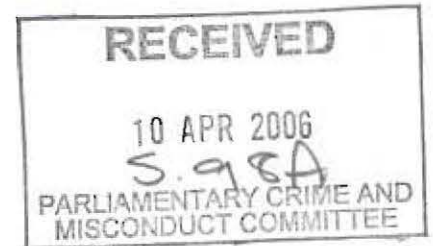


- 7 APR 2006

Mr Geoff Wilson MP
Chairman
Parliamentary Crime and Misconduct Committee
Parliament House
George Street
BRISBANE QLD 4000

Department of
Corrective Services

Office of the
Director-General



Dear Mr Wilson

Thank you for letter of 7 March 2006, inviting submissions to assist in the three year review of the Crime and Misconduct Commission (CMC).

At the outset, I should emphasise that the Department of Corrective Services has, over the last four years, established a harmonious and productive working relationship with the CMC, stemming from a joint commitment towards establishing and maintaining an effective ethical standards program within this agency.

The Department is of the view that the current positioning of the CMC, in terms of its jurisdiction, functions and powers, is sufficient to meet the needs of the public sector generally.

While unable to comment on the handling of complaints relating to police misconduct, the Department considers that the CMC's handling of complaints, as they relate to this Department, has in the main been professional and timely, and has not raised any concerns which have not been able to be adequately dealt with by way of consultation and negotiation.

Unfortunately, at times the Department has experienced some reluctance by the CMC to initiate proceedings against complainants whose complaints have been found to be either false or misleading as prescribed in sections 217 or 218 of the *Crime and Misconduct Act 2001*. In this regard, and while the Department understands the stated position of the CMC that such prosecutions might deter complainants, including whistleblowers, from bringing their complaints to the CMC, it is the Department's view that a failure to take immediate and decisive prosecution action against these persons undermines public confidence in the CMC's objectivity, and acts to further disenfranchise staff who have been the subject of those complaints.

Leaders in corrections:
Partners in criminal and social justice

Level 24 State Law Building
50 Ann Street Brisbane
GPO Box 1054 Brisbane
Queensland 4001 Australia
Telephone +61 7 3227 7111
Facsimile +61 7 3227 6668
ABN 19 823 962 345

In terms of devolution, the Department views the shifting of responsibility for preventing and dealing with misconduct to public sector agencies as both logical and necessary. This has forced public sector managers to take up the challenge and become proactive in their approaches to misconduct prevention and investigation. The Department has found the CMC to be a very willing partner in responding to this challenge, via the CMC's capacity building program.

Similarly, the Department has found the CMC's research and prevention function to be a regular producer of high quality material concerning a range of contemporary corruption and misconduct prevention issues. In fact, many resources produced by the CMC are included in the material made available to staff as part of the Department's integrity development program.

Generally speaking then, and since the PCMC's last review, the Department of Corrective Services has continued to have positive and constructive interaction with CMC staff, and would rate its service delivery, in terms of supporting and contributing towards the Department's corporate governance goals, as well above average.

Thank you again for affording me the opportunity to make submissions to the Committee, and I trust this information will be of assistance to the review.

Yours sincerely

[Original Signed]

F P Rockett
Director-General

Ref: F/06/00411