this reason, the CJC has established a whistleblower support service (see page 18).

Witness protection is something quite different. It is usually offered to people who are themselves involved in crime or corruption and have inside information to impart which may leave them vulnerable to serious physical harm from more dangerous criminal elements. The protection required may amount to providing them with a complete new identity. For this reason, the details of the work of CJC witness protection officers cannot be publicly disclosed.

Who may apply for witness protection?

A person does not actually have to appear as a witness in court to be entitled to witness protection. The person simply must have helped a State law enforcement agency to fulfil its work and be in need of protection because of it.

When a person applies to us for protection, or is referred to us by another Queensland law enforcement agency, we assess the case to see if the person needs protection.

On the advice of the Director of the Witness Protection Division, the Chairperson makes a written offer of protection and the division provides the facilities and means to assist the person.

Witness protection is totally voluntary. The person must

request it in the first place and may end it whenever he or she wishes to.

History of witness protection in this State

Witness protection came into existence in Queensland during the Fitzgerald Inquiry when it became necessary to protect several important witnesses who were able to give direct evidence of crime and corruption.

Before the Fitzgerald Inquiry, Queensland, like most other Australian States and Territories, had no formalised witness protection program, nor was there any legislation.

Fitzgerald recommended the establishment of a permanent witness protection division within the CJC. Accordingly, the division was established on 4 November 1989 as a separate organisational unit.

Structure of the division

The division is headed by a director who is also the Director of Operations and an Assistant Commissioner of Police. An Inspector of Police is responsible for the daily operation of the division.

The Witness Protection Advisory Committee, which includes the Executive Director and a legal adviser from the Office of General Counsel, assists the Witness Protection Director in

assessing all circumstances of applications for witness protection. Based on the advice given by the committee, the director makes recommendations concerning each witness to the Chairperson.

The decision to admit a person to the program is made by the Chairperson after consultation with the director.

Statistics for the year

During 1998–99, 114 people were referred to the division, 59 of whom accepted an offer of protection.

As shown in figure 1, most of these people (71%) were referred to us by the QPS with 11 per cent referred from the CJC and 17 per cent referred from other sources.

We provided protection to 115 persons in 50 operations, including 56 persons in 24 operations carried over from the previous year.

As at 30 June 1999, 56 people in 27 operations were receiving our protection. Figure 2 shows that 73 per cent of these people were referred to us by the QPS, 9 per cent by the CJC and 18 per cent by other sources. We concluded protection arrangements with 59 persons in 26 operations.

Since our establishment, we have protected 750 people, including those carried over from the Fitzgerald Inquiry. See figure 3 for a comparison of the number of persons and operations protected each year since 1987.

Court witnesses

Throughout 1998–99 we provided security at courts for 23 witnesses who were required to give evidence. Because of this protection, all witnesses were able to fulfil their obligation to give evidence.

Legislative changes

Since 1995, we have pressed for the enactment of Queensland legislation complementary to the Commonwealth *Witness Protection Act 1994*. We believe that extensive change to current legislative provision is required to prescribe the role and processes of the division more specifically. Our position on this is supported by the PCJC.

In May 1999, discussions were held between CJC officers and officers from the Department of the Premier and Cabinet on the drafting of new witness protection legislation for Queensland.

Developing better methods

We do more than provide protection. We also devise witness protection methods and train personnel for the rigorous duties involved — duties that place extraordinary psychological demands on both the protectors and the protected.

In May 1999, we hosted the Annual Australasian Witness Protection Conference in Brisbane. Senior witness protection officers from federal, state, territory and New Zealand jurisdictions addressed new and emerging issues that are having an impact on witness protection.

Such issues include recent advancements in the fields of National Competency Standards for Training,

Technology, Methodology, Legislation and Government Agency policy.

Training programs

Staff received on-the-job training in the diverse aspects of witness protection, complementing the mandatory training for police officers required by the QPS. Four staff members qualified as Firearms Training Officers and one is undergoing formal training towards an Advanced Diploma of Intelligence Practice.

We continued to assist in the development of National Competencies for Witness Protection, as part of a Police Agencies National Competency Standards Project conducted under the auspices of the National Police Education Standards

Council. Our training program has been developed in line with these national standards. It is expected that a Certificate in Witness Protection may be introduced to give due recognition to the special needs of this function and the special studies required.

Between 19 October and 13 November 1998, a member of the division attended the United States Marshal Service Basic Witness Protection Course in Georgia, USA, conducted at the Glyncro Training Facility.

The knowledge and skills obtained from the course will enable us to ensure that our current and future procedures remain in line with best practice methods being used by other international witness protection units.

Projected Activity for 1999-2000

- ▶ Work with Department of Premier and Cabinet to draft complementary state legislation to the federal *Witness Protection Act 1994*.
- ▶ Continue to review our policies and procedures to ensure that high standards are maintained and the community receives the best possible witness protection service.
- ▶ Continue our involvement in the development of National Competency Standards for Witness Protection officers.

Figure 15 Current persons and operations, by source (1998-99)

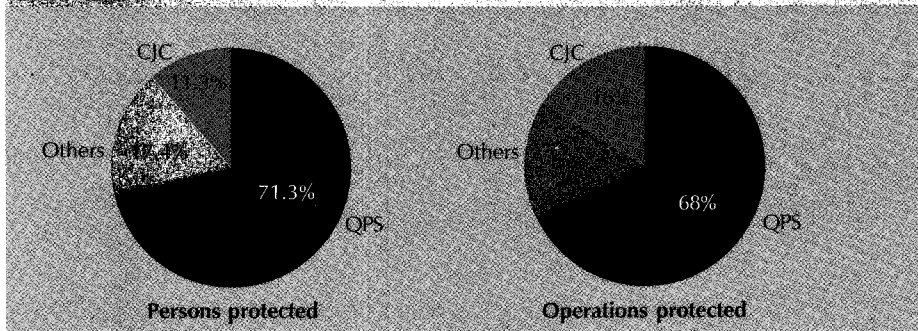


Figure 16 Persons and operations protected by source (as at 30 June 1999)

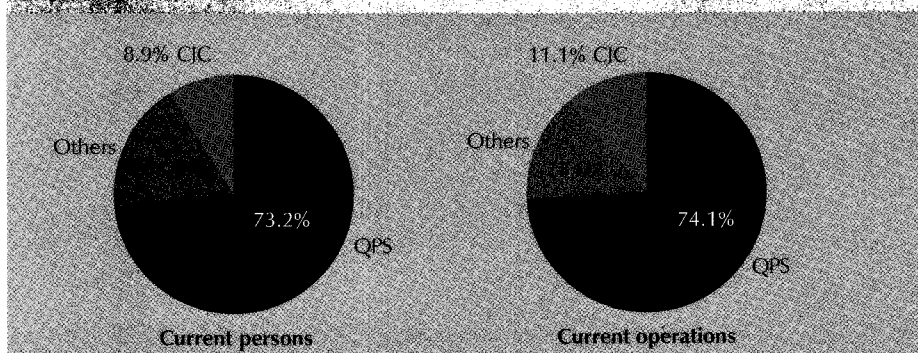
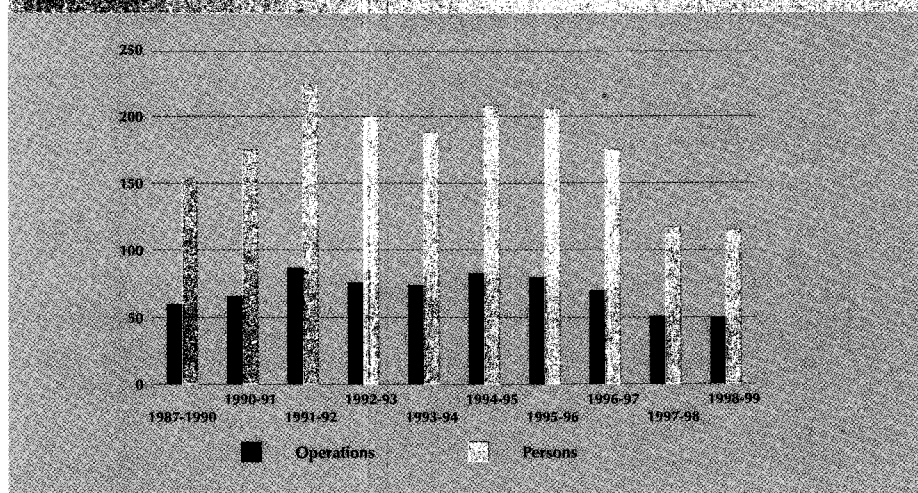
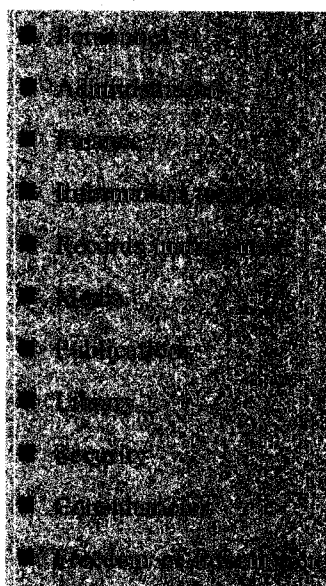


Figure 17 Persons and operations protected since 1987



CORPORATE SUPPORT

This function is carried out mainly by staff of the Corporate Services Division and the Office of the Commission. The library and publications functions are part of the Research and Prevention Division and the Security Manager is located in the Intelligence Division.



Personnel

Staff levels remained almost constant throughout the year, with the creation of only one new position.

See also 'Our People', page 66.

Outcomes from last year's future directions

Projected outcome

Complete the redevelopment of the complaints-recording system.

Complete the 'Year 2000' project.

Reduce the outstanding acquired material items below 3000.

Undertake a review and implement a new HR payroll system to replace the existing HRMS system.

Review the software supporting our fleet management system.

Review the implementation of the SAP R/3 Financials and Asset Management systems.

Evaluate the corporate support functions.

Enhance the Commission's corporate compliance process through a dedicated resource in the Office of the Commission.

Outcome in 1998-99

Specifications completed May 1999; design and construction began with implementation planned for March 2000.

Completion date December 1999.

Reduced to 4200 items only, due to higher than anticipated new receipts and a number of large and complex operations.

New payroll system, Aurion, commenced May 1999.

A new fleet management system is currently being implemented.

Implementation was found to be satisfactory and will continue to be monitored.

Evaluation report received June 1999.

A Manager, Corporate Governance, commenced duty April 1999.

Payroll system

As the payroll system (HRMS) used by the Commission was not Y2K compliant, an exhaustive business case was developed to recommend solutions.

In view of the cost of introducing a new system, it was decided to outsource the function.

The Queensland Government Corporate Administration Agency was selected and since May 1999 our payroll has been processed through the new Aurion system.

Policies

Specific resources were dedicated to review the human resource policies to provide simple, user-friendly documents incorporating quality assurance policies.

This work will continue into the new year and will take account of the recommendations in the evaluation of the corporate support functions.

Enterprise bargaining

Twenty-eight enterprise bargaining working parties involving the Commissioners

and about eighty staff members from all areas of the CJC worked throughout the year to identify and implement productivity improvements in:

- organisational structure
- best practice
- staffing and employment
- communications
- physical resources.

As a result, staff were notified in June 1999 that they would receive a 4 per cent pay rise from 1 December 1998.

Finalisation of all the initiatives in the agreement will be pursued during the next financial year to achieve the final pay rise, due 1 December 1999. Work will also commence on the next agreement to take effect from the expiration of the current agreement on 30 June 2000.

Administration

Motor vehicle fleet management

Offers were invited under the State Purchasing Policy for the provision of computer-based software to facilitate improved management of our motor vehicle fleet. As at 30 June 1999, the software was being implemented to be on line in October.

Consideration of new premises

As the accommodation lease on the CJC's premises at

Toowong expires August 2000, we began this year to explore our options — refurbishment of the existing site or a move to another location. The Department of Public Works was engaged to advise us.

See also 'Our future', page 75.

Finance

A more modern accounting system

As indicated in last year's annual report, and in line with government policy for more modern accounting systems, we implemented a new financial accounting system called SAP R/3 as from 1 July 1998.

This change was also required to ensure that the financial system was Y2K compliant.

To avoid the considerable up-front and ongoing maintenance costs associated with SAP, the maintenance of our financial accounting system was outsourced to the Queensland Government Corporate Administration Agency. The cost of outsourcing was balanced with the saving of a position within the finance section.

Financial reporting

The financial reporting capability of SAP did not meet our needs and so a financial reporting system

called 'Business Objects' was installed. This system links to SAP to provide meaningful financial reports for the core business unit.

External audit

Once again, the Queensland Audit Office certified that our financial statements presented a true and fair view of our financial position, in accordance with prescribed accounting standards.

