



Crime and Corruption Commission
QUEENSLAND

Public Report to the Parliamentary Crime and Corruption Committee

Activities of the
Crime and Corruption Commission

for the period

1 April to 31 August 2015

Purpose of the report

This report has been prepared by the Crime and Corruption Commission (CCC) for discussion at its public meeting with the Parliamentary Crime and Corruption Committee (PCCC) on 12 October 2015. The report covers the period from 1 April to 31 August 2015.

About this report

Some investigations undertaken by the CCC cannot be reported on publicly until they are finalised. There would be a significant risk of compromising a current investigation, causing reputational damage to those persons who are under investigation or a risk of breaching legislation. Discussing the progress of an investigation also carries with it a risk that persons who are assisting by confidentially providing information to the CCC could be identified.

Similarly, it is not possible to include detailed reports on short-term or recent performance from the CCC's witness protection program.

The CCC acknowledges there is a public interest in our business and we need to report publicly to our parliamentary oversight committee, the Parliamentary Crime and Corruption Committee. The information in this report strikes a balance between providing information to the public and protecting confidential CCC processes.

More general information about our jurisdiction, work areas, roles and responsibilities can be found at www.ccc.qld.gov.au

Contents

Chairman’s report.....	4
Crime	7
Corruption	16
Proceeds of Crime.....	21
Witness protection	24
Research	25
Legal Services.....	27
Our people.....	29
Police Service Reviews	31
Media.....	32
Communications.....	34

Chairman's report

I am pleased to report on the Crime and Corruption Commission's (CCC) activities for the period from 1 April to 31 August 2015 to the Parliamentary Crime and Corruption Committee (PCCC). As I took up the role of Chairman on 1 September 2015, I present this report to the Committee on behalf of my predecessors Dr Ken Levy (Acting Chairman to 30 June) and Ms Ann Gummow (Acting Chairperson 1 July to 31 August).

During this last reporting period, media reports highlighted issues which concern the CCC and public alike – the prevalence of ice and other dangerous drugs in our community; an excessive use of force by police against citizens in their custody; the operation of the police discipline system; and the financial frauds perpetrated on investors. These are important issues for the CCC as I take over the role of Chairman, and I will be reporting further on these at future meetings.

Liaison meetings

The following liaison meetings were undertaken by Dr Levy and Ms Gummow during the reporting period:

- On 9 April 2015 Dr Levy met with Deputy Commissioner Brett Pointing in relation to an operational matter.
- On 14 and 20 April 2015 Dr Levy met with Justice John Muir QC in relation to a complaint matter.
- On 17 April 2015 Dr Levy met with Mr Charlie Carver from the Australian Crime Commission (ACC) as an introductory meeting.
- On 22 April 2015 Dr Levy met with Mr Charlie Carver from the Australian Crime Commission (ACC) to discuss the ACC and CCC interface.
- On 3 to 5 May 2015 Dr Levy attended the Australian Anti-Corruption Commission Forum Meeting of Principals in Sydney. This included a meeting with Mr Chris Dawson CEO ACC to discuss the interface of ACC and CCC in relation to priorities and any overlap between agencies.
- On 6 May 2015 Dr Levy and the Acting CEO Ms Dianne McFarlane met with Mr Michael Byrne QC to discuss the submission from the CCC to the Queensland Commission of Inquiry into Organised Crime.
- On 10 May 2015 Dr Levy attended the President's welcome reception at the 18th Asia-Pacific Chapter Conference (FBI National Academy Associates) on the Gold Coast.
- On 12 and 13 May 2015 Dr Levy attended the 18th Asia-Pacific Chapter Conference (FBI National Academy Associates) Conference.
- On 14 May 2015 Dr Levy attended the Integrity Committee Meeting with the Queensland Ombudsman, Mr Phil Clarke.
- On 18 May 2015 Dr Levy and other CCC officers attended the joint PCCC/CCC Meeting at Parliament House.
- On 27 May 2015 Dr Levy met with a complainant.
- On 28 May 2015 Dr Levy met with Commissioner of Police Ian Stewart to discuss matters associated with Police Service Reviews legal fees.
- On 3 June 2015 Dr Levy met with the Director-General of the Department of the Premier and Cabinet Mr Dave Stewart concerning a complaint matter.
- On 5 June 2015 the new Parliamentary Crime and Corruption Committee undertook a familiarisation visit of the CCC premises.
- On 16 June 2015 Dr Levy met with Commissioner Byrne QC, Ms Julie Sharp and Ms Maria Zappala from the Queensland Commission of Inquiry into Organised Crime regarding material provided.
- On 17 June 2015 Dr Levy attended a workshop at Queensland Police Headquarters to discuss investigation and disruption strategies in relation to boiler room frauds.
- On 18 June 2015 Dr Levy met with Justice John Muir QC to discuss a complaint matter.

