



**Queensland
Government**

Queensland Health

Enquiries to: Ms Yvonne Li, Assistant
Director, Policy and Recruitment
Telephone: 3235 9502
Facsimile: 3234 0314
File Ref: DG052717 / HR08150

Mr P Hoolihan
Chairman
Parliamentary Crime and Misconduct Committee
Parliament House
BRISBANE QLD 4000

Dear Mr Hoolihan

I refer to your letter dated 18 September 2008 to the Director-General Queensland Health, inviting submissions to assist the Parliamentary Crime and Misconduct Committee in conducting the three yearly review of the Crime and Misconduct Commission. The Director-General has asked me to reply to you on his behalf.

Queensland Health's Ethical Standards Unit (ESU) works closely with the Complaints Section of the Crime and Misconduct Commission to deal with complaints of suspected official misconduct against Queensland Health officers.

The ESU and the Complaints Section are developing a joint project to devolve greater responsibility for managing complaints of suspected official misconduct to Health Service Districts while maintaining high standards of investigation and complaints management. Queensland Health is greatly appreciative of the CMC's offer of providing its COMPASS case management system to underpin Queensland Health's processes and this will also enable the CMC to electronically monitor the conduct of cases within the Department. It is anticipated that the project will develop a case management model that may be utilised by other public sector agencies.

Queensland Health is of the view that there exists further opportunities for the CMC to support investigations of suspected official misconduct by departments and agencies, by the conduct of joint investigations.

Finally, Queensland Health believes it would be beneficial to review the definition of criminal offence as applied in the *Crime and Misconduct Act 2001* (the Act). At present any offence that attracts a penalty unit amounts to a criminal offence for the purpose of section 15 of the Act. This interpretation sets a low bar as to what conduct amounts to official misconduct leading to almost every disclosure being a potential criminal offence. It is believed this has created a greater increase in the incidents of suspected official misconduct than would otherwise have been the case. If the definition was reviewed and clarified this would enable a more definitive assessment of what constitutes official misconduct.

Office
Queensland Health
147-163 Charlotte St
BRISBANE QLD 4001

Postal
GPO Box 48
BRISBANE QLD 4001

Phone
07 3235 9502.

Fax
07 3234 0314.

Should you require any further information Queensland Health's contact is Ms Yvonne Li, Assistant Director, Policy and Recruitment on telephone 3235 9502.

Queensland Health has a close working relationship with the Crime and Misconduct Commission and we look forward to strengthening that relationship over the coming years.

Yours sincerely



SM Michael Kalimnios
Deputy Director General
Corporate Services
3/11/08