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PARLIAMENTARY CRIME AND
MISCONDUCT COMMITTEE

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Parliamentary Crime and Misconduct Committee
Parliament House
George Street
Brisbane Q 4000

To Whom It May Concern,

Re: Three-yearly Review of the Crime and Misconduct Commission

I write to address a particular aspect of the future operations of the Crime and Misconduct Commission and how they may be conducted.

Recently Telephone Intercept (TI) powers have been granted to both the CMC and to the Queensland Police Force. These are new powers and go beyond those which have been available to Queensland law enforcement operations. It has been argued that they have the potential to be extremely intrusive, challenge privacy principles, have the potential for serious abuse and also raise major concerns regarding the community's trust of its law enforcement agencies.

In addition, as is inevitably the case with technology, it is expected to be an extremely expensive capacity to establish, to operate, maintain and secure. There will also be significant expense in manpower terms both in monitoring the intercepts, and interpreting and assessing them.

It is essential therefore that the matter of the cost of this capacity is carefully assessed while ensuring that sufficient resourcing is provided to capitalise on its potential for criminal intelligence and law enforcement purposes.

I submit that it will be enormously wasteful to fully fund two TI facilities, one for the Queensland Police Force and one for the CMC. Instead, only one of these agencies should carry out TI.

I submit it is clear that the agency to house TI is the CMC. Among CMC duties is the policing of our Police. This would prove impossible if TI operations were housed within the Police Service.

In the interests of full and exhaustive investigations of matters involving the Police, the CMC must have unimpeded access to TI and this is best provided by housing TI within the CMC.

I believe there is no reason that this should hinder any Queensland Police operation. Police, after securing relevant warrants, would present these to the CMC and have the intercepts carried out.

This would build on the established information and co-operation between these two agencies, without restricting the CMC's unique investigative processes.

Placing TI within a civilian organisation would also provide additional oversight and transparency in the use of TI powers, especially as the PCMC provides independent scrutiny of CMC operational policy and practice.

Finally, the use of TI will itself generate additional manpower and resourcing demands, beyond the technical. For example, if an intercept provides intelligence of an impending event there may be a need to ensure an on-the-ground presence to monitor what actually takes place.

For normal criminal matters the Queensland Police Service has a level of staffing and resourcing that is likely to be able to meet such needs.

However, on the occasion that a CMC investigation generates such a requirement, sufficient staff must be ready and available to respond, or risk losing valuable evidence or intelligence.

To this end, in addition to the resourcing and manpower of the TI operation itself, there is an additional need, I believe, for the CMC to have extra staffing and resourcing in place to ensure flexibility in maximising the benefit of information generated through such intercepts.

Yours faithfully



Rosa Lee Long MP
Member for Tablelands