Information technology

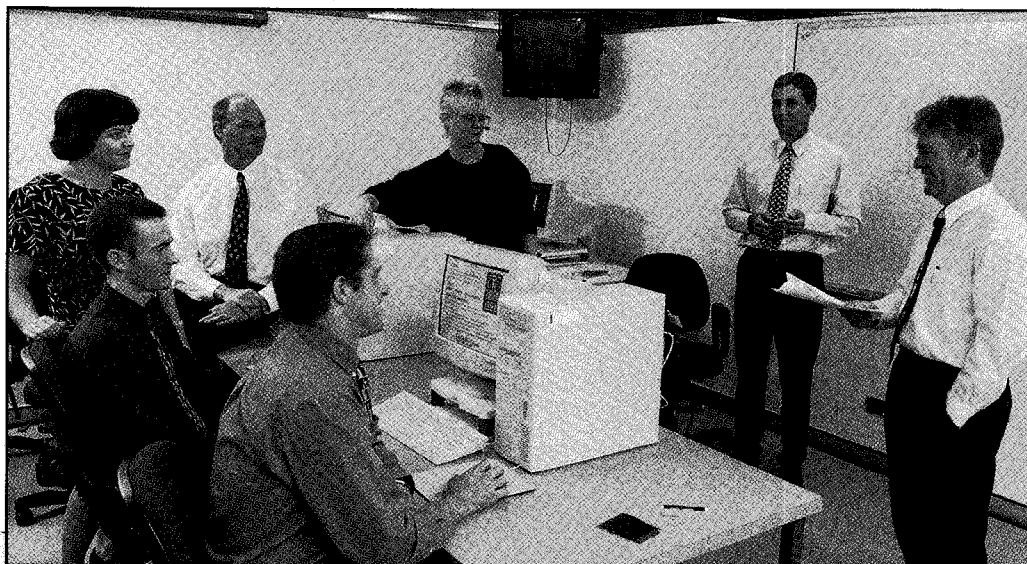
There was a strong focus on information technology facilities in the second half of the year.

A new standard operating environment

In October 1998, we commenced the largest information technology project yet to be undertaken at the CJC — the upgrade of our ageing standard desktop operating environment to Windows NT and Microsoft Office. The project involves the replacement of major software components and over 300 desktop and notebook computers.

With assistance from CITEC, the new environment was built, hardware acquired and software and training requirements determined by June 1999.

This project will continue into the first half of next



Some of the staff who worked on the Standard Operating Environment Project (seated from front): Albert Sauvage (CITEC), Matthew Thomson, Sonja Pedler, Peter Duell; (standing from front): Graeme Catling, Greg Rigby (Information Manager) and Robyn Buckley.

financial year with finalisation of equipment leasing arrangements and implementation by December 1999.

Complaints database

The redevelopment of the complaints database progressed slowly. However, specifications were completed in May 1999 allowing design and construction to begin, with a scheduled implementation date of March 2000.

Year 2000 project

The Y2K project continued during the year with the completion of the inventory, assessment and correction design phases.

We made good progress in the remaining key phases, covering system correction and contingency planning. A

number of related projects to replace existing systems or facilities considered at some Y2K risk were begun.

Apart from replacing our standard operating environment, we also replaced our leave and payroll processing and finance systems by an outsourcing arrangement with the Corporate Administration Agency using Aurion and SAP R/3 software respectively. We are satisfied that our critical internal business systems will not be affected by Y2K-related problems.

Records management

Parliamentary Criminal Justice Commissioner

We spent a good deal of time through the year locating and preparing documentation in

response to notices and other requests for material from the Parliamentary Commissioner.

We are committed to providing every possible assistance to the Parliamentary Commissioner. During the year, we responded to 26 notices to produce and eight notices to furnish information. We also worked with the Office of the Parliamentary Commissioner to refine the process for answering requests.

RecWin Software

RecWin now has recorded information on just over 500 000 documents and 100 000 files.

To ensure the system continues to meet our needs, a major project is under way

to move RecWin to a new operating system, restructuring our databases and reviewing existing security provisions.

Physical holdings registered during the year included:

- 550 notices, authorities and certifications
- 1000 items acquired from external sources
- 150 investigative hearing exhibits.

Information officer attached to MDTs

Efforts continued during the year to reduce the amount of external property on hand, with the 4350 items held at the end of the last financial year reduced to below 4200 by June 1999 despite higher than anticipated new items. Our target for the end of June 2000 is 3500 items.

To this end, we commenced a six-month trial in April 1999 of an alternative method of providing information management resources to our investigation teams. The trial involves an Information Officer being attached to a team to ensure all documents are recorded properly.

Media

Towards the end of the last financial year, a Media and Communications Manager position was created as part of the new Office of the Commission to enhance the



Information Officer Janet Covington (standing) with Corruption Prevention Officer Dorretti DeGraaff and Detective Sergeant Jason Overland of the Public Sector MDT.

CJC's public profile and improve internal communications.

The position coincided with a commitment by the Commission to greater openness in its communications with the media and the public while at the same time still protecting sensitive information.

Publications

The position of Publications Officer was transferred from the Corporate Services Division to the newly formed Research and Prevention Division on 1 July 1998. The position, however, is still responsible for the

production of corporate publications, such as the annual report, and public documents produced by divisions other than Research and Prevention.

A significant project in the latter half of the financial year was responding to the Commission's decision to adopt a new logo. To complement the logo and new corporate colours, new letterhead, business cards and 'with compliments' slips were produced as well as covers for our standard research and investigative reports. The new logo appears on the back cover of this report. (It was officially launched on the CJC stand at the RNA Exhibition in

August 1999. New stationery came into use on 1 September 1999.)

See appendix G for a list of publications produced during the year.

Library

The CJC library forms part of the Research and Prevention Division but serves all sections of the organisation. It supports staff by providing required material in-house, obtaining material from other libraries as needed, and bringing significant material to the attention of staff through a bimonthly Current Awareness Service, which it distributes throughout the CJC (via the Intranet) and to outside libraries.

The library uses the Internet and subscribes to a number of legal and criminal justice electronic indexes, abstracts and full-text services.

Security

Two key developments in 1999 in the security area were the appointment of a new Security Manager and the awarding of the contract for the provision of security staff to Chubb Security.

The new manager, who operates from the Intelligence Division, also works as an intelligence analyst. The officer has been involved in the development and implementation of some key strategic initiatives, including a strategic risk assessment.

Consultancies

We made less use of consultancies this year than in previous years. (Last year the total amount spent was \$147 557.)

Freedom of Information

We received 72 applications for information under the *Freedom of Information Act 1992*, a marked increase from the 54 received in 1997-98. See tables on next page.

Category	Expenditure (\$)
Management	55 067
Contractors	8 105
Total	63 172

Holdings		Transactions	
Monographs (including books, reports, and legal opinions)	10 545	New items acquired and catalogued	933
Subscriptions/periodicals	305	Items lent to CJC staff	1 601
Loose-leaf services	33	Journal articles indexed and listed in the Current Awareness Service	591
Pamphlets	475	Items listed in the Hansard Service	101
Annual reports	165	Items borrowed and photocopies provided from other libraries	144
A substantial collection of legislation and subordinate legislation		Items lent and photocopies provided to other libraries	235
A substantial news-clipping-service collection		General information inquiries: 1000-2000	

Type	Applications						Reviews			
	Total applications		Decisions made		Applications in progress		Internal review		External review	
	97-98	98-99	97-98	98-99	97-98	98-99	97-98	98-99	97-98	98-99
Personal	31	24	29	26	3	—	3	4	2	3
Non-personal	23	48	21	45	4	8	3	19	1	15

Type	Full access		Partial access		Full denial ¹		Refused ²		Withdrawn/lapsed	
	97-98	98-99	97-98	98-99	97-98	98-99	97-98	98-99	97-98	98-99
Personal	10	14	14	9	2	—	2	3	1	—
Non-personal	5	7	6	12	3	3	4	16	3	4

Notes:

¹ Access refused to exempt matter.² Refused under relevant section of the FOI Act, including ss. 21, 22, 25, 26, 28 and 35.

Corporate Support Program

- ▶ Implement recommendations of evaluation of Corporate Support subprogram.
- ▶ Organise new or refurbished accommodation for the CJC.
- ▶ Finalise initiatives in current enterprise bargaining agreement and develop new agreement.
- ▶ Develop and implement a training plan for all staff.
- ▶ Undertake internal audits in accordance with the Audit Strategic Plan 1999-2002.
- ▶ Implement a revised Code of Conduct.
- ▶ Develop and implement a fraud control plan
- ▶ Launch an internal staff magazine.

CRIMINAL JUSTICE COMMISSION



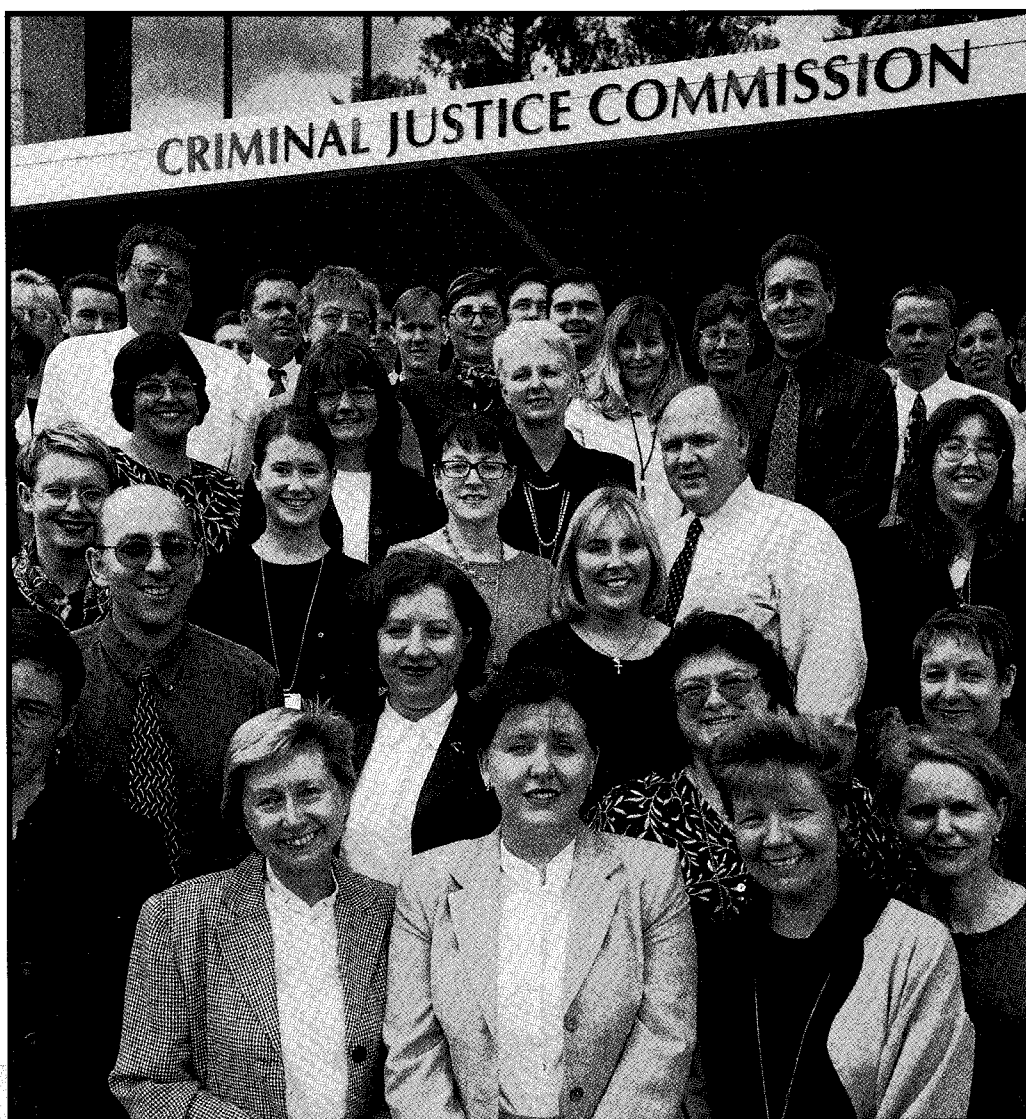
Our people

Crime and gangs
 Awards and recognition
 Communicating with
 each other
 A safe place to work
 A just and fair place to
 work

More than 250 people
 work at the CJC from a
 variety of disciplines
 including the law, police,
 accountancy, social
 sciences and computing.

As at 30 June 1999, there
 were 263 positions, one
 more than at the end of

the previous year.
 Ninety-two were full-
 time positions and the
 remainder part-time.
 The table below
 shows the staff
 establishment broken
 down according to
 gender and discipline.



Staff on the front steps of the Criminal Justice Commission building at 557 Coronation Drive, Toowoong.

Table 15: Staff by discipline

	Approved establishment	Actual staff on hand		
		Male	Female	Total
Executive*	11	6	4	10
Official Misconduct	141	93.9	46.7	140.6
Witness Protection	29	21	4.8	25.8
Research and Prevention	29	11.5	19.4	30.9
Intelligence	20	11	10	21
Corporate Services	33	17	20	37

Total	215	139.4	144.2	283.6
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*Executive includes Office of the Commission and Office of General Counsel.