- On 6 July 2015 Ms Gummow attended NAIDOC celebrations held at the CCC. Attendees included Aboriginal Elders Aunty Rose Elu and Uncle Bill Ivinson, Mr Peter Russo MP, Ms Grace Grace MP, Professor Ross Martin QC, Acting Inspector Michael Maat and Acting Sergeant Richard Monaei.
- On 7 July 2015 Ms Gummow met with the Acting Ordinary Commissioner Soraya Ryan to discuss the CCC.
- On 8 July 2015 Ms Gummow attended a NAIDOC celebration sporting event involving CCC officers and Aboriginal and Torres Strait youth. Also in attendance were an officer from the Fortitude Valley PCYC and two Fortitude Valley District Community Liaison Officers.
- On 8 July 2015 Ms Gummow and Acting CEO Ms Kathleen Florian met with the Attorney-General and Minister for Justice and Minister for Training and Skills, Ms Yvette D'Ath, to discuss the CCC's draft Research Plan for 2015-2018 and the CCC Budget for 2015-2016.
- On 10 July 2015 Ms Gummow attended the NAIDOC celebrations at Musgrave Park.
- On 13 July 2015 Ms Gummow met with Justice John Muir QC to discuss a complaint matter.
- On 27 July 2015 Ms Gummow met with Mr Alan MacSporran QC to discuss the CCC.
- On 30 July 2015 Ms Gummow and Acting CEO Ms Kathleen Florian met with the Attorney-General and Minister for Justice and Minister for Training and Skills, Ms Yvette D'Ath, to discuss the CCC Estimates papers.
- On 10 August 2015 Ms Gummow and Mr Alan MacSporran QC attended a meeting with Police Minister Jo-Ann Miller MP at the State Law Building to discuss the contract of employment of the Commissioner of Police.
- On 13 August 2015 Ms Gummow and Acting CEO Ms Kathleen Florian attended a portfolio estimates practice session for statutory authorities. The Attorney-General and Minister for Justice and Minister for Training and Skills Ms Yvette D'Ath was also in attendance.
- On 19 August 2015 Ms Gummow had a meeting with the Hon. Alan Wilson, Ms Sarah Key, Mr Carson Lloyd, Ms Carolyn McNally and CCC officers Ms Kathleen Florian, Ms Sidonie Wood, Mr Barry Adams, Mr Todd Prickett, Mr David Caughlin and Mr Dan Mahon to discuss the work of the Taskforce on Organised Crime Legislation.
- On 20 August 2015 Ms Gummow and the Acting CEO Ms Kathleen Florian attended the DJAG Estimates Hearing.
- On 21 August 2015 Ms Gummow and other CCC officers attended a meeting with Mr Peter Gomez, Federal Bureau of Investigation (FBI) Assistant Legal Attaché and FBI Agent Mr Dave Patch to discuss perspectives on organised crime and corruption in Queensland.

During the reporting period Dr Levy and Ms Gummow also attended various other internal meetings to discuss operational and complaint matters.

Update on reviews and inquiries

- The CCC provided a submission to the Queensland Commission of Inquiry into Organised Crime on 22 May. For more information see page 7.
- The CCC provided its submission to the PCCC's 5-year review of the CCC on 27 July 2015. For more information see <http://www.parliament.qld.gov.au/documents/committees/PCCC/2015/five-year-review/submissions/014.pdf>
- The CCC provided its submission to the Taskforce on Organised Crime Legislation 2015 on 28 August 2015. For more information see page 7.

Corporate activities and issues report

- The CCC 2014-18 Strategic Plan (Year 2 commencing 1 July 2015) was published on the CCC website prior to its implementation date.
- The Acting Chairperson and Acting CEO attended the Legal Affairs and Community Safety Estimates hearing on 20 August 2015.
- The CCC Annual Report 2014-15 was provided to the Attorney-General and Minister for Justice for tabling in State Parliament by 30 September 2015.

Matters arising out of previous public meeting on 18 May 2015

Formal responses to these matters have been provided to the Committee.

A J MacSporran QC
Chairman

Crime

The CCC is a specialist law enforcement agency targeting crime of the highest threat to our community. Our goal is to make Queensland as hostile an environment as possible to major crime and to reduce its impact on Queenslanders. The CCC contributes to the overall law enforcement effort in Queensland through its mix of unique powers and specialist resources in investigations, proceeds of crime recovery, strategic intelligence and research. It operates in a framework of strict legal compliance, and a high level of accountability attaches to the use of our special powers.

Activities and issues report

- The CCC is currently providing intelligence updates to the Department of the Premier and Cabinet to assist and inform Queensland's position on the National Ice Strategy that the Prime Minister and all State Premiers are working on together. The Premier is currently considering redirecting confiscated proceeds of crime and unexplained wealth funds into rehabilitation and treatment of ice addiction.
- The CCC provided submissions to the Queensland Commission of Inquiry into Organised Crime (on 22 May) and to the Taskforce into Organised Crime Legislation (on 28 August). The Commission of Inquiry will examine the extent and nature of organised crime in Queensland and the economic and societal impacts of such activity and it will hand down its final report in October 2015. The Taskforce's mandate is to advise, among other things, whether legislation introduced in 2013 is effectively facilitating the successful detection, investigation, prevention and deterrence of organised crime. The CCC's submission to the Taskforce focused primarily on amendments made to the then *Crime and Misconduct Act 2001* (since renamed the *Crime and Corruption Act 2001*). The Taskforce will hand down its report in December 2015.
- The CCC's Organised Crime team was engaged in 8 organised crime investigations of crime networks engaged in drug trafficking, fraud, money laundering and other illegal activity in Queensland. In this reporting period 25 people have been charged with 188 offences arising from these investigations and an estimated \$2.291 million worth of illicit drugs and precursors have been seized. In one of the fraud-related investigations, 2 alleged boiler room enterprises were dismantled.
- A total of 19 new major crime investigations was commenced during the reporting period. These included 9 organised crime investigations and 4 serious crime investigations involving 3 murders, including an investigation under the "vulnerable victims" general referral relating to the grievous bodily harm of a 13-day-old infant.
- The CCC's Crime hearings team held a total of 85 days of hearings involving 88 witnesses. These hearings were in support of 21 CCC or QPS investigations of organised and serious crime, or in support of our intelligence function. These matters have included hearings to progress 7 homicide investigations.
- A total of 39 persons was called to criminal organisation related hearings, including intelligence hearings, held over 40 days resulting in the dissemination of 69 intelligence information reports to State and Commonwealth law enforcement agencies.
- The CCC's Criminal Paedophilia team charged 8 alleged offenders with 70 child sex offences, including in one case the indecent treatment of a child under 16.
- The Crime Reference Committee approved three new general referrals for Organised Crime or Serious Crime.
- A classified report on the involvement of outlaw motorcycle gangs (OMCGs) in the performance- and image-enhancing drugs market in Queensland was disseminated to partner law enforcement agencies in July 2015.

