Handling complaints against Queensland police Past, present and future



Monitoring Integrity in the Queensland Police Service

No. 2, August 2004

CMC Vision: To be a powerful agent for protecting Queenslanders from major crime and promoting a trustworthy public sector.

CMC Mission: To combat crime and improve public sector integrity.

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Foreword

Public interest in how complaints against police are handled in Queensland has intensified with the adoption of the *Crime and Misconduct Act 2001*. This Act, which merged the Criminal Justice Commission and the Queensland Crime Commission to form the Crime and Misconduct Commission (CMC), introduced a new regime for handling complaints against police — a regime based on devolution of responsibility to the Queensland Police Service, with the CMC maintaining and strengthening the former monitoring role of the Criminal Justice Commission. Under this new regime the public can be assured that, while police may now be handling the bulk of complaints against police, there is still an independent body keeping an eye on how well they are doing it, including taking over the investigative role when the public interest is at stake.

The changes reflect the significant system and management improvements within the Queensland Police Service in recent years, with the service assuming greater responsibility for its own organisational and operational risks.

This publication is designed for those people — police, complainants, legislators and commentators — who would like some insight into the complaints-handling process in Queensland and how it has developed. At the same time, the publication confirms that the monitoring role of the CMC has been maintained and strengthened under the new Act, and that the Queensland Police Service and the CMC are working together to ensure the integrity and excellence of Queensland police officers.

> Brendan Butler SC Chairperson Crime and Misconduct Commission

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Abbreviations

CJC	Criminal Justice Commission
СМС	Crime and Misconduct Commission
ESC	Ethical Standards Command (of QPS)
PCJC	Parliamentary Criminal Justice Committee
РСМС	Parliamentary Crime and Misconduct Committee
PSU	Professional Standards Unit (of QPS)
QCC	Queensland Crime Commission
QPS	Queensland Police Service

Acknowledgments

Research into the integrity of the Queensland Police Service (QPS) by the Crime and Misconduct Commission (CMC) is a critically important aspect of our police monitoring function. These efforts require the ongoing commitment, support and cooperation of the QPS.

This publication is the second in a series of publications outlining CMC research into the integrity of the QPS. The first was *Listening in: results from a CMC audit of police interview tapes* (April 2004), which examined randomly selected tapes of police interviews.

This publication, prepared by Senior Misconduct Prevention Officer Ray Bange, and Capacity Development Manager Susan Johnson, is designed to explain how the process for handling complaints against police in this state evolved into the current system.

The authors wish to acknowledge the assistance received from Deputy Director, Research and Prevention, Dr Mark Lynch; Director, Complaints Services, Helen Couper; and Misconduct Prevention Officer Alexa van Straaten. The report was prepared for publication by the CMC's Publishing Unit.

> **Dr Paul Mazerolle** Director, Research and Prevention Crime and Misconduct Commission

Why is the complaints-handling process so important?

A police service in which the community can have full confidence is of fundamental importance in a democratic society. One of the key mechanisms for ensuring police integrity is the complaints-handling process. In Queensland, this process involves both the Queensland Police Service (QPS) and the Crime and Misconduct Commission (CMC).

The *Crime and Misconduct Act 2001* gives the QPS responsibility for handling complaints about its own officers — and the CMC the responsibility for overseeing how well it does so. The CMC fulfils its responsibility by monitoring the QPS's complaints-handling processes and itself investigating certain cases of misconduct when it is in the public interest to do so.

The complaints-handling process thus plays a vital part in maintaining public confidence in the police service, and ensuring that the community's respect and trust is warranted. Major efforts have therefore been made by all concerned parties to implement practices that ensure rigorous examination, objectivity and consistency in dealing with complaints.

The process also performs another function. While most complaints about police do not reveal serious misconduct, the types and frequency of complaints offer insights into public perceptions and throw light on the operational practices and internal culture of the police service.