Table 16: Number of staff by discipline

Discipline	No.	Discipline	No.
Complaints Officers	7	Intelligence Analysts	9
Legal Officers	23	Technical Officers	2
Financial Analysts	6	Computing Officers	9
Research Officers	12	Administration Officers	68
Librarians	1	Police Officers	92
Managers	13	Corruption Prevention Officers	9
Investigators	12		

Comings and goings

In addition to a new Chairperson and new directors for OMD and Witness Protection, the following major appointments were made or announced this year:

- a female Aboriginal and Torres Strait Islander Officer to complement the work of the existing male Officer and to work specifically with Indigenous women
- five Corruption Prevention Officers in the areas of public sector, local government, police, education and training, and systems analysis
- a Complaints Liaison and Whistleblower Support Officer
- a Staff Development Officer to give greater focus to staff training and development and to provide ethics training for all staff
- a new Security Manager to oversee our protective security requirements
- a new Media and Communications Manager to enhance our public profile and to improve internal communications
- a Corporate Governance Manager to ensure the Commission's corporate compliance.

The year also saw the departure of people who had made valuable contributions to the work of the CJC:

The Commission

- Frank Clair, Chairman (1995-98)
- Professor Ross Homel, Commissioner (1994-99)

Office of the Commission

- Keith George (1992-99)

Corporate Services

- Eric Baddeley (1990-99)
- Michelle Greenhalgh (1991-99)
- Mathew Nye (1994-99)
- Maryanne Watson (1990-98)
- Louise Gell (1995-99)
- Jan Jones (1995-99)
- Kathryn Milezewski (1992-99)
- Michael Ries (1990-98)

Intelligence

- Rhona Barford (1993-98)
- John Keane (1991-98)

Official Misconduct

- Mark Le Grand (1990-99)
- Louis Lee (1993-98)
- Pat McCallum (1987-99)*
- Jim Killen (1995-99)
- Ian Robinson (1990-98)
- David Shepherd (1991-98)
- Toshi Watanabe (1994-98)

Witness Protection

- Vicki Lee (1991-98)
- Assistant Commissioner John McDonnell (1990-98)
- Sue Silwood (1988-98)*

* Includes period working for the Fitzgerald Inquiry.



A few familiar faces around the Commission (standing l. to r.) John Boyd (Manager, Corruption Prevention), Katrina Jefferson (Complaints Liaison and Whistleblower Support Officer), Bob Evans (Official Solicitor); (seated l. to r.) Theresa Hamilton (General Counsel), Forbes Smith (Deputy Director OMD), Helen Couper (Executive Legal Officer) and Michael Barnes (Chief Officer, Complaints Section).

Awards and recognitions

MR JOHN BOYD, Manager of Corruption Prevention, was selected by the Queensland branch of the Institute of Internal Auditors as their exchange ambassador for San Jose, California.

DR DAVID BRERETON, Research and Prevention Director, was appointed an Honorary Adjunct Professor in Sociology and Anthropology at the University of Queensland.

MR PAUL ROGER, Intelligence Director, was awarded the 1998 Lifetime Achievement Award by the Society of Certified Criminal Analysts.

The CRIMINAL JUSTICE COMMISSION received an award of Excellence for the 1997-98 Annual Report. The awards are presented by the Institute of Internal Auditors to encourage Queensland's public sector agencies to adopt Australian standards of accounting, auditing and reporting.

Communicating with each other

The Commission took two major steps during the year to improve communications between the various divisions and between staff and management:

1. It established a Commission Consultative Committee to provide a forum for staff to raise

issues of interest to them and express their points of view.

2. It made the decision to relaunch a regular staff magazine.

In addition, it continued its encouragement of the 'lunchtime seminar' program.

Commission Consultative Committee

This Commission Consultative Committee (CCC) was set up this year to give staff an opportunity to influence the decision-making process. Its general aim is to contribute to the quality of work life for all employees and to help improve productivity.



Our people

Meetings are held as needed but at least four times a year. Issues raised tend to relate to industrial matters, staff development, equity, the physical aspects of the working environment, and the implementation of measures designed to increase flexibility, productivity and efficiency within the Commission.

What the CCC does not do

The CCC is not a decision-making body. It does not become involved in individual discipline issues (managed according to CJC and QPS policy), individual

grievances (managed through the grievance policy), or specific operational matters (responsibility of the relevant director).

Representation

Committee members are representative of all staff including other workplace committees such as equal employment opportunity and workplace health and safety.

There are 13 members:

- three management representatives (the Chairperson, the Personnel Manager and a director)

- ten staff representatives democratically elected by their peers and drawn from every major group: police, investigators, research officers, intelligence analysts, financial analysts, lawyers, administration staff, information technology staff and support staff.

Staff are kept informed of the outcome of meetings through the Intranet and through their representatives.

The Commission Consultative Committee.



Staff magazine

With the appointment of a Media and Communications Manager, the decision was made to reintroduce a staff magazine to inform, entertain and build goodwill.

Called *CJC Insider*, the magazine will be produced wholly in-house each month (the first edition appeared in July 1999). It will contain serious, informative articles about the Commission's work along with social news and other 'grassroots' information.

Like its more humble predecessor, the *Focus*, the *Insider* is staff- rather than management-driven. Its production is the responsibility of the Media and Communications Manager, but contributions are sought from all areas of the CJC so that the magazine is truly representative and truly informative.

The *Insider* will also provide an informal record of CJC activities.

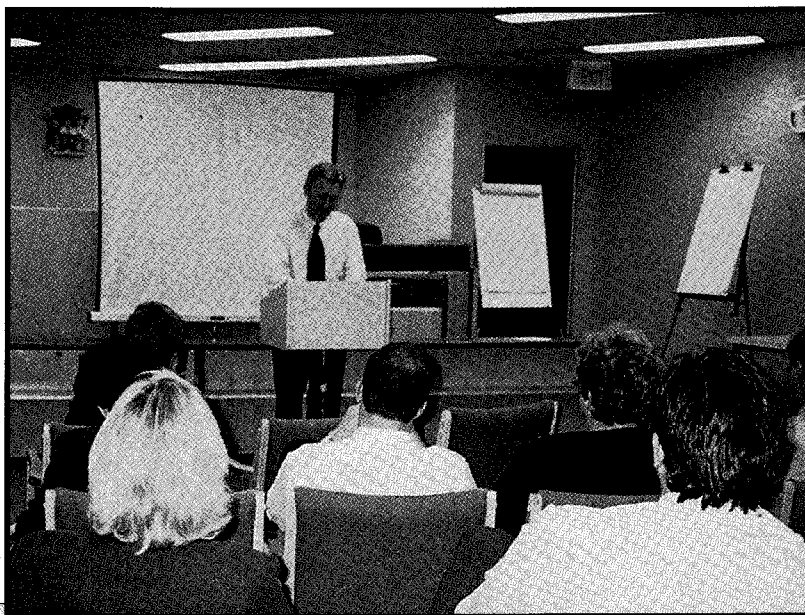
Lunchtime seminars

This year we expanded the lunchtime seminar program, which has been conducted over the last few years as a way of informing staff of the Commission's activities.

Until recently, the seminars were open only to staff and were usually presented by research officers. This year,



CJC Chairman Brendan Butler SC and PCJC Deputy Chair Vince Lester MLA review the first volume of CJC Insider.



Deputy Chief Complaints Officer Warren Strange presenting a lunchtime seminar on Operation Aramac.

we expanded the program by inviting staff from all areas of the CJC to present seminars on topics of general interest. We also extended regular invitations to external agencies to attend our seminars and to present seminars on topics of mutual interest.

During 1998-99, 15 lunchtime seminars were presented, nine by staff of the Research and Prevention Division, two by OMD and four by external agencies. Topics were quite diverse. Some presenters spoke about a research project or investigation they had worked on (for example, Queensland prison population projects; Operation Aramac) while others gave an overview of the work performed by certain units within or outside the Commission (for example, the Crime Prevention Taskforce).

Attendance rates continued to improve throughout the year. By the end of the year, most seminars were

attracting an audience of at least thirty and some as many as sixty.

Staff training and development

In 1999, a Staff Development Officer was appointed to sharpen our focus on training and development. The induction program for recently appointed staff was redeveloped and ethics training was provided across the Commission. A full training needs analysis was also done and a training plan to incorporate priorities such as management and leadership development began.

Continuing Legal Education Committee

The Continuing Legal Education (CLE) Committee was formed in March 1999 in response to a perceived need for a continuing education program for the CJC's 27 lawyers. It met five times between March and June.

A safe place to work

The Workplace Health and Safety Committee was reconvened during the year and identified a number of needs, including the need:

- to train workplace health and safety officers
- for ergonomic arrangements for the new computing hardware to be supplied as part of the upgraded standard operating environment.

Three workers' compensation claims were lodged. Only one working day was lost as a result of these claims.

A just and fair place to work

The CJC is committed to providing a workplace free from harassment and discrimination. The EEO Consultative Committee spent the year implementing the *EEO Management Plan 1998-2000*. The plan, endorsed by the Commission in May 1998, sets out a

Staff Development Officer Sonja Pedler presenting a training program.



number of objectives and strategies designed to ensure that EEO principles are integral to the CJC's workplace practices and policies. Table 17 outlines the steps taken in 1998-99 to meet those objectives. Table 18 (below) and figures 4-6 (next page) give the EEO statistics for the year.

Harassment and Discrimination Audit

This audit, conducted in May each year by the Committee, is a key tool for the measurement of staff satisfaction with EEO initiatives. It is an anonymous and voluntary survey of all staff concerning their experiences in the

workplace, and their views about the success of strategies aimed at minimising harassment and discrimination. The result of this year's audit showed, pleasingly, that a strong majority of respondents believe the CJC is committed to the principles of EEO.

Objective	Outcome
1. Make EEO an integral part of the Commission's philosophy and practice.	An EEO Resource Kit was developed by the Committee for use by all staff, particularly supervisors and managers. It contains information and guidelines about how to deal with EEO issues in the workplace.
2. Provide a working environment free from all forms of sexual harassment and unlawful discrimination.	The sexual harassment grievance and anti-discrimination policies are all under review with specific focus on their effectiveness in dealing with these complaints. All members of the Committee were trained to become Equity Officers equipped to advise staff and management on equity and sexual harassment issues.
3. Progress towards recruitment of Aboriginal and Torres Strait Islander staff and trainees to reflect Aboriginal and Torres Strait Islander numbers in the CJC's client group.	The decision was made this year to appoint a female Aboriginal and Torres Strait Islander Officer to work with Indigenous women and to complement the work of the existing male Aboriginal and Torres Strait Islander Officer, Mr Dan Abednego. (The officer, Ms Lynette Booth, was appointed in July 1999.)
4. Minimise the effect of language and cultural differences in the recruitment of people with a non-English-speaking background to the CJC and their progress within the CJC.	The EEO Committee convened a meeting of employees from a non-English-speaking background. The group has decided to continue meetings on an ad hoc basis as an informal support network and to act as a forum to raise issues formally, if necessary.
5. Enhance opportunities for people with a disability to compete on merit for recruitment, selection and promotion in the CJC.	Proposals awaiting implementation.
6. Identify and overcome any barriers to the recruitment of women to the CJC and their progress within the CJC.	Proposals under discussion.