The CCC's Crime Function

The CCC's crime and prevention function is undertaken by the following:

- Organised Crime investigation team
- Criminal Paedophilia (Cerberus) team

- Crime Hearings team
- Dedicated intelligence and research officers.

The CCC's major crime function received specific funding over the 2013-14 and 2014-15 financial years to deliver an increased focus on criminal organisations and particularly OMCGs. Since the expiry of this funding, the CCC has continued these initiatives from internal resources.

An update on the performance of each of these teams or areas of focus follows.

Update: Focus on criminal organisations

Since October 2013, extensive OMCG-related intelligence hearings have been focusing on the membership and activities of Queensland-based OMCGs. In addition, the CCC hearings team has conducted OMCG-related major crime hearings where it was assessed that the investigations in question were likely to yield valuable evidence concerning OMCG offending in Queensland.

Since the commencement of this initiative, a hearings program has been undertaken exploring a range of OMCG-related themes and issues identified by the CCC and QPS Taskforce Maxima. During the reporting period, 10 witnesses were called to intelligence hearings held over 11 days, and 29 witnesses were called to OMCG-related major crime hearings held over 29 days.

During the reporting period, the Proceeds of Crime team obtained 12 restraining orders valued at approximately \$2.971 million and 4 forfeiture orders valued at approximately \$0.157 million in OMCG-related matters.

The CCC continues to collect intelligence on issues associated with OMCGs in Queensland and produces intelligence reports which are disseminated to partner law enforcement agencies. During the reporting period 69 intelligence information reports were disseminated.

During the reporting period 18 intelligence reports have been produced from major crime hearings in Operation Lima Interlude.

The CCC is also presently involved in expanding its focus on criminal organisations beyond OMCGs. This includes proposed legislative reform to the definition of a "criminal organisation" to more effectively capture criminal organisations other than OMCGs.

Organised crime

In combating organised crime, the CCC focuses on investigations calculated to dismantle or disrupt the criminal identities and networks engaged in the illicit commodity markets of greatest harm to Queenslanders. In making these assessments, we rely upon our specialist strategic intelligence expertise. To maximise the law enforcement response, the CCC's operations are often conducted jointly with other State and Commonwealth law enforcement agencies.

Activities/outcomes

During the reporting period the Organised Crime team was engaged in eight organised crime investigations of high-risk crime networks engaged in drug trafficking, fraud, money laundering and other illegal activity. As of 31 August 2015, one of these investigations had been finalised (Operation Biscay). The covert phases of five other investigations (Operations Juliet Wave, Quaker, Gloss, Amulet and Unwind) have concluded and the remaining two investigations are still in a covert/sensitive phase. During the reporting period, 25 persons have been charged with 188 offences and \$2.291 million worth of illicit drugs and precursors have been seized.

Significant outcomes during this reporting period have included the following.

- A full member of the Hells Angels OMCG was arrested, his criminal enterprise dealing in ice and other drugs dismantled and over \$1 million in cash and automatic weapons discovered.

- Assets of \$2.016m were seized or restrained, including \$1.165m in cash.
- Two alleged boiler room enterprises were dismantled.
- The final target of Operation Lightning was sentenced to 11½ years imprisonment.

Case study – Operation Quaker

A 13-month operation by the CCC dismantled a major organised crime network involved in the supply of cocaine throughout Queensland. The network had a large customer base.

The operation, codenamed Quaker, employed various investigative strategies, focusing on two key targets identified through intelligence. The close cooperation with other law enforcement agencies contributed to the successful outcome.

Results

The operation was closed in two phases. The first phase was closed on 19 December 2014 with investigators from the CCC and QPS executing search warrants on the Gold Coast. In the first phase, the principal target of the operation was arrested and charged with the serious offence of drug trafficking, which in Queensland has a maximum prison sentence of 25 years. Twenty-seven other people were arrested during this phase and charged with a total of 184 offences.

The second phase of the operation was closed on 24 April 2015 with investigators from the CCC and QPS executing search warrants on the Gold Coast. The principal target of the second phase, a 58-year-old Surfers Paradise man, was charged with a number of drug offences which included two counts of supplying a dangerous drug, which in Queensland has a maximum prison sentence of 20 years. Three other people were arrested during this phase; combined they were charged with 12 offences.

Drugs with an estimated value over \$1.49 million were seized during this 13-month operation.

The investigation is ongoing.

Case study – Operation Unwind dismantles Irish Boys’ boiler room frauds

The CCC commenced Operation Unwind in March 2015 to investigate an alleged crime syndicate known as the Irish Boys.

The Gold Coast-based syndicate was suspected of operating organised and sophisticated cold call investment frauds (also known as boiler room frauds). Intelligence suggested that the syndicate was selling bogus computer software and managed investment schemes throughout Australia that were incapable of producing the high yields as promised by the syndicate and were designed to defraud victims of their hard-earned savings.

A police taskforce was established with the QPS to assist with carrying out the investigation.

In August the taskforce shut down two active boiler rooms and charged six people with aggravated fraud offences. One of the targets was also charged with additional offences after \$81,700 cash and a quantity of drugs was found hidden at his residence.

It is alleged that these boiler rooms defrauded at least 150 victims across Australia of at least \$4 million.

The investigation is ongoing.

Focus on methylamphetamine

Since the CCC's *Illicit Drugs Markets in Queensland* report <http://www.ccc.qld.gov.au/research-and-publications/publications/crime/illicit-drug-markets-in-queensland.pdf/download> the CCC has prioritised operational resources towards high-threat organised crime networks active in the manufacturing and trafficking of crystal methylamphetamine (ice), as shown by the case study below.