Given the complexity and importance of the issues, it is not surprising that the various mechanisms for handling complaints have been closely scrutinised at each stage as they have been developed, trialled and implemented. The outcome is that arrangements for handling complaints have been extended beyond the traditional investigative responses to include alternative resolution strategies such as mediation, informal resolution and managerial resolution.¹ These methods have evolved over several years on the basis of benefits that have been identified through careful research and analysis.

1 CMC 2002, Making the response fit the complaint: alternative strategies for resolving complaints against police, Research & Issues Paper No. 1, Brisbane.

History of handling complaints against police in Queensland

The Fitzgerald Inquiry: a catalyst for change

A major catalyst for change in the way complaints against police are handled in Queensland was the Fitzgerald Inquiry of 1987–89, which was established as a result of widespread community concern at allegations of police corruption.² The inquiry exposed how little accountability there was for dealing with misconduct by Queensland police officers and strongly criticised the processes for dealing with complaints against police.

Fitzgerald found that the QPS Internal Investigations Section had been and was 'a disastrous failure, inept, inefficient and grossly biased in favour of police officers', and that the Police Complaints Tribunal had 'failed to provide an adequate mechanism to counter corruption and other police misconduct'.³ He also stated:

In Queensland, the Internal Investigations Section and the Police Complaints Tribunal have both failed to combat police misconduct. The Internal Investigations Section has lacked will, competence and resources. The Police Complaints Tribunal, in spite of well-meaning efforts, has lost public confidence and therefore effectiveness. Both bodies should be abolished. (p. 366)

As well as proposing the abolition of both these bodies, Fitzgerald recommended the creation of a new independent agency to oversee the police service, deal with complaints, and assume a variety of other criminal justice responsibilities. As a result, the Criminal Justice Commission (CJC) was created by the *Criminal Justice Act 1989*.

3 ibid., pp. 81, 82.

² Report of a commission of inquiry pursuant to orders in council [Fitzgerald Report], Brisbane, 1989.

Complaints-handling responsibilities

The CJC was given jurisdiction to investigate allegations of official misconduct against all public officers, including police. Official misconduct by a public officer is conduct relating to the officer's duties that is serious enough to warrant dismissal or is a criminal offence.

In recognition of the importance of police integrity, the Criminal Justice Act gave the CJC broader jurisdiction over the QPS, adding a further category of behaviour known as 'police misconduct'. Misconduct is defined in the *Police Service Administration Act* 1990 as conduct that is disgraceful, improper or unbecoming an officer, that shows unfitness to be an officer, or that does not meet the standard of conduct the community reasonably expects of an officer. Examples might include failure to comply with policies and procedures such as those on handling of exhibits (e.g. monies or drugs); serious incivility such as swearing at a member of the public in a traffic incident; or serious non-service conduct such as a criminal offence committed while off-duty.

Less serious matters (such as complaints that a police officer has been slow in responding to a call, has been rude or has failed to give their name) were categorised as 'customer service issues' or breaches of discipline. These types of matters were to be handled exclusively by the QPS.

QPS reforms

A key factor driving the changes has been a range of organisational improvements within the QPS, which have fostered higher ethical standards and professionalism.

In the process of embracing the changes and obligations imposed by the Criminal Justice Act, significant amendments were made to the QPS internal disciplinary processes. These changes included substantial modifications to the framework of QPS rules, revised processes for handling complaints, initiatives to encourage the reporting of misconduct, and new internal structural arrangements.

In particular, the QPS established the Professional Standards Unit (PSU) and the Inspectorate. The role of the PSU was to ensure that organisational policies and procedures were followed and that the complaints system worked effectively. The Inspectorate provided a complementary audit and compliance monitoring role to support the functions of the PSU.

The complaints process expands

From its inception, the CJC applied a rigorous screening process to evaluate allegations of misconduct and vigorously investigated all complaints of police misconduct or official misconduct that were deemed to warrant investigation. The clear picture that emerged from this careful assessment (and in many cases preliminary investigation) was that most complaints about police were less serious than might have been indicated by the allegations.