Target group	1996-97		1997-98		1998-99	
	No.	%	No.	%	No.	%
Women	77	49.7	80	53.0	110	55.0
Aboriginal and Torres Strait Islanders	1	0.6	1	1.0	2	1.0
People with non-English-speaking background	9	5.8	8	5.0	5	2.5
People with disability	3	0.9	2	1.0	2	1.0



Our people

Figure 4: Employees by gender and employment status

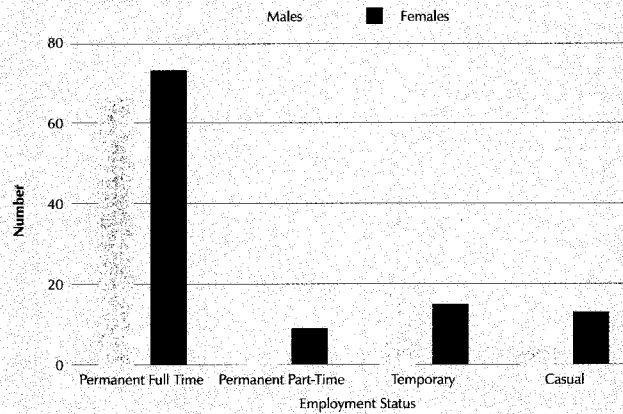


Figure 5: Employees by gender and salary level (as at June 1999)

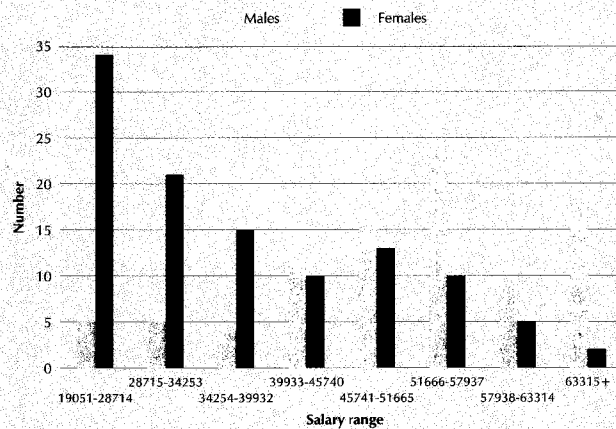
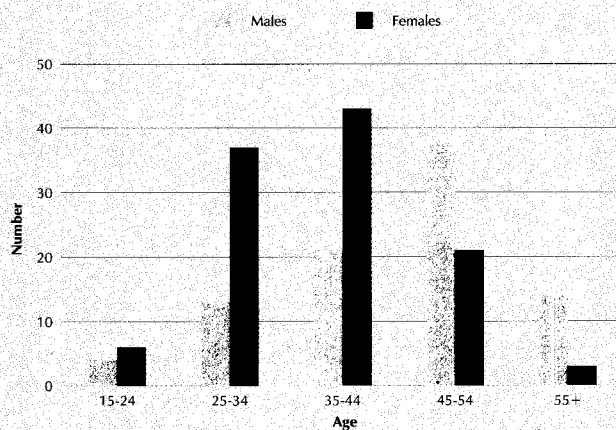
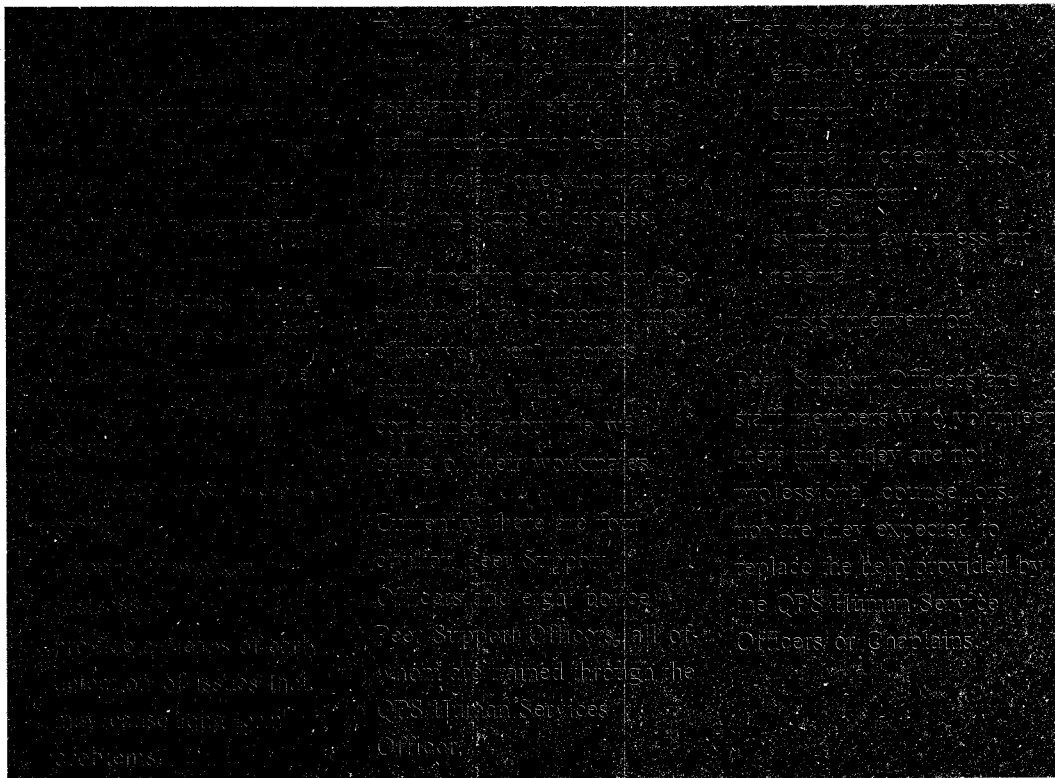
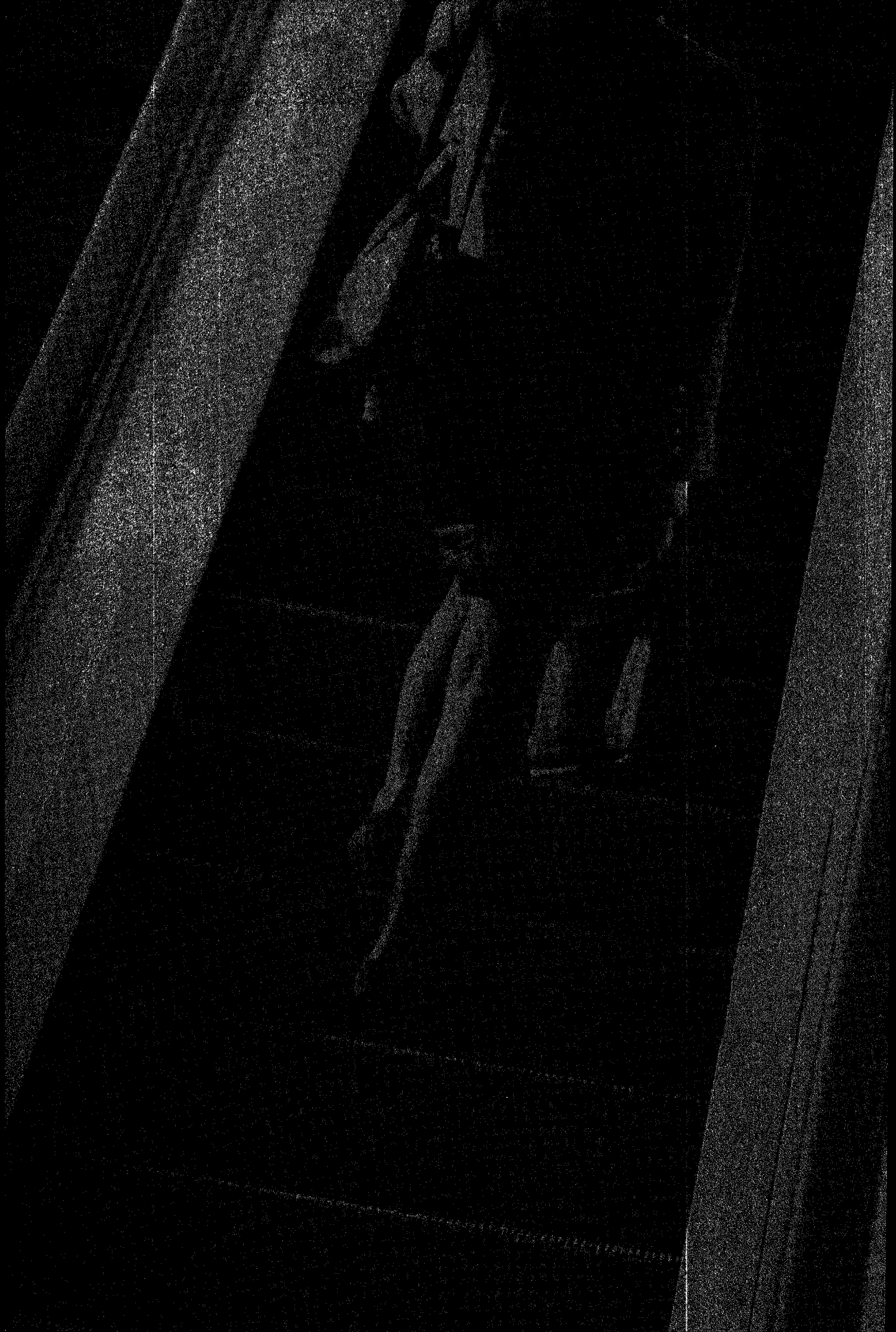


Figure 6: Employees by gender and age







Our future

by Brendan Butler sc

The CJC is a unique organisation which brings together the skills and experience of a variety of professionals — accountants, police, investigators, lawyers, social scientists and analysts — who work in a multidisciplinary environment to reduce corruption and improve the Queensland criminal justice system. The coming year, 1999–2000, will draw on this talent to give effect to new strategic directions.

Initiatives

Through a series of initiatives we will:

- focus our response on the areas of greatest corruption risk
- be strategic, proactive and flexible in prioritising our response
- adopt a client-service approach in the resolution of complaints

- seek opportunities to achieve wider preventive outcomes from our work
- use all our people and disciplines to best advantage.

The CJC will aim to improve communication with stakeholders and the public. A demonstration of this new openness is our decision to have a stand at the 1999 Brisbane RNA Exhibition.

New technology

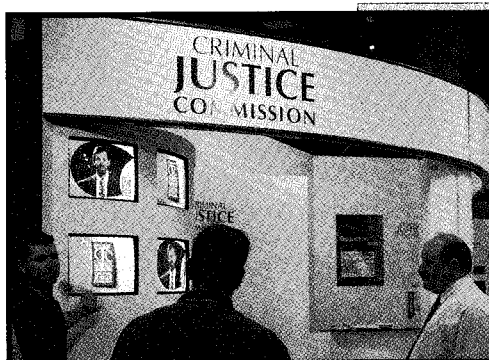
A number of major information technology enhancement projects will improve our efficiency and effectiveness. The largest information technology project in the history of the CJC will provide over 300 new computers and a new software operating environment for the organisation.

New premises

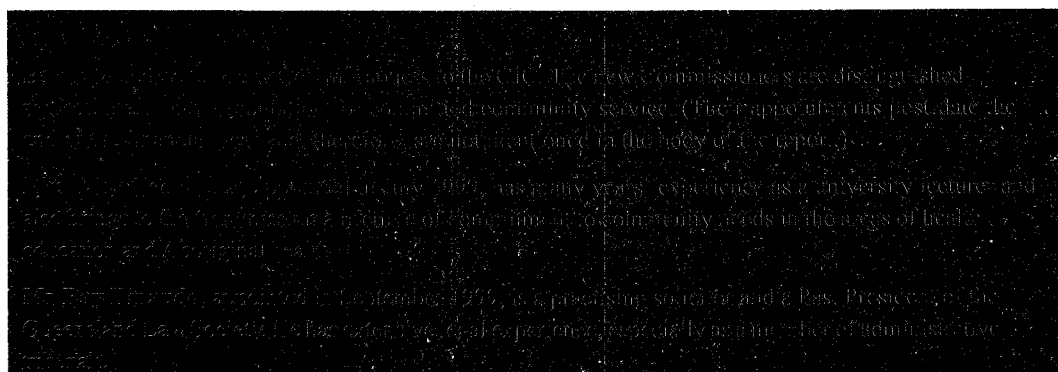
Following the expiry of its current lease, the CJC is planning a move to new CBD premises by the middle of the year 2000. This will facilitate access to clients and improve liaison with public sector agencies.

The year ahead

The 1999–2000 year will provide an exciting challenge for the dedicated staff of the CJC. I am confident that challenge will be met and will result in improved outcomes for the people of Queensland.



Construction under way of the CJC's first RNA Exhibition stand in the State Government Pavilion.



Appendices

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Appendix A: Functions and responsibilities of the CJC

The functions and responsibilities of the CJC are a matter of law, as stated in sections 21 and 23 of the *Criminal Justice Act 1989*:

21. (1) The commission shall—

- (a) continually monitor, review, and, if the commission considers it necessary, initiate reform of the administration of criminal justice;
- (b) discharge other functions appropriate to the objects of this Act.
- (2) In discharging its functions the commission shall —
 - (a) wherever practicable, consult with persons or bodies of persons known to it to have special

competence or knowledge in the area of the administration of criminal justice concerned, and seek submissions from the public; and

- (b) in its report present a fair view of all submissions and recommendations made to it on the matter in relation to which it is discharging its functions, whether such submissions and recommendations are supportive of, or contrary to, the commission's recommendations on the matter.

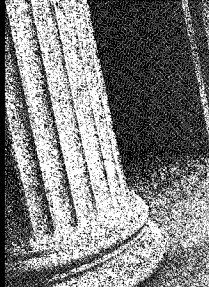
(3) Subject to section 26 [commission's reports] the commission shall report to the parliamentary committee —

- (a) on a regular basis, in relation to the commission's activities;
- (b) in relation to a matter specified by the parliamentary committee concerning a function of the commission or the administration of criminal justice;
- (c) when the commission thinks it appropriate to do so with respect to that matter, in relation to any matter that concerns the administration of criminal justice.
- (4) The commission shall monitor, review, coordinate and initiate implementation of the recommendations relating to the administration of criminal

justice contained in the report of the commission of inquiry, and to that end, having regard to that report, shall prepare a program of priorities.