The illicit methylamphetamine market is the drug market that is causing the greatest harm to Queenslanders; it is also a market in which there is a strong organised crime presence. As part of the CCC's response to methylamphetamine and as at the end of the reporting period, the CCC had \$24.751 million worth of cash and assets under restraint arising from individuals alleged to be engaged in offences of manufacturing or trafficking in methylamphetamine in Queensland. Since 2002–03 the CCC has obtained proceeds of crime settlements in relation to a further \$24.637 million¹. Monies recovered have gone into consolidated revenue.

Case study – Operation Amulet dismantles Hells Angels drug trafficking network

In late August the CCC closed an organised crime investigation, codenamed Operation Amulet, which targeted a criminal syndicate allegedly trafficking ice, cocaine, MDMA and other drugs throughout the Gold Coast region and South East Queensland. It will be alleged that the syndicate had been operating since at least March 2014.

The primary target was a 33-year-old Robina man who is allegedly a patched member of the Hells Angels.

Assisted by QPS Taskforce Maxima, the CCC conducted a series of search warrants on premises associated with the target and seized more than \$1 million dollars in cash, three automatic weapons, five hand guns, a quantity of drugs and mobile phones.

The CCC initiated proceeds of crime action against the target and was granted an order in the Supreme Court to restrain real property and bank accounts valued at \$605,720. The civil confiscation proceedings are continuing.

The target has been charged with 31 offences including the serious drug offence of trafficking which carries a maximum penalty of 25 years imprisonment:

- 1 x trafficking in dangerous drugs, namely cocaine, MDMA, methylamphetamine and steroids, contrary to section 5 of the *Drugs Misuse Act 1986*
- 8 x supplying dangerous drugs, namely cocaine and steroids, contrary to section 6 of the *Drugs Misuse Act 1986*
- 10 x possession of property used in connection with a crime, namely mobile phones, contrary to section 10(1)(b) of the *Drugs Misuse Act 1986*
- 12 x possession of property proceeds of crime, namely cash, gold, motor vehicles and jewellery, contrary to section 10A(1)(d) of the *Drugs Misuse Act 1986*.

¹ As at 31 August 2015

Outcomes from earlier CCC organised crime investigations

Case study – Last target of Operation Lightning sentenced to 11½ years

Operation Lightning was an organised crime investigation conducted by the CCC – and supported by the QPS and the NSW Police Force – over 12 months in 2011-2012 in relation to a large-scale, high-threat heroin trafficking network, the nucleus of which was based in NSW, with a key distribution point into South-East Queensland. The investigation was the product of an intelligence probe (Spiderbait) undertaken by the CCC's Intelligence Development Team.

Several phases of tactical arrests and search warrants were undertaken during the investigation, culminating in 29 people – all members of Balkan crime groups operating in NSW and Queensland – facing 193 charges. Additionally, 2 kg of heroin, 2 kg of methylamphetamine and quantities of precursor chemicals – with a combined estimated street value of \$3.6 million – were seized. Three heroin presses and \$341,000 in cash and tainted property were also recovered.

Since the closure of Operation Lightning in August 2012, there have been a series of significant court outcomes. Six targets were sentenced to imprisonment for terms ranging from 6 years to 10 years.

In July the final Queensland-based high-level target of Operation Lightning was sentenced for his involvement in the criminal syndicate. He received a head sentence of 11½ years in relation to a series of offences that included drug trafficking, extortion and misconduct in public office. He was also ordered to pay restitution to a victim of one of the extortion charges.

Criminal paedophilia

Although our jurisdiction relates to all child sex offending, the CCC focuses on networked internet-based offending and offenders engaging with each other on peer-to-peer platforms. This ensures that our work complements, rather than duplicates, the work of others. The CCC's Cerberus team works closely with QPS Taskforce Argos, regional Child Protection Investigation Units, the Offices of the Commonwealth and Queensland Director of Public Prosecutions, and interstate and overseas law enforcement agencies.

Activities/outcomes

Operation Talon XII commenced as an authorised controlled operation on 28 November 2014 and was finalised on 27 May 2015. Operation Talon XIII commenced as an authorised controlled operation on 8 May 2015 and is an ongoing operation.

During the reporting period, 8 persons were charged with 70 child sex offences arising from current or past CCC investigations. Recent alleged offenders include a scout leader, a primary school teacher and a Corrective Services officer.

Case study - Ipswich scout leader charged with sexual abuse of a child after CCC search warrant

In April a 30-year-old West Ipswich man was arrested after being engaged online in a covert Cerberus investigation.

It is alleged that the active scout leader had been using the internet to access and make available child exploitation material. The CCC, assisted by the Ipswich Child Protection Investigation Unit, executed a search warrant at the man's house and seized a number of cameras, computer equipment and electronic storage devices that allegedly contained child exploitation material. Whilst on site, images were discovered which it will be alleged depict the target sexually abusing a child.

The suspect was charged with three counts of indecent treatment of a child under 16, three counts of possessing child exploitation material, 14 counts of making child exploitation material, and six Commonwealth offences relating to his alleged use of a carriage service.

The investigation remains ongoing.

Case study - Court outcome from previous CCC investigation

In July a 46-year-old Ipswich man was sentenced in the Ipswich District Court to 18 months jail, suspended after 6 months, for being in possession of 9.5 hours of video images of children being sexually abused.

The offences were uncovered after Cerberus investigators monitored an internet user's possession and sharing of child exploitation material (CEM) from July 2013 until April 2014. In total, 43 files of "known" CEM were able to be downloaded and included images and movie files in the worst category of CEM.