In 1993, the CJC assisted the QPS in developing new measures for dealing with minor complaints. One approach — known as 'informal resolution' — was designed to resolve matters to the satisfaction of the complainant without having to resort to formal investigation.

In 1994, the CJC evaluated the impact of this initiative. Complainants who had participated in an informal resolution process were surveyed and their feedback compared with the responses of those who had been involved in a formal investigation. This review showed greater satisfaction with the informal resolution approach, especially in relation to the way matters were handled.⁴

Similar results emerged from a later survey of complainants conducted as part of the assessment of another innovation known as managerial resolution (see page 6, Project Resolve). These studies showed that, in addition to achieving greater satisfaction, an informal resolution approach was much less expensive than a formal investigation and typically took less than half the time.

QPS Ethical Standards Command

In 1996, a special QPS project team (Project Honour)⁵ recommended establishment of a permanent unit within the service that would enhance organisational integrity and ethical practice. As a result, the Ethical Standards Command (ESC) was created in 1997. The ESC assumed the functions of the former PSU and Inspectorate and is now responsible for:

- compliance (with police policy and procedure guidelines)
- ethics training
- internal investigations.

Headed by an Assistant Commissioner, the ESC has the capacity to operate effectively across the QPS and develop and implement integrated performance standards.

⁴ CMC, Making the response fit the complaint, op. cit.

⁵ Project Honour Team, Project Honour: final report to the Commissioner of Police on matters pertaining to ethics and organisational integrity, QPS, Brisbane, 1996.

Moving towards devolution

The Parliamentary Criminal Justice Committee (PCJC — the forerunner to the current PCMC) constantly monitored these changes to the complaints-handling procedures as part of its role in overseeing the CJC. In its 1995 three-yearly review, the PCJC noted:

The Fitzgerald report did not intend that the Commission investigate all complaints against police ... [and] considers there needs to be an efficient mechanism in place within the Queensland Police Service to investigate and determine minor or purely disciplinary matters. (p. 88)

In the PCJC's 1998 three-yearly review, it considered the question of whether to transfer the jurisdiction for the investigation of all police misconduct matters from the CJC to the QPS. The committee came to the view that, despite the progress made with the establishment of the ESC, the complaints-handling processes were not sufficiently developed within the QPS to enable the broadening of the jurisdiction to this extent (p. 46). However, it supported the proposal that:

... having regard to the enhanced professionalism of the QPS, the CJC and the QPS should prepare and implement a joint proposal for progressively greater QPS autonomy with respect to the investigation and determination of matters of misconduct. (p. 46)

The PCJC also considered that it would be preferable in the long term for the primary jurisdiction of the CJC to be modified to enable the QPS to investigate all matters involving potential misconduct that fall short of official misconduct (pp. 46, 48).

Furthermore, the PCJC endorsed the comments of the 1997 Wood Royal Commission into the New South Wales Police Service, which advocated police reform by placing greater responsibility on managers, albeit subject to appropriate monitoring.⁶ The Honourable Justice Wood stated:

The best platform for change \dots involves the Service setting proper professional standards and then doing whatever it can to encourage its members, in a managerial way, to lift their performance. (pp. 44, 45)

The PCJC also pointed to the 1996 recommendations from the Australian Law Reform Commission that had advocated a similar approach '... which is managerial rather than disciplinary in nature ...' for the Australian Federal Police and National Crime Authority.⁷

⁶ Royal Commission into the New South Wales Police Service 1997, *Final report , Vol. 1: Corruption*, Commissioner The Hon. Justice J Wood, NSW Government, Sydney.

⁷ Australian Law Reform Commission, *Integrity: but not by trust alone*, Report No. 82, Sydney, 1996.