23. The responsibilities of the commission include —

- (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 public prosecutions and the Legal Aid Commission (so far as its functions relate to prescribed criminal proceedings within the meaning of the *Legal Aid Act 1978*);
- (d) undertaking intelligence activities to support its responsibilities in relation to official misconduct or alleged or suspected misconduct by members of the police service;



- (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;
- (g) monitoring the performance of the police service with a view to ensuring that the most appropriate policing methods are being used, consistently 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 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.

Appendix B: From the Strategic Plan 1998–2001

Investigations Subprogram

Objectives:

- ensure that public sector misconduct is effectively investigated and that remedial and preventive action is taken by appropriate authorities
- promote public confidence in the complaints process
- combat corruption in the Queensland Police Service.

Strategies:

- assessing and, where appropriate, investigating complaints in a timely, consistent and fair manner
- monitoring and reviewing investigations conducted by other agencies
- making recommendations for procedural reforms to units of public administration based on our investigations
- analysing data on complaints and undertaking proactive investigations of allegations of police and public sector corruption
- maintaining a secure and accessible intelligence database in relation to police and public sector corruption
- providing timely intelligence support to investigations through analysis of complex data sets, target identification, and exchange of information with external agencies

- identifying and helping confiscate the proceeds of corruption affecting the public sector and members of the QPS
- identifying and using the best combination of operational strategies in investigations, including the use of compulsory powers
- holding hearings and reporting to Parliament on matters of serious concern
- assisting units of public administration to develop effective internal disciplinary processes
- assisting and advising whistleblowers

Performance measures:

- average finalisation times for complaints investigated by or on behalf of the Complaints Section
- average review time of complaints investigated by other agencies
- the number of recommendations arising for criminal or disciplinary action accepted by appropriate authorities
- the proportion of matters investigated by other agencies and found, on review, to have been adequately investigated
- the number of recommendations for procedural reform accepted by appropriate units of public administration
- Chief Executive Officers' and Liaison Officers' level of

satisfaction with the complaints process

- appropriate management of the intelligence database as reviewed by the annual audit of intelligence holdings undertaken by the Parliamentary Commissioner.

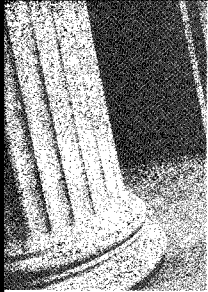
Research and Prevention Subprogram

Objectives:

- monitor and enhance the professionalism, effectiveness and responsiveness of the QPS
- contribute to the development of appropriate criminal justice policies
- contribute to informed public discussion on policing and criminal justice issues
- assist units of public administration to identify and reduce public sector misconduct.

Strategies:

- conducting independent research into policing and criminal justice issues and problems
- together with the QPS, designing, implementing and evaluating projects to improve policing methods and crime prevention strategies, and help prevent and reduce misconduct
- participating in, and contributing to, the Police Education Advisory Council and other working groups and advisory bodies



- monitoring and reporting on significant trends and developments within the QPS, and in crime and the criminal justice system
- making recommendations arising from the work of the Review Commissioners
- responding to, and recommending proposals for, reform of criminal law and criminal justice processes where relevant to the discharge of the CJC's other statutory responsibilities
- consulting and liaising with other criminal justice agencies
- conducting research on trends and patterns in official misconduct, and the causes of official misconduct, and disseminating this research to units of public administration
- liaising with senior administrators and agencies and offering advice on the reporting and prevention of official misconduct
- offering a range of advice and training on corruption prevention, and disseminating relevant information to agencies
- making recommendations to assist agencies to prevent official misconduct
- assisting agencies to carry out misconduct risk management reviews
- through research and consultation, identifying effective strategies for

preventing and reducing official misconduct.

Performance measures:

- the number and type of initiatives and recommendations adopted by the QPS
- the progress made by the QPS in addressing key issues identified in reports
- the action taken in response to reports and submissions on criminal law and criminal justice processes
- independent expert assessment of research output
- reader assessment of disseminated material
- clients' level of satisfaction
- the number of agencies that have requested or accepted assistance
- the number of recommendations arising from misconduct risk reviews accepted by the client groups

Witness Protection Subprogram

Objectives:

- people admitted to the program are protected, in a cost-effective manner, until the identified threat is determined as no longer existing
- a witness who is required to give evidence is safely able to do so because of the protection provided.

Strategies:

- providing effective protection for witnesses who have assisted the Criminal Justice Commission or a Law Enforcement Agency of the State
- providing effective court security for witnesses required to give evidence
- devising and providing appropriate training programs for witness protection staff
- promoting legislative changes required by the Witness Protection Division to discharge its functions effectively and efficiently, while protecting the interests of third parties
- developing appropriate and effective methods by which witness protection may be provided

Performance measures:

- the number of people under threat for whom protection has been provided for the time required (that is, the number of people successfully completing the period of protection)
- the number of witness protection officers achieving and maintaining the specified competencies within the required time through planned training programs
- the number of protected witnesses required to give evidence who were able to do so safely.

Appendix C:

Complaints statistics

C1: Number of charges recommended as a result of misconduct investigations (1995–96 to 1998–99)	C1: Nature of charges recommended as a result of misconduct investigations (1998–99)	C7: Categories of complainants for the Local Government jurisdiction (1998–99)
C2: Types of matters reviewed by Review Unit 1998–99	C2: Standard complaints received (1990–91 to 1998–99)	C8: Subjects of allegations (1998–99)
C3: Hearings held for misconduct investigations (1998–99)	C3: Subjects of complaints (1998–99)	C9: Types of allegations for the Corrective Services jurisdiction (1998–99)
C4: Proceeds of crime	C4: Categories of complainants for the Corrective Services jurisdiction (1998–99)	C10: Types of allegations for the QPS jurisdiction (1998–99)
C5: CJC's investigation and review of police complaints (1996–97 to 1998–99)	C5: Categories of complainants for the QPS jurisdiction (1998–99)	C11: Types of allegations for the Public Sector jurisdiction (1998–99)
	C6: Categories of complainants for the Public Sector jurisdiction (1998–99)	C12: Types of allegations for Local Government jurisdiction (1998–99)

Category	95–96	96–97	97–98	98–99	Total
Police Service	336	327	209	170	1042
Public Service	164	130	150	94	538
Other	59	74	60	94	287
	559	531	419	358	1867

Note: The table above counts the number of charges recommended as a result of misconduct investigations during the year. Previous year figures have been adjusted to account for subsequent changes to data.

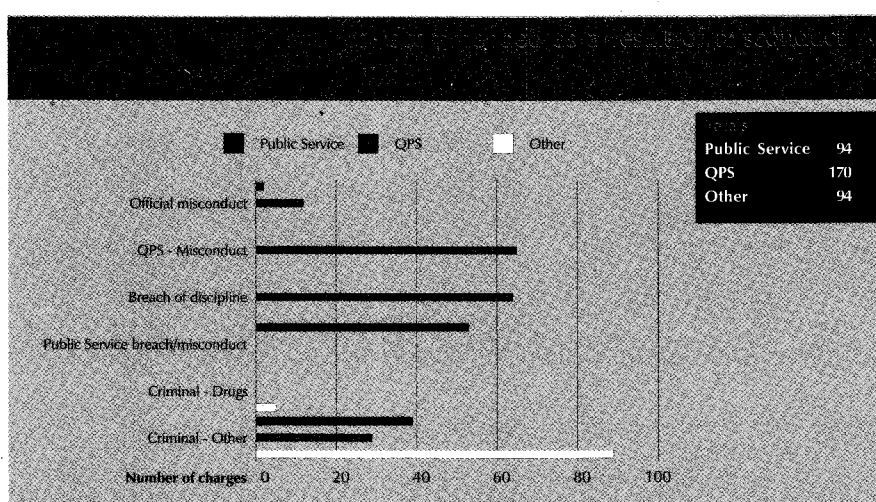


Table C2: Types of matters reviewed by Review Unit (1998-99)		
Type of matter	Number	%
Referral to QPS for investigation of QPS officers	297	33.7%
Referral to QPS for investigation of possible criminal activity by other public officers	137	15.5%
Referral to Principal Officer of a unit of public administration for investigation/other action	130	14.7%
Referral to QPS for report on major incident/significant matter	28	3.2%
Other, including review of disciplinary sanctions	290	32.9%
Total	882	100

Table C3: Hearings held by the Review Unit (1998-99)				
Type of hearing	No. of matters	Days sat	Witnesses	Transcript pages
Private hearings	13	28	29	1 646
Public inquiries*	1	1	—	4
Total	14	29	29	1 650

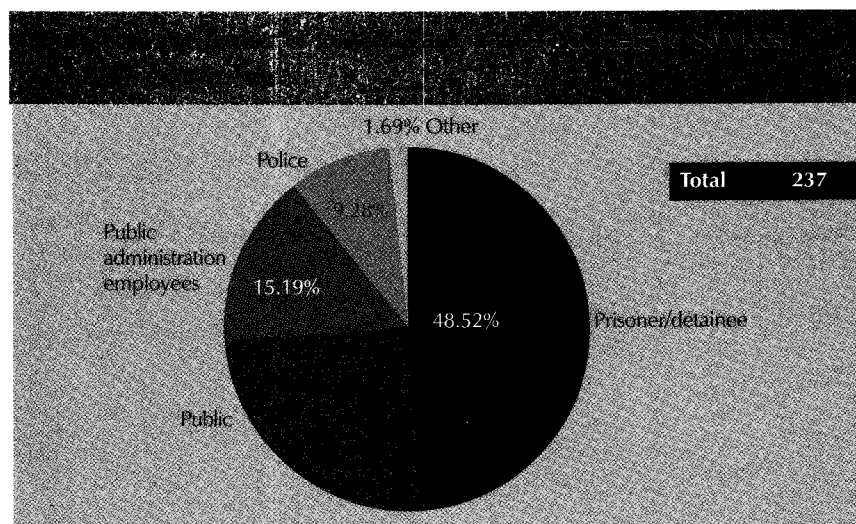
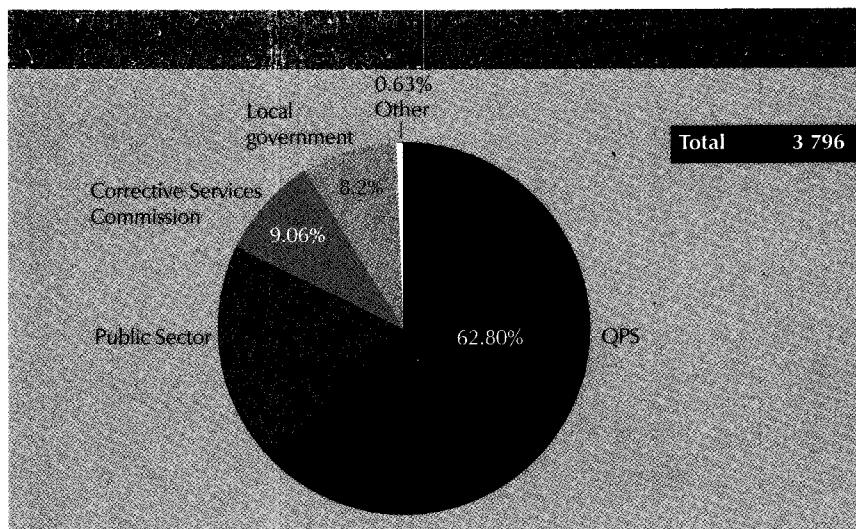
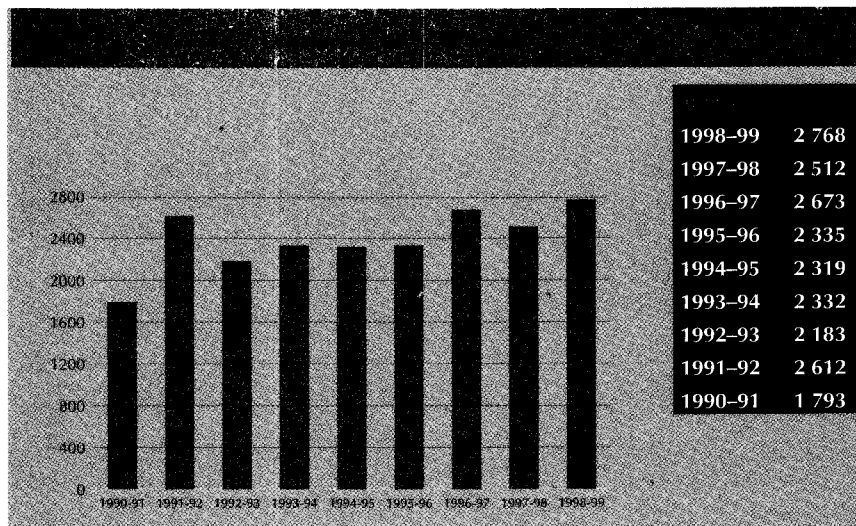
* Final day of Kimmins Inquiry.