Following extensive engagement with the relevant internet service provider, the prisoner was able to be identified. Because inquiries then disclosed that he was living with a child, Cerberus investigators responded rapidly and, working in conjunction with the Ipswich Child Protection Investigation Unit, executed a search warrant upon the prisoner's home. The target was a fly-in, fly-out worker and was then in central Queensland. Cerberus immediately enlisted the assistance of the QPS who urgently executed another warrant upon the prisoner's motel room. His laptop and other computer-related exhibits were seized and sent to Brisbane for forensic analysis by our Forensic Computer Unit. The FCU was successful in locating CEM on the relevant exhibits. The prisoner made full admissions when subsequently interviewed by Cerberus and CPIU officers.

In sentencing the offender the judge noted that "the accessing of this material provides a market for people to abuse children and record the abuse of those children for others' enjoyment". The judge further observed how difficult it was for these offences to be detected.

Limitations of section 154 of the *Police Powers and Responsibilities Act 2000* (Qld) in Child exploitation material (CEM) matters

CEM, electronically stored, is often hidden and protected from investigators by use of data encryption and storage security. Section 154 of the *Police Powers and Responsibilities Act 2000* (PPRA) provides for orders with search warrants requiring suspects to provide police with the information to access a storage device. Anecdotal evidence from QPS and CCC child protection investigators suggests that s.154 has a number of deficiencies that undermine investigations. The CCC is currently undertaking research to identify any legislative limitations of s.154, examine whether these limitations impact police investigation of CEM offences and identify possible legislative reform to address these limitations and to improve outcomes in CEM matters. The report will be published in September 2015.

Coercive hearings

New Major Crime hearings investigations

During the reporting period we were referred one new investigation, under the “vulnerable victims” general referral, involving grievous bodily harm to a 13-day-old infant.

We also received and commenced hearings into three referrals involving the murder of three individuals.

We were referred six investigations involving drug trafficking, prostitution and money laundering, conspiracy to murder and one under the new “facilitators” general referral.

Activities/outcomes

The Crime Hearings team held a total of 85 days of hearings in Brisbane, Rockhampton, Yeppoon, Proserpine, Bowen, Townsville and Cairns in support of 21 CCC or QPS investigations of organised and serious crime, or in support of our intelligence function. A total of 88 witnesses was called to these hearings.

Major crime hearings were held in support of a range of investigations. They include the following:

- Eight homicide investigations (including one under the “vulnerable victims” general referral)
- One criminal paedophilia investigation and
- A variety of organised crime investigations involving, among other things, drug trafficking, armed robbery, fraud and weapons trafficking.

In addition, hearings were held in support of three specific intelligence operations.

Significant outcomes

Case study - CCC hearings in Operation Kilo Principle play a substantial role in murder investigation

In July a two-week trial concluded in the Cairns Supreme Court with the murder convictions of a husband and wife. The pair had been charged with the shooting murder of a gold prospector on their remote cattle property at Palmerville Station in Cape York in July 2012. The body of the prospector has never been found.

The evidence suggested that the couple had executed in cold blood a stranger whom they encountered and regarded as a trespasser on their property. The trial judge observed: “It has been well over a century since the turbulent and sometimes violent days of the Palmer River gold rush, and in this day and age, long removed from those frontier days, it beggars belief that station leaseholders could become so detached from the standards of civilised behaviour and could have engaged in such cowardly, callous behaviour as this.”

Both prisoners were sentenced to life imprisonment.

In October 2012 the CCC had undertaken an extensive hearings program to assist the QPS investigation. Responding rapidly to a QPS request for assistance, the CCC held major crime hearings simultaneously in Cairns and Brisbane to which nine witnesses were called.

Other examples of significant law enforcement outcomes achieved during the reporting period as a result of coercive hearings support are as follows.

- Hearings held in early April, arising from the shooting of a man in the face at Caboolture on 21 March 2015, led to the arrest of five offenders on 29 charges, including attempted murder, and the recovery of ten stolen firearms. (North Loara)

- In August 2015, following a CCC hearings program, a woman and her former partner were charged with the murder and torture of her four-year-old son at the Gold Coast in 2009. The man had been charged in 2009 but the charges had been withdrawn. Eight witnesses gave evidence in hearings which were held from mid-June to early July. (Hotel Sandstorm)

A number of persons who were the subject of previous CCC hearings programs were committed for trial or were sentenced.

- On 29 April 2015 a woman was committed to stand trial for the murder of a Woolloongabba man in May 2013, as well as for his attempted murder in the course of a house fire in October 2012. (Lima Exchange)
- On 1 May 2015 the Court of Appeal rejected an appeal against conviction by a woman sentenced to life imprisonment after being found guilty of the murder of a man in an industrial shed at Southport in 2001. Two co-accused men have been committed to the Supreme Court for trial. (Golf Dodge)
- On 31 May 2015 three men alleged to have kidnapped and thrown a man from an inner city unit balcony over a drug debt were committed for trial. (Mike Carmine)
- In early June 2015 an OMCG member suspected of a drug-related murder at an Eight Mile Plains shopping centre was arrested in Serbia. (Kilo Minerva)
- On 10 June 2015, after spending 272 days in custody, a witness who had been charged with trafficking dangerous drugs and two counts of perjury during the course of hearings into a double homicide in Rockhampton, was sentenced on all charges to 18 months imprisonment. (Lima Glitter)
- On 25 June 2015 a former OMCG nominee was jailed for 7 ½ years after he pleaded guilty to attacking two men with a knife during a fight between rival gangs in a Fortitude Valley night club. A former office bearer of one of the clubs, also involved in the fight, fled overseas and after the commencement of extradition proceedings returned to Australia to be charged with extortion and other matters. (Lima Second)
- On 1 July 2015 one of three former members of the Hells Angels OMCG charged with drug trafficking (who were committed for trial during the last reporting period) pleaded guilty and was sentenced to 18 months imprisonment. (Kilo Aquarius)
- On 31 July 2015 a man accused of the shooting murder of a Gold Coast business man at his home in Gilston in July 2013 pleaded guilty to murder and to the attempted murder of the victim in an incident four months earlier. He was recently sentenced to life imprisonment. (Lima Zircon)
- On 5 August 2015 a man was committed for trial charged with murder, torture, grievous bodily harm and failing to provide the necessities of life with respect to the death of a four-week-old baby girl near Gympie on 23 September 2012. (Kilo Flanders)

Reviews and appeals relating to the use of coercive powers

On 9 June 2015, a witness in a double murder investigation who was due to resume his evidence which he started on 22 December 2014 claimed he had a reasonable excuse for not answering a question put to him by the presiding officer. The presiding officer ruled he did not have a reasonable excuse. On 17 June 2015 the witness lodged an appeal in the Supreme Court against this decision. The matter was listed for hearing on 30 June 2015. Prior to the hearing the witness abandoned his appeal.