The PCJC recognised that, while the reactive investigatory approach may have been appropriate in the aftermath of the Fitzgerald Inquiry, such a model was unlikely to realise the full range of opportunities to modify organisational culture and behavioural patterns within the QPS. These developments in other jurisdictions and ongoing research had shown that alternative resolution processes were likely to be more suitable for appropriate cases.

Project Resolve

In 1999, a joint CJC–ESC working party recommended that a new system known as managerial resolution be considered for dealing with breaches of discipline and less serious misconduct. In July 2000, the CJC and the ESC launched Project Resolve in two police regions (South Eastern and Southern) to trial the concept of giving supervisory staff greater responsibility for managing these categories of complaint.⁸

Project Resolve showed that managerial resolution could deliver:

- a significant reduction in the median time taken to deal with complaints
- a reduction in the number of investigations required of the CJC
- similar levels of satisfaction as were shown in the 1994 CJC survey.

Project Resolve clearly demonstrated that, with appropriate operating protocols and management structures, a large percentage of complaints against police could be managed and resolved internally, provided there was adequate monitoring from an external agency. The outcomes of this project lent further support to the view that greater devolution of responsibility was both feasible and desirable. However, it was considered important that the CJC retain its independent review and monitoring powers.

Although the study was conducted jointly by the CJC and QPS, the PCJC took a close interest in its findings.

PCJC initiatives

Recognising the public interest in the matter, the PCJC released an issues paper in August 2000 calling for submissions on the most appropriate way to deal with complaints against police and the controls that might be applied by an external

⁸ CJC-QPS, *Project Resolve final evaluation report*, CJC Research and Prevention Division and QPS Review and Evaluation Unit, Brisbane, 2001.

agency.⁹ Thirty-one written submissions were received and public hearings were held in December 2000 at which views for and against the QPS assuming greater responsibility for handling complaints were presented.

Views in favour of devolution included the following:

- Devolution would give increased responsibility to the police service for its internal management.
- It would avoid the long delays sometimes caused by an external investigation, thus reducing stress on officers who are subject to complaints, and increasing complainant satisfaction.
- It would allow the CJC to focus its resources on more serious corruption matters and on preventive measures.
- It could be expected that a partial devolution of complaints to the QPS would be overseen by the CJC, which would be able to take control of investigations where appropriate.

Views against devolution included the following:

- Police should not be given responsibility for investigating police. (The committee noted an expectation, among many people who contacted it, that all complaints against police would be investigated by a completely independent agency.)
- Hierarchical police culture tends to emphasise disciplinary measures rather than remedial managerial action, and hence to discourage honest reporting of mistakes.
- Police internal investigation units tend to be biased in favour of police officers who are subjected to complaints. They may also see deflecting criticisms of the police service as an important part of their role.
- There should be an independent assessment of whether investigations are full and fair, that findings are impartial and that disciplinary penalties imposed are adequate.

The PCJC recognised the complexity of the issues and was aware that the solution was unlikely to be simple. It reported on its deliberations and the outcome of the public hearings in its 2001 three-yearly report.¹⁰ The committee believed that it was crucial for any complaint mechanism to:

• satisfy public expectations, thereby ensuring public confidence in the complaints process and in the QPS

⁹ PCJC, Dealing with complaints against police, Issues Paper, Brisbane, 2000.

¹⁰ PCJC, A report of a review of the activities of the Criminal Justice Commission pursuant to s. 118(1)(f) of the *Criminal Justice Act* 1989, Report No. 55, Brisbane, March 2001.

- allow the QPS to have an appropriate degree of autonomy and responsibility for its own management and disciplinary processes
- maintain and increase morale and ethical standards in the QPS
- ensure that there was an effective independent process for overseeing how complaints were handled
- > provide a timely and cost-effective resolution of complaints
- allow for efficient use of the CJC's resources (and those of the QPS).

