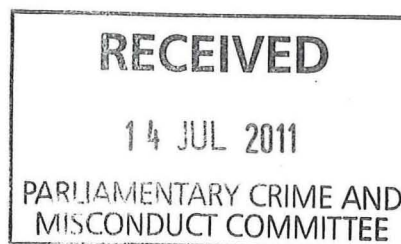


13 JUL 2011

Mr Paul Hoolihan MP
Chairman
Parliamentary Crime and Misconduct Committee
Parliament House
George Street
BRISBANE QLD 4000



Dear Mr Hoolihan

Thank you for your letter of 20 May 2011 in which you invited me on behalf of the Department of Education and Training to make a submission to the Parliamentary Crime and Misconduct Committee to assist in the conduct of the three yearly review of the Crime and Misconduct Commission (CMC).

The only issue I wish to raise is one of timeliness in the CMC's assessment of suspected official misconduct referred by the Department for assessment.

Under section 38 of the *Crime and Misconduct Act 2001*, the Department is required to refer any suspected official misconduct to the CMC for the purpose of their assessment and advice to the Department on how the suspected official misconduct should be dealt with.

The CMC provides the Department with a Matters Assessed Report which identifies the allegations and the actions required of the Department in dealing with the matter.

The Department is not permitted to commence investigations until the Matters Assessed Report is received from the CMC.

Where the allegations are of a serious nature, the Department may suspend the subject employee under the provisions of section 189 of the *Public Service Act 2008*.

The period of time between the referral of the matter to the CMC and the Department's receipt of the CMC Matters Assessed Report is generally not less than two weeks and occasionally can extend up to six or seven weeks. These delays can impact on the Department's ability to commence timely investigations and manage its workforce, and is of increased significance where an employee is under suspension with pay.

The Department's submission is that the CMC take steps to reduce the time taken to process complaints against departmental employees.

Thank you for the opportunity to provide this submission.

Yours sincerely



Julie Grantham
Director-General

Ref: 11/160347