New Major Crime general referrals

The CCC's use of coercive hearings is oversighted by the statutory Crime Reference Committee (CRC).

The CRC review of the CCC's general referral regime was completed during the reporting period. Milestones achieved during this period are:

- On 26 May 2015 the CRC passed the Organised Crime (Facilitators) general referral.
- On 26 May 2015 the CRC ended the Gatekeeper general referral.
- On 30 June 2015 the CRC passed the Criminal Paedophilia general referral.
- On 30 June 2015 the CRC ended the Atrax general referral.

- On 30 June 2015 the CRC ended the Artemis general referral.
- On 25 August 2015 the CRC passed the Serious Crime (Sexual Offences) general referral.

Strategic intelligence

The CCC's work in major crime is largely shaped by its strategic intelligence activity. This informs our understanding of organised crime markets, identifies the priority markets and syndicates, and helps to ensure that resources are allocated towards those areas that pose the highest risk. In this way, strategic intelligence products inform and drive our investigative activities. The intelligence function also contributes significantly to our crime prevention function. Intelligence staff engage with a wide range of clients, stakeholders and partners to ensure the CCC maintains a strategic awareness of developments in the crime environment in Queensland and other jurisdictions.

Activities/outcomes

During the reporting period:

- The CCC has commenced the 2015-2016 Queensland organised crime assessment. The CCC conducts this assessment every three to five years (this will be the fifth assessment of this kind). It uses a market-based approach to analyse the nature and extent of organised criminal activity in Queensland and assess the relative risk posed by illicit drug markets. The collection phase of the project has been completed.
- The CCC has been collecting intelligence on the criminal behaviour and methodologies of organised crime groups including OMCGs to inform intelligence reports. A classified report on the involvement of OMCGs in the performance- and image-enhancing drugs market in Queensland was disseminated to partner law enforcement agencies in July 2015.
- Our target development program has continued to identify significant organised crime groups and networks for referral to the CCC's Organised Crime team and partner agencies for further investigation.
- In July 2015 one of our major target developments focusing on a crime network involved in trafficking ice and cocaine was elevated to operational status and it is now being investigated by our Organised Crime functional area.
- Since April 2015, the CCC has disseminated 69 information reports relating to the activities of organised crime groups to partner agencies.

Corruption

The role of the CCC's Corruption function is to reduce the incidence of corruption in the public sector in Queensland. Our wide-ranging jurisdiction includes all state government departments, the police service, local governments, public sector agencies and statutory bodies, government-owned corporations, universities, prisons, courts, tribunals and elected officials.

Activities and issues report

Overview

- In response to community concern and questions from the Queensland Council of Civil Liberties, on 28 August the CCC made a public statement in relation to its involvement with an investigation of police use of force against a member of the public in the Surfers Paradise police station. Excessive use of force by police officers as well as aspects of the police discipline process are a significant issue for both the CCC and the QPS. This is discussed further on page 18.
- The CCC finalised 15 corruption investigations resulting in 66 criminal charges (see below) and recommended the QPS consider taking disciplinary action in relation to unauthorised access and disclosure of confidential QPS information.
- Following two separate investigations, a police officer from the QPS State Crime Command and another former officer were issued with Notices to Appear on 52 counts of misconduct in relation to public office (alternatively computer hacking) for allegedly releasing confidential QPS information.
- The CCC charged two men with 14 offences (combined) including fraud and fraudulent falsification of records following an investigation into the defrauding of a local council and a beneficial enterprise.
- Following an investigation into allegations that Cook Shire Council employees corruptly awarded contracts to certain companies after receiving gifts or benefits from those same companies, the CCC determined there was insufficient evidence to pursue any criminal charges. The investigation, however, did identify shortcomings in compliance with Council policies and processes, particularly in relation to approvals for retaining gifts and benefits. These shortcomings were raised with the Council and the CCC notes that the Council has since introduced a number of new policies and procedures aimed at improving these issues.
- The CCC completed an investigation into a local Council Mayor and decided not to proceed with any criminal prosecution. The CCC is preparing a public report that will examine some of the issues raised during the investigation and consider how legislative or other reform could improve transparency in this area.

Statistics for the period 1 April to 31 August 2015

- Received 917 complaints² of corruption
- Assessed 1,015 complaints³
- Closely monitored and reviewed 51 public sector and police matters
- Commenced 29 new investigations
- Finalised 15 investigations

² The term 'complaint' is used generically and includes the CCC's key matter types of Complaint, Information, Matter and Notification.

³ This includes complaints received prior to 1 April 2015 but assessed in the reporting period.