The PCJC applauded the achievements of the QPS in improving structures and processes for dealing with issues of accountability and discipline. It recognised that one of the most important initiatives implemented by the QPS, in terms of enhancing its capacity to deal with complaints, was Project Resolve. It further recommended that:

... the CJC continue with its present policy of gradually devolving responsibility to the Queensland Police Service for the handling of complaints against police officers, with the CJC always to retain an oversight role. (p. 37)

The Crime and Misconduct Act 2001

The recommendations of the PCJC were accepted by the Queensland Government and are reflected in the *Crime and Misconduct Act 2001*. The Act embodies the findings of many years' research and pilot programs, including Project Resolve.

The Act gives the QPS primary responsibility for dealing with police misconduct. Moreover, while the CMC retains overriding responsibility for dealing with complaints of official misconduct, the Act requires the CMC to refer such matters to the QPS whenever possible.

In deciding whether to refer a matter for police investigation, the CMC must consider the nature and seriousness of the complaint, the public interest and the capacity of the QPS to respond effectively. Depending on the nature of the allegations, the CMC may also monitor the matter to ensure it is handled properly.

The second reading speech of the Crime and Misconduct Bill provides an insight into the intention of this revised framework:

To ensure appropriate supervision and control of the exercise of responsibility for dealing with police misconduct, the commission must be notified of, and maintain a monitoring role over police misconduct ... The commission has stronger powers of supervision and control over official misconduct investigations where they have been referred to [the QPS] to investigate solely or jointly.

The CMC's current role

In addition to giving the CMC strong powers of investigation, the Crime and Misconduct Act calls for monitoring of the QPS in dealing with complaints of official misconduct and, to a lesser extent, police misconduct.

To fulfil this independent review role, the CMC employs a range of monitoring measures, some of which are outlined below. At the same time it encourages police to take responsibility for improving the integrity of the service through consultation, liaison, and support for their complaints-handling process and the implementation of initiatives in policing practice.

Liaison and consultation mechanisms

At one level, the QPS gives the CMC the details of all complaints of suspected police misconduct or official misconduct, which enables the CMC to maintain appropriate statistical records. These records are analysed to determine trends and identify any areas that may require attention, such as the conduct of projects designed to improve police practices and procedures. The analysis may also indicate a need for targeted audits of the way police are dealing with matters.

The CMC and the ESC assess each complaint made against a police officer (whether lodged with the CMC or with the QPS) to determine how it should be handled. As noted previously, most matters are not serious and will be referred to the QPS. Any of these matters may be subject to CMC review.

Significantly, the CMC retains ultimate authority over all matters involving suspected official misconduct and may choose to:

- investigate the matter itself
- investigate the matter jointly with the QPS
- refer the matter to the QPS to investigate and require the QPS to report regularly on the progress of the investigation

• refer it to the QPS to deal with, subject to a review by the CMC either before or after the matter is finalised, or

▶ refer it to the QPS to deal with and provide advice to the CMC on the outcome.

The CMC continues to investigate serious cases, particularly if there is reason to believe that the misconduct is prevalent or systemic, or where the allegations involve serious criminal conduct that has the potential to undermine public confidence. Recent examples of matters investigated directly by the CMC include:

- the disappearance from a police station of monies seized during a drug raid
- a police investigation that resulted in the wrongful conviction of a man for rape.

Liaison arrangements ensure that the QPS immediately notifies the CMC of any 'significant event'. These are incidents that may not necessarily involve official misconduct but are of such a serious nature that the CMC needs to be involved at an early stage in order to safeguard public confidence. Early consultation enables determination of which agency should take the lead role. 'Significant events' include deaths or attempted suicides while in police custody; car accidents involving police and in which there is a death, serious injury or serious damage to property; and incidents involving the discharge of a police firearm.

If a death is involved, the *Coroners Act 2003* requires the QPS to immediately advise the State Coroner. Given the complexity of overlapping interests and jurisdictions, close liaison and consultation between the CMC, QPS and State Coroner are critical to ensure appropriate action in such cases.