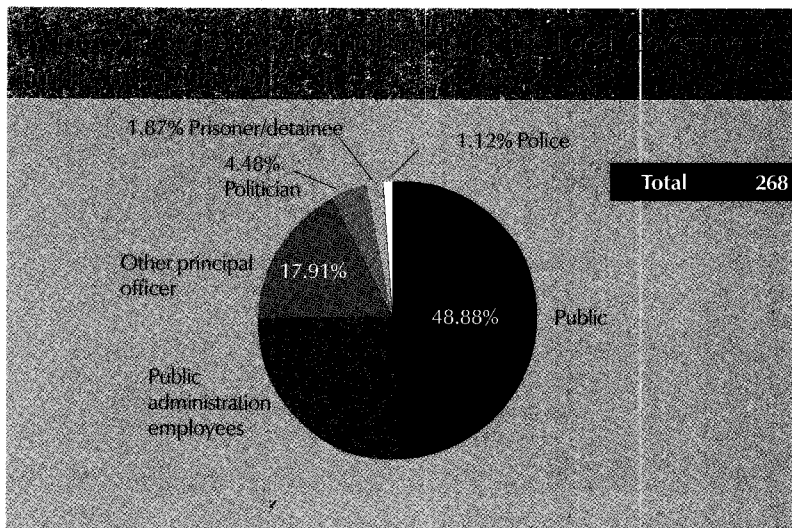
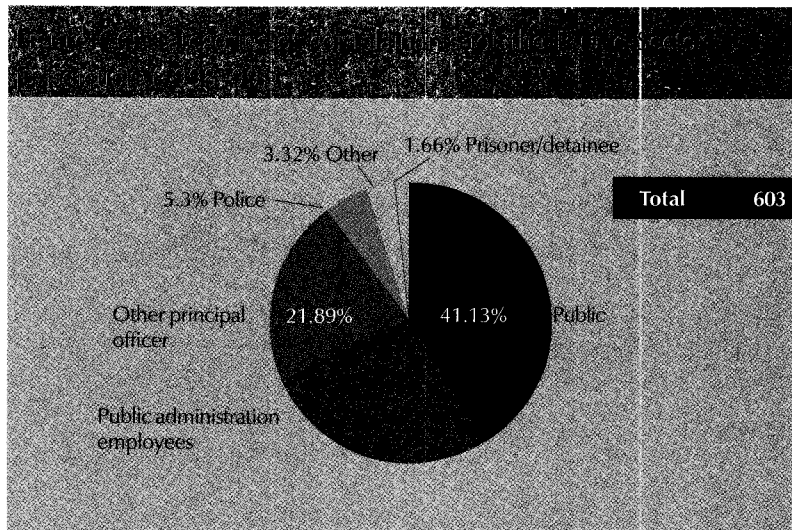
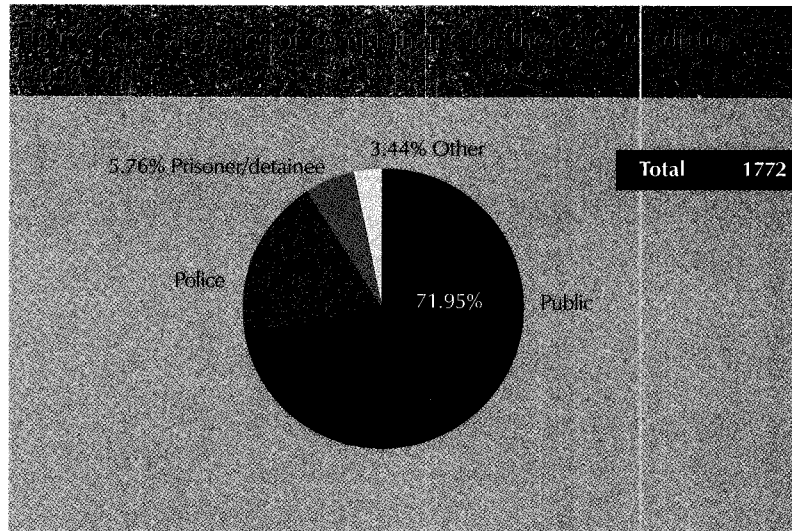
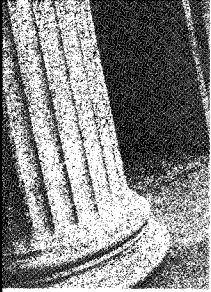
Table C4: Assets of criminals	
Total net value of currently restrained assets	\$474 062.77
Total of assets removed from or owing by criminals pursuant to CJC operations since 30 September 1990	.
Total forfeited and pecuniary penalty order assets	\$1 673 049.36
Total of outstanding pecuniary penalty orders	\$338 955.54
Total of restrained assets expended on legal expenses	\$687 850.00
Total	\$2 699 854.96

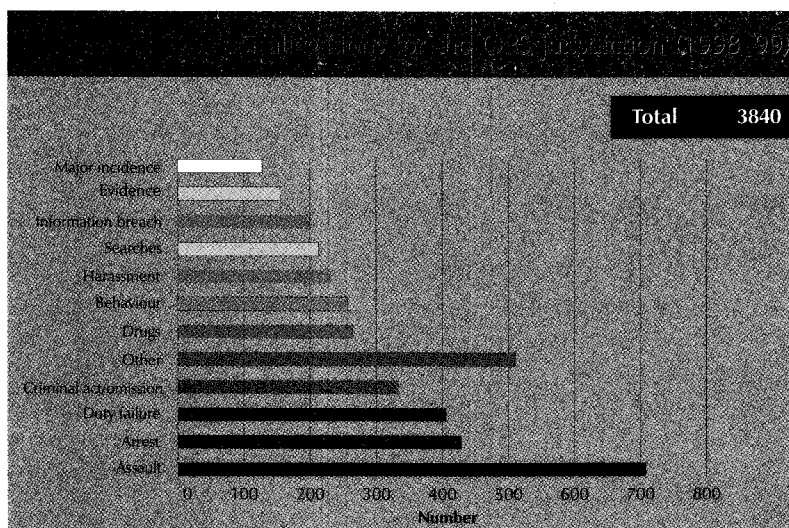
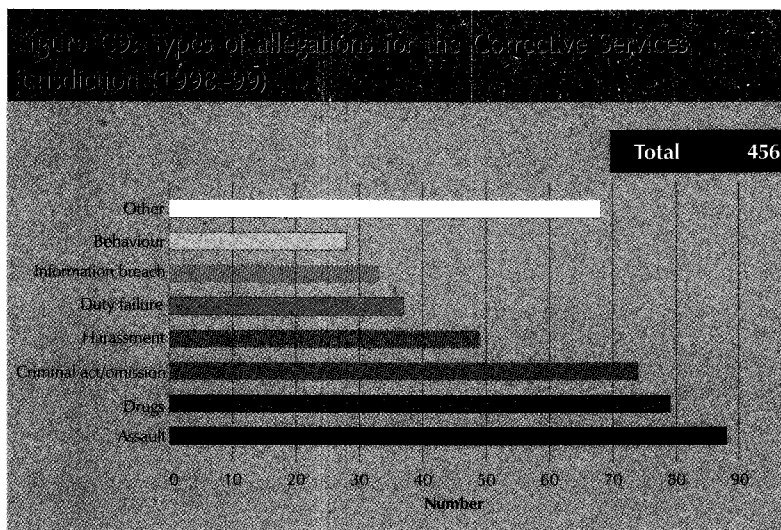
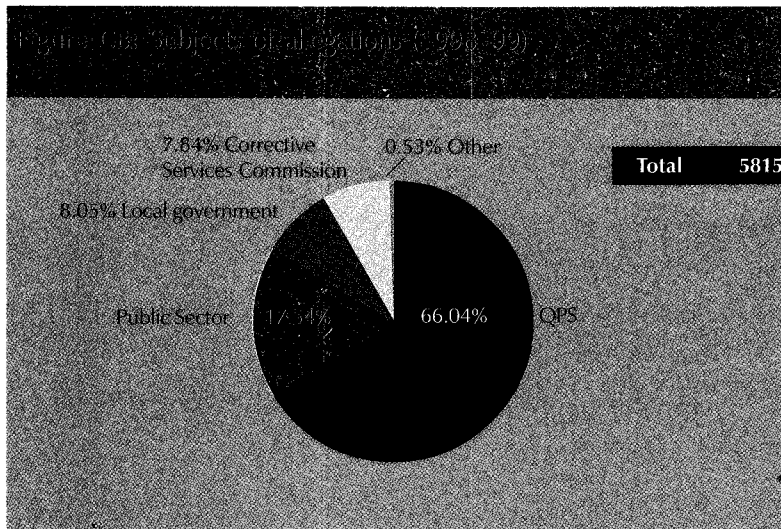
Table C5: Complaints investigated and review of police complaints (1996-97 to 1998-99)			
Description	1996-97	1997-98	1998-99
Total number of complaints ¹ investigated in each year ²	1696	1506	1398
Total complaints referred to QPS for determination	330	283	393
Police complaints finalised by the CJC's assessment unit	1083	962	864
Police complaints finalised by the MDTs	283	261	141

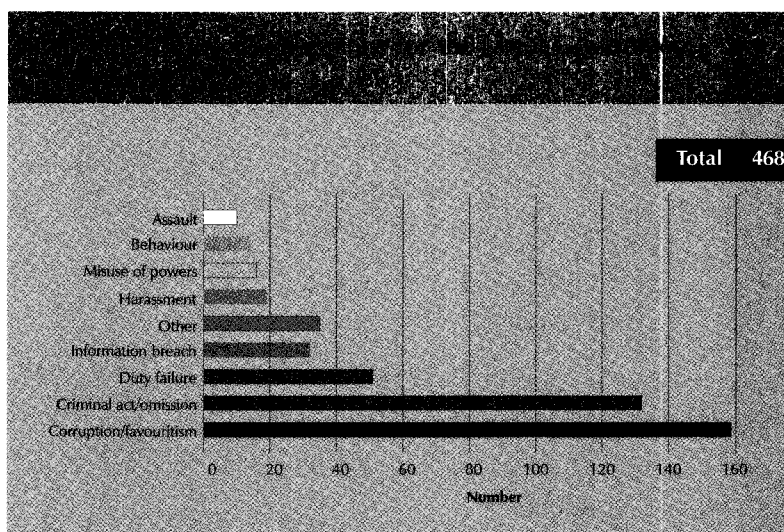
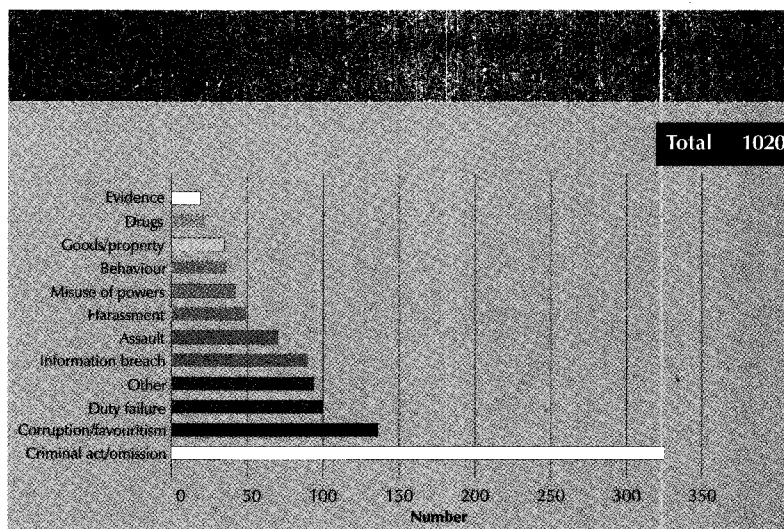
¹ The number does not include (a) complaints made directly to the CJC against police which are assessed as involving allegations of breach of discipline and referred to the QPS for action; or (b) matters reported to the CJC by the QPS under s. 2.6.10 (Fatalities for serious injuries resulting from incidents involving members (Police-related incidents)) of the Operational Procedures Manual.

² 'Investigate' as defined by the CJ Act includes 'to examine and consider'.









Appendix D: Legal cases

Queensland Police Credit Union v. CJC

Background

The CJC's 1997 publication, *Police and Drugs: A Report of an Investigation of Cases Involving Queensland Police Officers* (the Carter report), contained certain comments about the Queensland Police Credit Union which the latter took exception to. The QPCU felt that the CJC should have allowed them the opportunity to reply to the comments before publication of the report.

In going to court, the QPCU sought a declaration that the Commission had failed to observe the requirements of procedural fairness or had acted unfairly. It also sought an injunction restraining the Commission from 'giving advice, making or pursuing recommendations, or acting pursuant to or in respect of or in reliance upon that part of the report ... of and concerning the [QPCU]'.