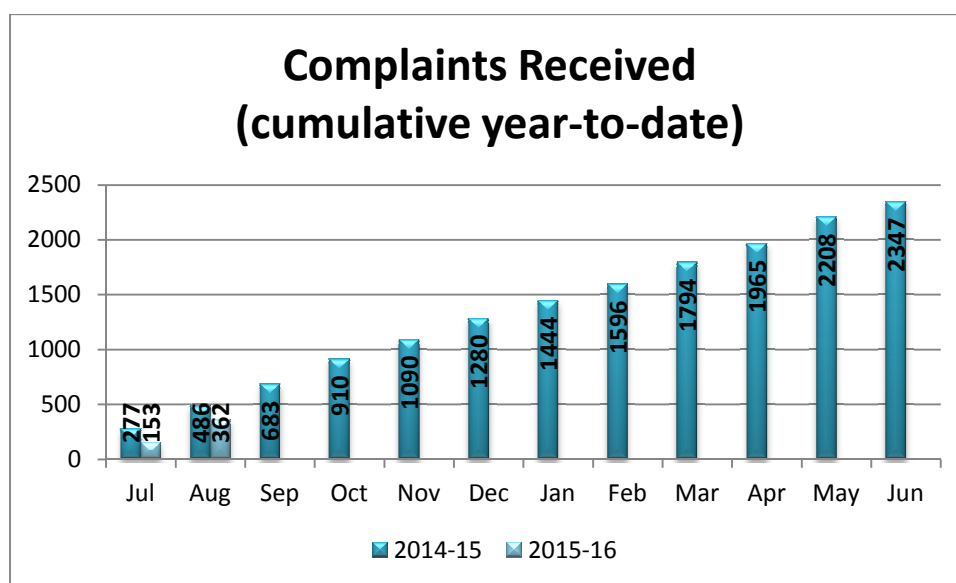
Complaints

For the reporting period 1 April to 31 August 2015, the CCC received 917 complaints. The number of complaints received represents a 33% decrease when compared to the same period in the previous year.

The 917 complaints received in the reporting period contain a total of 1,988 allegations of corruption. (A complaint may contain multiple allegations.) Of these allegations:

- 64% (1,278) related to police
- 24% (482) related to public sector agencies (including government-owned corporations)
- 10% (190) related to local government
- 2% (38) related to other agencies.

Figure: Complaints received 2014–15 and 2015-16 comparison.



The CCC assessed 1,015⁴ complaints in the reporting period:

- 26 (3%) were retained for investigation by the CCC (including investigations conducted cooperatively with agencies)
- 44 (4%) were referred to the appropriate agency to deal with, subject to the CCC's monitoring role⁵
- 674 (66%) were referred to the appropriate agency to deal with, and no further advice was required by the CCC
- 271 (27%) were assessed as requiring no further action.

How the CCC monitors complaints

The CCC performs its monitoring role with respect to individual complaints in accordance with the legislative imperative within the CC Act to focus on more serious cases of corrupt conduct and cases of systemic corrupt conduct within a unit of public administration. Factors such as the capacity of the originating agency to undertake an independent investigation and the public interest are also considered.

The CCC's monitoring function also includes audit activities focused on high-risk activities or agencies. Two audits have been designed and are currently progressing:

- A review of agency responses to incidents involving inappropriate access to, and disclosure of, confidential

⁴ The number of complaints assessed differs from the number received because it includes complaints received prior to the reporting period but assessed in the reporting period.

⁵ The CCC's monitoring role is set out in sections 35, 47 and 48 of the *Crime and Corruption Act 2001*.

- information by officers in the public sector (including QPS)
- A review of public sector agency compliance with new requirements for dealing with corrupt conduct (sections 15(1), 38 and 40 of the *Crime and Corruption Act 2001*).

Corruption investigations

The CCC investigates only the most serious or systemic allegations of corrupt conduct.

As at 31 August 2015, 36 corruption matters were under investigation, including four cooperative investigations. The time so far devoted to the 36 investigations outstanding is as follows:

No. of matters	% of total matters	Duration of the investigation
7	20%	< 3 months
13	36%	3–6 months
8	22%	6–9 months
5	14%	9–12 months
3	8%	> 12 months
Total: 36	Total: 100%	

Oversight of the Queensland Police Service

QPS complaints

During the reporting period the CCC received 602 complaints containing 1,334 allegations against police. This represents a 9% decrease when compared with the same period last year.

Indigenous complaints numbers remained steady for the reporting period, when compared with the previous reporting period, comprising 5% of the total complaints made against police.

The CCC has always been alert to allegations of excessive force, and has also closely watched allegations that police have failed to properly report or investigate such allegations (see case study below). During this reporting period the CCC received 154 complaints which included an allegation of assault or excessive force against a police officer (288 allegations in total). Over the same period in 2014 we received 147 complaints. This equates to a 5% increase.

As in other areas of the public sector, although the CCC is informed of serious allegations (e.g. of excessive force by police) it cannot investigate every allegation itself and must refer matters to the agency to deal with. Of the complaints that involved an allegation of assault or excessive force that were referred to the QPS to deal with, the CCC exercised its monitoring function by making eight matters the subject of a review. Four of these reviews involve the highest level of monitoring performed by the CCC (a public interest review); the remaining four complaints were subject to merit and compliance reviews. As at 31 August 2015 the CCC had a total of 19 matters under review which included an allegation of excessive force or assault against a police officer. The remainder of the matters dealt with by the QPS may be subject to a future audit by the CCC.

During the reporting period, the CCC also reviewed the decisions of police disciplinary matters in relation to two matters involving assaults or excessive force.

Public statement re police use of force

On 13 August 2015, the Queensland Council for Civil Liberties wrote to the Acting Chairperson Ann Gummow in relation to investigations arising from the assault of a man in the Surfers Paradise police station in January 2012 and the release of CCTV footage of that incident. On 28 August the CCC released a public statement detailing its involvement in those investigations. The statement can be found on the CCC website at <http://www.ccc.qld.gov.au/research-and->

[publications/publications/ccc/ccc-statement-25082015](#). This case highlighted concerns that the CCC has held for some time in relation to the police discipline system, which have been referred to government for consideration.