The CMC monitoring program

Misconduct matters referred to the QPS may be the subject of CMC monitoring either during the complaints-handling process or after completion. In some cases, the QPS will be advised from the outset that the CMC intends to review the way it has dealt with a matter.

The CMC and ESC meet regularly to discuss issues of concern, including the progress of particular complaints. The CMC, if not satisfied with the manner in which the QPS is dealing with a matter, has the right to take it over.

In 2002–03, the CMC conducted detailed reviews of more than 100 misconduct complaints investigated by the QPS. The reviews considered:

- the adequacy, impartiality and transparency of the process
- the appropriateness of the conclusions and recommendations made
- the appropriateness of any decision whether or not to lay disciplinary charges, or of any other action taken
- where charges were proposed, the appropriateness of the charges and of the choice of tribunal
- the appropriateness of any procedural or preventive recommendations.

The CMC found that the majority of complaints were handled efficiently and to a high professional standard, with only 10 per cent showing some deficiencies. Areas of deficiency included failure to adequately address all the allegations, failure to electronically record all interviews, failure to question some witnesses, lack of preparation by interviewers, and poor-quality investigation reports. One case was identified by the CMC where the investigator's conclusions were considered not to be adequately supported by the evidence.

This monitoring exercise resulted in the CMC making recommendations for policy or procedural changes, many of which had already been identified as necessary by the QPS. The CMC continues to liaise with the QPS and oversee the progress of those changes. It also reviews the outcomes of disciplinary hearings for misconduct. For example, in one case, the CMC expressed concerns about the seniority of the officer appointed to conduct the hearing. It has also appealed against the appropriateness of certain penalties administered by the Misconduct Tribunal.

In 2003–04 the CMC conducted detailed reviews of 124 complaints investigated by the QPS. The results of these reviews will be available in 2004–05.

The CMC audit program

As part of the monitoring process, the CMC audits ESC complaints files. During 2003 the CMC conducted:

- a timeliness audit involving all 321 complaints against police received and dealt with by the QPS in the year 2002
- a compliance audit of 106 complaint files randomly selected from the above 321 matters to determine the extent of compliance with selected indicators of investigative integrity.

The timeliness audit found that the nominated timeframes for conducting disciplinary investigations may not have been realistic. In addition, the audit found considerable scope for improvement in the times taken to deal with complaints by both the QPS and the CMC. To improve the situation, the CMC made eight recommendations, which are being implemented.

The compliance audit indicated some noncompliance with the procedural requirements for the conduct of interviews with complainants, subject officers and witnesses. The lapses included a failure to electronically record interviews, without adequate explanation; failure to interview subject officers, with no valid reasons provided; and failure to interview all relevant witnesses.¹¹

¹¹ The views of CMC auditors concerning who are the relevant witnesses may vary at times from those of the original investigating officers.

Similar timeliness and integrity audit programs will be conducted regularly. In addition to standardised performance factors, particular issues may be chosen for closer examination where the need is indicated. For example, the 2002–03 audit programs raised concerns about the potential for conflict of interest in the choice of investigating officer. As a result, a comprehensive compliance audit conducted in 2003–04 included a more detailed examination of the procedures for selecting relevant investigators. The results of this audit will be available in 2004–05.

Intelligence activities

In addition to the above planned review programs, intelligence obtained in the course of CMC investigations can identify potential serious misconduct that would otherwise not be the subject of an external complaint. Depending on the circumstances, the information may be shared with the QPS at a suitably senior level as part of established liaison and consultation processes to ensure coordinated action.

CMC integrity development activities

The CMC's overseeing role is not limited to the area of complaints. Its research and prevention activities play a significant part in QPS capacity development through their contributions to policing practice. These activities range from conducting pilot projects and disseminating research findings to carrying out research on police misconduct trends and prevention strategies and monitoring the practical implementation of CMC recommendations.