The decision of the Supreme Court

Justice Shepherdson declared that the Commission had failed to observe the requirements of procedural fairness, adopting the words of Justice Brennan in *Ainsworth v. Criminal Justice Commission* (1982) 175 CLR at page 597:

Where an official entity, purportedly exercising a statutory power or performing a statutory function which requires it to

observe the rules of natural justice, publishes a report damaging to a person's reputation without having given that person an opportunity to be heard on the matter, prima facie that person is entitled to a declaration that the report, so far as it damages his or her reputation, has been produced in breach of the entity's duty to observe the rules of natural justice.

However, His Honour refused to grant the injunction sought by the QPCU.

CJC v. Queensland Police Credit Union [on appeal]

Our appeal against the decision of Justice Shepherdson resulted in only a minor modification to the terms of the declaration. The Court of Appeal did, however, sound a note of warning about extending the rules of procedural fairness to every criticism or adverse comment in such reports:

... it should perhaps be added that it is not every criticism or adverse comment on collateral matters or events which arise in the course of proceedings that will attract the need for procedural fairness of this kind. The function of judicially hearing, investigating, reporting or deciding would be effectively stultified if nothing in the least degree adverse could legitimately be said without first affording the opportunity to be heard to anyone who supposed himself or herself to be in some way detrimentally affected by it.

The Parliamentary Criminal Justice Commissioner and the 'Grice allegations'

This issue arose as a result of a referral to the Parliamentary

Commissioner by the PCJC of allegations against a senior CJC officer, generally referred to as the 'Grice allegations'.

We held that the Parliamentary Commissioner could not herself investigate the Grice allegations and that her only power was to review the records of the Connolly-Ryan Inquiry to determine whether they disclosed an 'investigation matter' connected with the Grice allegations. If an investigation matter was disclosed, the Parliamentary Commissioner was required to refer the matter to an appropriate agency for investigation.

The matter was heard in the Supreme Court, and orders were made on 2 and 12 November 1998. His Honour Justice Muir found that a direction by the PCJC that the Parliamentary Commissioner investigate the Grice allegations under section 118R of the *Criminal Justice Act* could not override the Commissioner's statutory obligations under section 118U to conduct a review of the Connolly-Ryan records.

His Honour also found that the Parliamentary Commissioner could not investigate, or continue to investigate, the Grice allegations in circumstances where she had formed the view that an investigation matter was disclosed. If the Parliamentary Commissioner was of the view that an 'investigation matter' was disclosed, she was required to refer the matter to an 'appropriate agency' for investigation, the Commissioner herself not being such an agency.

Appendix E: Significant lectures, seminars workshops and presentations

Subject and Venue	Date	Description	Officer
'Crime Trends in Queensland'	July 1998	Crime Prevention and Community Safety seminar, Local Government Association, Bardon Professional Centre	David Brereton
'Beenleigh calls for Service Project: Police using a 'problem-solving' approach to reduce repeat calls for service'	July 1998	ANZSOC 98, Surfers Paradise, Qld	Dennis Budz
'The Weaker Sex? Women and police work'	July 1998	The Australian and New Zealand Society of Criminology Annual Conference	Margot French and Linda Waugh
'The investigative paradigm and the role of research: Dealing with the problem of police misconduct'	July 1998	The Australian and New Zealand Society of Criminology Annual Conference	David Brereton
'Strategies for monitoring trends in police misconduct'	July 1998	Annual conference on Criminal Justice Research and Evaluation: Viewing crime and justice from a collaborative perspective, National Institute of Justice, Washington DC	David Brereton
Presentation of Police Powers & Responsibilities Act 1997	Sept 1998	Annual conference of the Queensland Association of Independent Legal Services, Brisbane	Louise Gell
'Imprisonment in Queensland: Why is the imprisonment rate going up and what can be done about it?'	Oct 1998	Annual conference of prison visitors	David Brereton
'Zero tolerance and the NYPD: Has it worked there and will it work here?'	March 1999	AIC conference 'Mapping the boundaries of Australia's criminal justice system, Canberra	David Brereton
'How do we know if we are making a difference? Some strategies for monitoring trends in police misconduct'	March 1999	QPS ethics in policing conference	David Brereton
'Selecting for ethical police officer'	March 1999	QPS ethics in policing conference	Linda Waugh
'Assessing tomorrow's challenges today'	March 1999	Second international conference for intelligence analysts in the UK, hosted by the National Criminal Intelligence Service	Paul Roger
'Maintaining ethical standards: The single greatest challenge to policing'	March 1999	First ethics conference in policing, Brisbane	Sandra Brightwell
'How risk management is increasingly used as part of an overall corruption prevention strategy in Queensland'	May 1999	Institute of Internal Auditors, Audit Directors' conference, San Jose	John Boyd
'Keeping the public service honest'	May 1999	Stanford University, Faculty Club	John Boyd
'Official crime statistics and the invisibility of trauma'	June 1999	Juvenile Justice Administrators/Practitioners, Brisbane	Mark Lynch and Sue Bell
'Threat and risk management: Providing a Competitive Edge'	June 1999	Australian Institute of Professional Intelligence Officers workshop	Intelligence analysts attended
'Corporate Governance in the Public Sector'	June 1999	Australian Society of CPAs 4th Annual Public Sector Symposium	Brendan Butler sc

Appendix F: Overseas travel

Officer	Destination	Reason	Date	Cost*
David Brereton	New York, Chicago, Washington	Attend and present paper to the National Institute of Justice Annual Research and Evaluation Conference, Washington DC; visit the New York Police Dept, Chicago Police Dept and New York Commission to Combat Police Corruption	22 July – 2 Aug. '98	\$4 783.72
Mark Paroz	Georgia, US	US Marshals' Course, Federal Law Enforcement Training Centre	14 Oct. – 27 Nov. '98	\$4 535.60
Michael Heffernan	Wellington, New Zealand	National Technical Surveillance Course	19-26 Sept. '98	\$1 292.35
Russell Pearce	Wellington, New Zealand	In connection with an investigation	8-10 Oct. '98	\$2 001.22
Gavin Radford	Wellington, New Zealand	In connection with an investigation	8-10 Oct. '98	\$1 777.70
Paul Roger	UK	Second International Conference for Criminal Intelligence Analysts	1-5 March '99	\$2 284.61**
John Boyd	California, US	Visit to various centres to discuss the role of fraud and corruption in auditing as the representative of the Institute of Internal Auditors (IIA)	May '99 (inc. IIA Audit Directors' Conference: 25-27 May '98)	\$930.19**
Lytton Wellings	Virginia, US	Annual Training Conference for Intelligence Analysts	21-25 June '99	\$2 007.81**
Total				\$19 613.20

* Cost includes airfares, travel insurance, departure tax, accommodation and travel allowance.

** Travelling allowance only (Paul Roger and Lytton Wellings paid their own airfares; John Boyd's airfare was paid by the Institute of Internal Auditors).

Appendix G: Publications

Publications 1998–99

The following major publications were also placed on our web site, either in full or in part.

June 1999

Trial of Capsicum Spray in Queensland: Evaluation Report (Joint report with the QPS)

Police and Drugs: A follow-up report

Report to Parliament on the status of the recommendations made in the CJC's October 1997 report: *Police and Drugs: A Report of an Investigation of Cases Involving Queensland Police Officers* (Carter Report)

Analysis of Interview Tapes: Police powers review (Briefing paper)

May 1999

Police Powers: Notices to Appear, Research Paper Series, Vol. 5, No. 2

April 1999

Police Cautioning of Adults: Drug and other offences (Briefing paper)

Crime Prevention

Partnerships: An Evaluation of a Pilot Program

The Out of the Blues Program: Process Evaluation Report

March 1999

Report on a Hearing into Complaints against the Children's Commissioner and Another

February 1999

Criminal Justice System Monitor, Vol. 4.

Inquiry into Allegations of Misconduct in the Investigation of Paedophilia in Queensland: Kimmins Report: Term of Reference No. 5

A Snapshot of Crime in Queensland, Research Paper Series, Vol. 5, No. 1

November 1998

Queensland Police Officers' Perceptions of the Promotion and Transfer System: Results of 1998 Baseline Survey

October 1998

Annual Report 1997–98 and Annual Report Summary

Monitoring the QPS Promotion and Transfer Review Process

September 1998

An Evaluation of the Woorabinda Crime Prevention Partnership

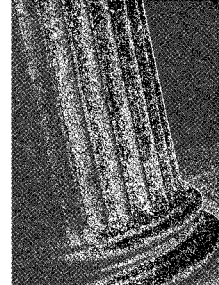
Final Report of the Joint Working Group for the Reduction of Assault Complaints against Police (RACAP) — an initiative of the QPS and the CJC.

August 1998

Inquiry into Allegations of Misconduct in the Investigation of Paedophilia in Queensland: Kimmins Report

Police for the Future: Review of Recruitment and Selection for the Queensland Police Service (joint report with the QPS)

Evaluation of the Queensland Police Service Aboriginal and Torres Strait Islander Youth Drug and Alcohol Diversion Project (joint report with the QPS)



Other major publications since 1995

Criminal Justice System Monitor Series

Vol. 3, April 1998.

Vol. 2, June 1997.

Vol. 1, August 1995.

Research reports

Police Pursuits in Queensland Resulting in Death or Injury, April 1998.

Beenleigh Calls for Service: Evaluation Report, February 1998.

The Physical Requirements of General Duties Policing, February 1998.

Community Consultative Committees and the Queensland Police Service: An Evaluation, September 1997.

Queensland Police Service Academy Training: The Views of Recruits (Oxley and Townsville Campuses), June 1997.

Reducing Police-Civilian Conflict: An Analysis of Assault Complaints against Queensland Police, February 1997.

Gold Coast District Negotiated Response Trial: Survey Findings, January 1997.

Assault-Related Injuries Reported by Queensland Police Officers, December 1996.

Evaluation of the Brisbane Central Committals Project, August 1996.

Informal Complaint Resolution in the Queensland Police Service: Follow-up Evaluation, April 1996.

The West End Police Beat: An Evaluation, March 1996.

Utilising Calls for Service Data, March 1996.

Public Attitudes Towards the Queensland Police Service: Summary of Findings, July 1995.

External Oversight of Complaints against Police in Australia: A Cross-Jurisdictional Comparison, July 1995.

Report on the Sufficiency of Funding of the Legal Aid Commission of Queensland and the Office of the Director of Public Prosecutions, April 1995.

Reports to Parliament

Reports on Aboriginal Witnesses and Police Watchhouses: Status of Recommendations, November 1997.

Police and Drugs: A Report of an Investigation of Cases Involving Queensland Police Officers, October 1997.

Integrity in the Queensland Police Service: Implementation and Impact of the Fitzgerald Inquiry Reforms, September 1997.

The Impact of the Connolly-Ryan Inquiry on the Criminal Justice Commission, September 1997.

Defendants' perceptions of the Investigation and Arrest Process, November 1996.

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Financial statements

Operating statement for year ended 30 June 1999

	Notes	1999 \$	1998 \$
COST OF SERVICES			
Operating expenses			
Salaries and related expenses	1	14 807 119	12 846 852
Administration	2	4 333 796	4 104 256
Operational	3	327 429	453 305
Consulting	4	55 066	147 557
Accommodation	5	2 740 048	2 769 239
Transfers to provisions	6	898 048	967 177
Write-offs		—	4 757
Total operating expenses		23 161 506	21 293 143
Operating revenue from independent sources			
Interest		180 654	116 596
Other	7	295 431	41 023
Gain on sale of plant and equipment		90 241	16 808
Total operating revenue from independent sources		566 326	174 427
Net cost of services		22 595 180	21 118 716
REVENUE FROM GOVERNMENT			
Parliamentary appropriations received	8	23 731 000	22 161 000
Total revenue from government		23 731 000	22 161 000
Changes in net assets resulting from operations		1 135 820	1 042 284

Statement of financial position as at 30 June 1999

	Notes	1999 \$	1998 \$
CURRENT ASSETS			
Cash	9	860 489	355 183
Receivables		33 935	38 888
Prepayments		148 346	208 343
Total current assets		1 042 770	602 414
NON-CURRENT ASSETS			
Plant and equipment	10	1 319 525	1 241 811
Total non-current assets		1 319 525	1 241 811
TOTAL ASSETS		2 362 295	1 844 225
CURRENT LIABILITIES			
Salaries payable		—	2 730
Sundry creditors		43 962	4 175
Income received in advance		—	70 000
Provisions	11	787 074	657 183
Loan from Treasury	12	—	179 018
Total current liabilities		831 036	913 106
NON-CURRENT LIABILITIES			
Provisions	11	871 324	872 879
Loan from Treasury	12	—	534 125
Total non-current liabilities		871 324	1 407 004
TOTAL LIABILITIES		1 702 360	2 320 110
NET ASSETS		659 935	(475 885)
EQUITY			
Accumulated results from prior years		(475 885)	(1 518 169)
Current year results from operations		1 135 820	1 042 284
TOTAL EQUITY		659 935	(475 885)