Recent research and prevention initiatives in the policing area include projects examining:

- policy and practices in the appropriate use of capsicum spray
- policy and practice in use and handling of police dogs
- policy and practice of police pursuits in Queensland
- compliance with legislative requirements in the conduct of police interviews.

In a brief publication such as this it is not feasible to give details of all the CMC's research, monitoring and audit programs involving complaints against police, nor to outline all the ways in which the CMC protects the public interest.

Looking ahead

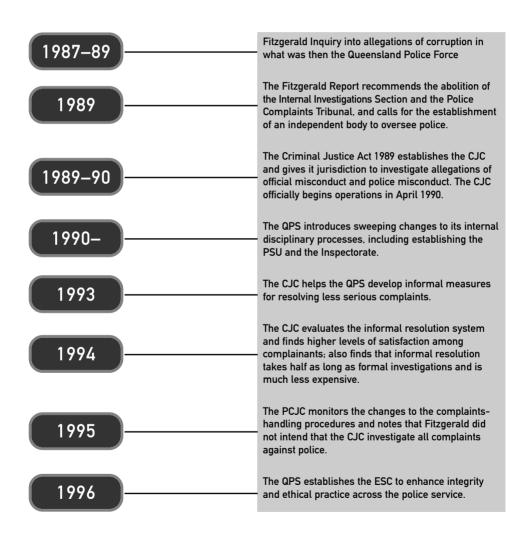
Suffice it to say that the CMC is working according to the provisions of the Crime and Misconduct Act. The Act, while giving the CMC more extensive powers than any other law enforcement agency in Queensland, also promotes the principles of consultation and devolution. It states that 'action to prevent and deal with misconduct in a unit of public administration should generally happen within that unit' (s. 34[c]). It also requires the CMC to assist in building the capacity of agencies to deal with complaints and improve integrity.

Over a period of many years the CMC has developed a body of knowledge and expertise in assessing and investigating complaints, supported by comprehensive research and pilot programs. This experience indicates that, with proper monitoring and support, the devolution of responsibility to the QPS for handling complaints against police is a beneficial development; it is cost-effective, and it provides better outcomes.

A careful eye must be kept on the balance between encouraging police managers to take responsibility for promoting integrity in their workplace and ensuring an appropriate level of external investigation and independent review. Where an independent investigation is warranted, the CMC will conduct the investigation with determination. It will use its powers to the extent necessary for effective investigation of serious complaints against police.

For the CMC itself, the process of complaint management and resolution involving police will continue to evolve, but it will always be tailored to suit the particular circumstances and to protect the public interest.

Timeline



1998	The PCJC considers the question of whether to transfer the jurisdiction for investigating all police misconduct matters from the CJC to the QPS, and concludes that the QPS is not quite ready.
1999	A new system of managerial resolution — Project Resolve — is trialled in two police regions. An evaluation of the trial confirms the view that devolution of responsibility to the QPS is both feasible and desirable.
2000	The PCJC calls for public submissions about the most appropriate way to deal with complaints against police. Thirty-one submissions are received and public hearings are held.
2001	The PCJC applauds the QPS for improving its structures and processes for dealing with issues of accountability and discipline, and encourages the CJC to continue with its policy of gradually devolving responsibility to the QPS (while retaining a monitoring role). The PCJC recommendations are reflected in the new Crime and Misconduct Act 2001, which establishes the CMC.
2002	The CJC merges with the QCC to form the CMC. Primary responsibility for handling police misconduct is transferred to the QPS. The CMC is also required to refer official misconduct matters involving police officers to the QPS to deal with whenever possible. The CMC monitors how the QPS handles matters.
2004-	The CMC and the ESC jointly assess each matter to determine whether it should be dealt with by the CMC or the ESC and what level of monitoring should be undertaken by the CMC. The CMC retains the power to conduct the investigation itself, should the circumstances warrant it.