Statement of cash flows for year ended 30 June 1999

	Notes	1999 \$	1998 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Inflows:			
Interest		176 296	112 851
Other		<u>234 742</u>	<u>80 083</u>
Total inflows		411 038	192 934
Outflows:			
Salaries and related expenses		(15 560 892)	(14 106 023)
Suppliers		<u>(6 747 807)</u>	<u>(7 683 437)</u>
Total outflows		(22 308 699)	(21 789 460)
Net cash used in operating activities	A	(21 897 661)	(21 596 526)
CASH FLOWS FROM INVESTING ACTIVITIES			
Inflows:			
Proceeds from sale of plant and equipment		<u>381 873</u>	<u>259 688</u>
Total inflows		381 873	259 688
Outflows:			
Payments for purchases of plant and equipment		<u>(996 763)</u>	<u>(572 741)</u>
Total outflows		(996 763)	(572 741)
Net cash used in investing activities		(614 890)	(313 053)
CASH FLOWS FROM GOVERNMENT			
Inflows:			
Parliamentary appropriations	B	<u>23 731 000</u>	<u>22 161 000</u>
Total inflows		23 731 000	22 161 000
Net cash provided by government		23 731 000	22 161 000
CASH FLOWS FROM FINANCING ACTIVITIES			
Outflows:			
Payment of loan instalments		<u>(713 143)</u>	<u>(202 857)</u>
Total outflows		(713 143)	(202 857)
Net cash used in financing activities		(713 143)	(202 857)
Net increase in cash held		505 306	48 564
Cash at beginning of reporting period		355 183	306 619
Cash at end of reporting period	C	860 489	355 183

STATEMENT OF CASH FLOWS (continued)**Note A: Reconciliation of change in net assets resulting from operations with net cash provided or used by operating activities**

	1999	1998
	\$	\$
Change in net assets resulting from operations	1 135 820	1 042 284
Depreciation expense	627 416	613 918
Write-offs (non-cash)	—	4 757
Gain on sale of plant and equipment	(90 241)	(16 808)
(Increase) Decrease in accounts receivable	4 953	(34 685)
(Increase) Decrease in prepaid expenses	59 998	(81 566)
(Decrease) Increase in trade creditors	39 787	(700 272)
(Decrease) Increase in salaries payable	(2 730)	(500 538)
(Decrease) Increase in income received in advance	(70 000)	70 000
Provisions — recreation and long-service leave	128 336	167 384
Government revenues	(23 731 000)	(22 161 000)
Net cash used in operating activities	(21 897 661)	(21 596 526)

Note B: Receipts from parliamentary appropriations

Parliamentary appropriations	22 119 000	20 209 000
Supplementation	1 612 000	1 952 000
Total received	23 731 000	22 161 000

Note C: Reconciliation of cash

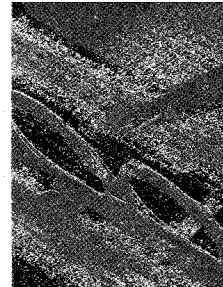
For the purposes of this statement of cash flows, cash includes cash on hand and in 'at call' deposits with banks or financial institutions.

Cash at the end of the period is shown in the statement of financial position as:

Cash at bank	840 089	334 783
Cash on hand	20 400	20 400
	860 489	355 183

Note D: Tax status

The activities of the CJC 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 Financial Management Standards, professional Statements of Accounting Concepts, and applicable Australian Accounting Standards.

(b) Plant and equipment

Plant and equipment is included in the accounts at historical cost less accumulated depreciation. Because the assets of the CJC are replaced on a regular basis, this method of valuation is considered to approximate deprival value.

Depreciation has been applied using the straight-line method based on the useful life of the asset, and the rates of depreciation are reviewed annually to ensure that they reflect the current useful life of the assets.

The depreciation rate for each class of asset is as follows:

Class	Depreciation Rate
General equipment	14.30%
Technical equipment subclass	20%
Computer equipment	33.30%
Motor vehicles	20%

Plant and equipment includes those items over \$1000 in value.

Computer software is not capitalised.

(c) Employee leave entitlements

Provision has been made for annual leave and long-service leave entitlements in accordance with Australian Accounting Standard AAS 30 'Accounting for Employee Entitlements'.

No amount has been recognised for non-vesting sick leave as this is not considered to be material. Sick leave is brought to account as incurred.

(d) Comparative results

The published results for the prior year have been included for comparative purposes but have been amended where necessary to allow valid comparisons with the current year.

NOTES TO AND FORMING PART OF THE ACCOUNTS (continued)

	1999	1998
	\$	\$
Note 1: Salaries and related expenses		
Salaries, wages and allowances	12 242 595	10 388 921
Overtime	576 807	674 009
Payroll and fringe benefits tax	804 967	788 484
Superannuation contribution	1 080 916	974 845
Workers' compensation	101 834	20 593
	<u>14 807 119</u>	<u>12 846 852</u>
Note 2: Administration		
Airfares, taxis, hire cars and travel allowances	439 798	385 462
Contractors	38 998	47 782
Telephones, pagers, facsimile	364 914	304 512
Postage	19 959	16 351
SAP Bureau Service	34 000	—
Subscriptions, books	90 094	76 301
Stores and stationery	84 066	91 327
Printing and publications	75 769	51 288
Vehicle leasing	283 168	231 096
Petrol, maintenance, registration	282 603	236 454
Equipment — non-asset	249 697	119 639
Computing expenses and software	654 327	373 842
Project costs	41 313	9 366
Transcription	19 149	43 246
Audit fees	13 500	13 500
Building maintenance and minor alterations	58 176	23 573
Litigation costs	16 496	294 450
Information retrieval	94 955	85 778
Depreciation	627 416	613 918
Sundry costs of inquiries	23 075	215 350
Legal advice (a)	542 456	575 517
Interest — Treasury loan	30 077	53 826
Other	249 790	241 678
	<u>4 333 796</u>	<u>4 104 256</u>

(a) Legal advice for 1998–99 included costs for matters relating to the Inquiry into the Effectiveness of the CJC (Connolly–Ryan Inquiry) and the Parliamentary Commissioner, and other operational matters.

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)

	1999 \$	1998 \$
Note 4: Consulting		
Contracted research	–	21 800
Program evaluation	–	8 400
Corruption prevention	8 093	–
Organisational review	–	66 614
Strategic directions	34 194	–
Performance management	9 279	–
Evaluation design	3 500	–
Inquiry into alleged police misconduct	–	50 743
	<u>55 066</u>	<u>147 557</u>
Note 5: Accommodation		
Lease	2 249 322	2 239 061
Security	166 865	177 677
Cleaning	117 945	139 378
Electricity	139 033	146 484
Refurbishment	56 114	41 539
Other	10 769	25 100
	<u>2 740 048</u>	<u>2 769 239</u>
Note 6: Transfer to provisions		
Current	781 165	762 603
Non-current	116 883	204 574
	<u>898 048</u>	<u>967 177</u>
Note 7: Other		
Sundry income	295 431	41 023
1998–99 income includes \$189 500 for taxing of legal costs, \$70 000 Commonwealth funding for a research project, and other miscellaneous income.		
Note 8 : Queensland Government appropriation		
Appropriation	22 119 000	20 209 000
Supplementary funding	1 612 000	1 952 000
	<u>23 731 000</u>	<u>22 161 000</u>
Note 9: Cash		
Cash at bank	840 089	334 783
Cash on hand	20 400	20 400
	<u>860 489</u>	<u>355 183</u>

NOTES TO AND FORMING PART OF THE ACCOUNTS (continued)

	1999 \$	1998 \$
Note 10: Plant and equipment (at cost)		
General equipment	1 817 827	1 505 216
Less accumulated depreciation	1 294 471	1 093 979
	<u>523 356</u>	<u>411 237</u>
Computer equipment	1 665 321	1 853 562
Less accumulated depreciation	1 455 005	1 410 833
	<u>210 316</u>	<u>442 729</u>
Motor vehicles	675 601	558 213
Less accumulated depreciation	89 748	170 368
	<u>585 853</u>	<u>387 845</u>
Total plant and equipment	<u>1 319 525</u>	<u>1 241 811</u>

Asset classes have been rationalised to three major groups during the 1998-99 financial year to incorporate the asset recording capabilities of the SAP accounting package. This involved reclassification and transfer of a small percentage of the assets between the groups, but did not alter the total value of plant and equipment.

Note 11: Provisions

Employee entitlements

Current leave	787 074	657 183
Non-current leave	871 324	872 879
	<u>1 658 398</u>	<u>1 530 062</u>

Long-service leave liabilities have been calculated for the 1998-99 financial year on the following basis:

[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 3.73% 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 6.23% 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.]

From 1999-2000 onwards, the State Government will assume liabilities for long-service leave in a scheme administered by the Government Superannuation Office. The CJC will pay a levy of 1.5% of salaries costs towards this scheme.

Note 12: Loan from Treasury

As a result of budget cuts imposed upon the CJC, 20 civilians were made redundant in 1996-97. The redundancies were funded by a recoverable loan of \$916 000 from Queensland Treasury, to be repaid over five years. As a result of a review of the current and future operational priorities of the CJC, this loan was finalised in 1998-99.

Note 13: Money held in trust

The CJC holds \$29 109 in trust for a number of people as a result of operational activities.

NOTES TO AND FORMING PART OF THE ACCOUNTS (continued)**Note 14: Segment reporting**

The CJC is primarily associated with the administration of criminal justice in Queensland.

Note 15: Capital commitments

Capital commitments as at 30 June 1999 total \$602 192 for operational equipment which was unable to be delivered by 30 June due to supply issues.

Note 16: Lease commitments

The CJC leases motor vehicles from the Q-Fleet business unit of the Department of Public Works. These operating leases vary according to the timing of the replacement of the vehicle.

Note 17: Contingent assets/liabilities

There were no known contingent assets or liabilities of a significant nature as at 30 June 1999.

Note 18: Services provided (to CJC) below fair value

The Department of Communication and Information, Local Government and Planning provided storage for records at the State Archives of a value of \$12 120 free of charge.

Note 19: Financial instruments**Cash**

Cash includes cash on hand and held in bank accounts. Rate of return on cash held in bank accounts is approximately 3.9%.

Receivables

Receivables are carried at actual amounts with credit advanced on 30-day terms. The credit risk has been assessed as being immaterial. Accordingly, there has been no provision made for doubtful debts.

Creditors

Creditors are carried at actual amounts and represent accrued expenses applicable to the 1998-99 financial year, and paid after balance date.

Net Fair Values

The carrying amount for cash, receivables and creditors approximates fair values.

Note 20: Year 2000 impact


The impact assessment phases of the CJC's 'Year 2000' Project have shown the CJC has low exposure to year 2000 problems. Corrective action has been completed on a number of major projects and further completion will occur prior to December 1999. It is considered that the CJC is at an acceptable level of exposure to Year 2000 problems with its internal systems.

Certificate of the Criminal Justice Commission

The foregoing Financial Statements have been prepared pursuant to the provisions of the *Financial Administration and Audit Act 1997*. 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 *Financial Management Standards 1997*, so as to present a true and fair view of the transactions of the Criminal Justice Commission for the year ended 30 June 1999, and of the financial position as at 30 June 1999.

Date 30/8/99


BRENDAN BUTLER SC
Chairperson


GRAHAM BRIGHTON
Executive Director

Independent Audit Report

To the Chairperson of the Criminal Justice Commission

Scope

I have audited the financial statements of the Criminal Justice Commission for the year ended 30 June 1999. The financial statements comprise 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 Executive Director 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*, which incorporate the Australian 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 requirements which include Australian Accounting Standards so as to present a view which is consistent with my understanding of the entity's financial position and the results of its operations and cash flows.

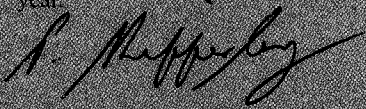
The year 2000 issue has been addressed only in the context of my existing audit responsibility under Australian Auditing Standards to express an opinion on the financial statements. Plans and associated actions to address the year 2000 issue have been reviewed for action taken to date, but the adequacy of those plans has not been assessed. Accordingly, the audit of the financial statements does not provide specific assurance, nor is a specific opinion expressed, that the systems of the Criminal Justice Commission or other systems such as those of suppliers, vendors, service providers, customers, associates, joint venture parties or third parties are year 2000 compliant.

The audit opinion expressed in this report has been formed on the above basis.

Audit opinion

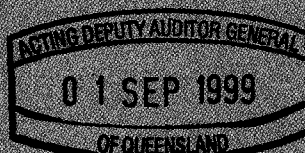
In accordance with the provisions of the *Financial Administration and Audit Act 1977*, I certify that I have received all the information and explanations I have required and in my opinion:

- 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 1999 and of the financial position as at the end of that year.



P G SHIPPERLEY
Acting Deputy Auditor-General
(As Delegate of the Auditor-General)

Queensland Audit Office
Brisbane



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