Case study: Allegation of corrupt conduct by QPS officer

In December 2014 the CCC determined to assume responsibility for a matter involving an investigation into allegations that a subject officer, tasked with investigating the alleged conduct of another officer (assault), failed to do so, and lied to the Professional Practice Manager that he had conducted relevant enquiries including viewing the CCTV footage of the incident, subsequently recommending the subject officer of that investigation be exonerated.

On 10 March 2015 the Queensland Police Union of Employees made application to the Supreme Court seeking a declaration that the CCC had no power to assume responsibility for the investigation.

Outside of the current reporting period the judgment of the Court was delivered which was in favour of the CCC and permitted the CCC to assume responsibility for this investigation (see <http://archive.sclqld.org.au/qjudgment/2015/QSC15-226.pdf>). This judgment may be appealed.

Reviews of matters dealt with by the QPS

During this reporting period 22 police matters have been the subject of close monitoring through a case review. A continuing trend identified by the CCC is the limited extent to which the QPS responds to requests about how a particular corruption matter is to be dealt with, including the provision of interim reports. Our records also reveal that the CCC's timeframes for providing progress reports, in general, are not being adhered to by the QPS which impacts on the CCC's ability to monitor matters in accordance with the CC Act, and on the timeliness of resolution of investigations. In relation to each matter in which a deficiency is identified, the CCC writes to the QPS to communicate issues required to be addressed.

Discipline reviews and appeals

In the reporting period, we examined 25 reviewable decisions.⁶ For further information in relation to police discipline matters in QCAT or other Courts, refer to page 27.

Oversight of police-related deaths and significant events

The CCC is informed of all police-related deaths and also of significant events involving police. It may elect to attend an incident if there is concern regarding the public interest (for example, where a police officer has shot at someone, regardless of whether there have been injuries or deaths).

Over the reporting period the CCC received notification in relation to four police-related deaths and 12 significant events across the state. The incidents included self-harm, traffic incidents, death/injury in custody and police shootings.

Investigating allegations of serious or systemic corruption

In the reporting period the CCC finalised 10 investigations into 55 serious or systemic allegations of corrupt conduct or police misconduct. As a result of these investigations, 52 criminal charges were laid involving two officers and we recommended that seven disciplinary charges be instituted against one officer. One further criminal charge is being considered. All offences involved the misuse of information systems and unauthorised disclosure of confidential QPS information.

⁶ A reviewable decision is a decision made by a prescribed police officer in an internal disciplinary process against a prescribed person (that is, another police officer who is generally referred to as the subject officer) concerning an allegation of police misconduct. The term reviewable decision is defined in section 219BA of the CC Act.

The CCC has commenced 17 new investigations into allegations against police in the reporting period.

Oversight of the public sector (including local government)

Complaints

During the reporting period, the CCC received 234 complaints containing 550 allegations related to public sector and other agencies (including government-owned corporations and members of Parliament). The number of complaints received is 58% lower than the same period last year.

In the local government sector, for the reporting period the CCC received 81 complaints (containing 195 allegations) of corrupt conduct involving local governments, which is a decrease of 44% when compared to the same period last year.

Reviews of matters dealt with by public sector agencies

During the reporting period the CCC reviewed 29 complaints investigated and or dealt with by public sector agencies (including local governments). During this reporting period issues such as agencies not assigning the appropriate level of, or ongoing, resources to the completion of investigations, not complying with reporting timeframes and presenting poorly written, poorly formatted or incomplete investigation reports have all impacted on the CCC's ability to monitor agency investigations. In relation to each matter in which a deficiency is identified, the CCC writes to the agency concerned to communicate issues required to be addressed.

Investigating allegations of serious or systemic corrupt conduct

In the reporting period, the CCC finalised 5 investigations into 70 serious or systemic allegations of corrupt conduct in the public sector (including local government). As a result of these investigations, 2 persons have been charged with 14 criminal charges for offences of fraud and fraudulent falsification of records.

The CCC commenced 12 new investigations into allegations against public sector employees (including local government) in the reporting period.

Proceeds of Crime

The CCC administers the non-conviction-based civil confiscation scheme (Chapter 2) under the *Criminal Proceeds Confiscation Act 2002* (CPCA). Under Chapter 2, property is liable to be restrained if it belongs to, or is under the effective control of, someone who is suspected of having engaged in serious criminal activity in the past six years. Restrained property is liable to be forfeited unless a person proves, on the balance of probabilities, that it was lawfully acquired. The CCC is also responsible for administering Chapter 2A of the CPCA, the Serious Drug Offender Confiscation Order Scheme. Under Chapter 2A, property of a person is liable to forfeiture upon conviction for qualifying serious drug offences.

The Proceeds of Crime staff work closely with the Queensland Police Service (QPS) and the Director of Public Prosecutions (DPP) in identifying and litigating proceeds of crime matters, as well as with the Public Trustee of Queensland, who is responsible for the property restrained and held by the state.

Activities/outcomes

As at 31 August 2015, work in progress was as follows:

- 92 current civil confiscation matters involving restrained property valued at \$52.216m
- 40 referred matters awaiting restraint involving property valued at \$10.026m.

Since the last report we achieved the following results:

- 59 new referrals were assessed.
- 29 restraining orders were obtained over property valued at \$6.538m.
- The State was the recipient of 18 forfeitures of property totalling \$2.301m.
- Settlement negotiations were being undertaken in 38 matters involving property valued at \$11.987m.

Proceeds of crime results since 2002

Since the *Criminal Proceeds Confiscation Act 2002* came into operation, the team has been instrumental in delivering to the state:

- \$198.150m in assets restrained.
- \$73.169m in assets forfeited.

Value of restraints

In the financial year to date (as at 31 August 2015), the CCC has restrained a total of \$3.100m against an annual target of \$18m.

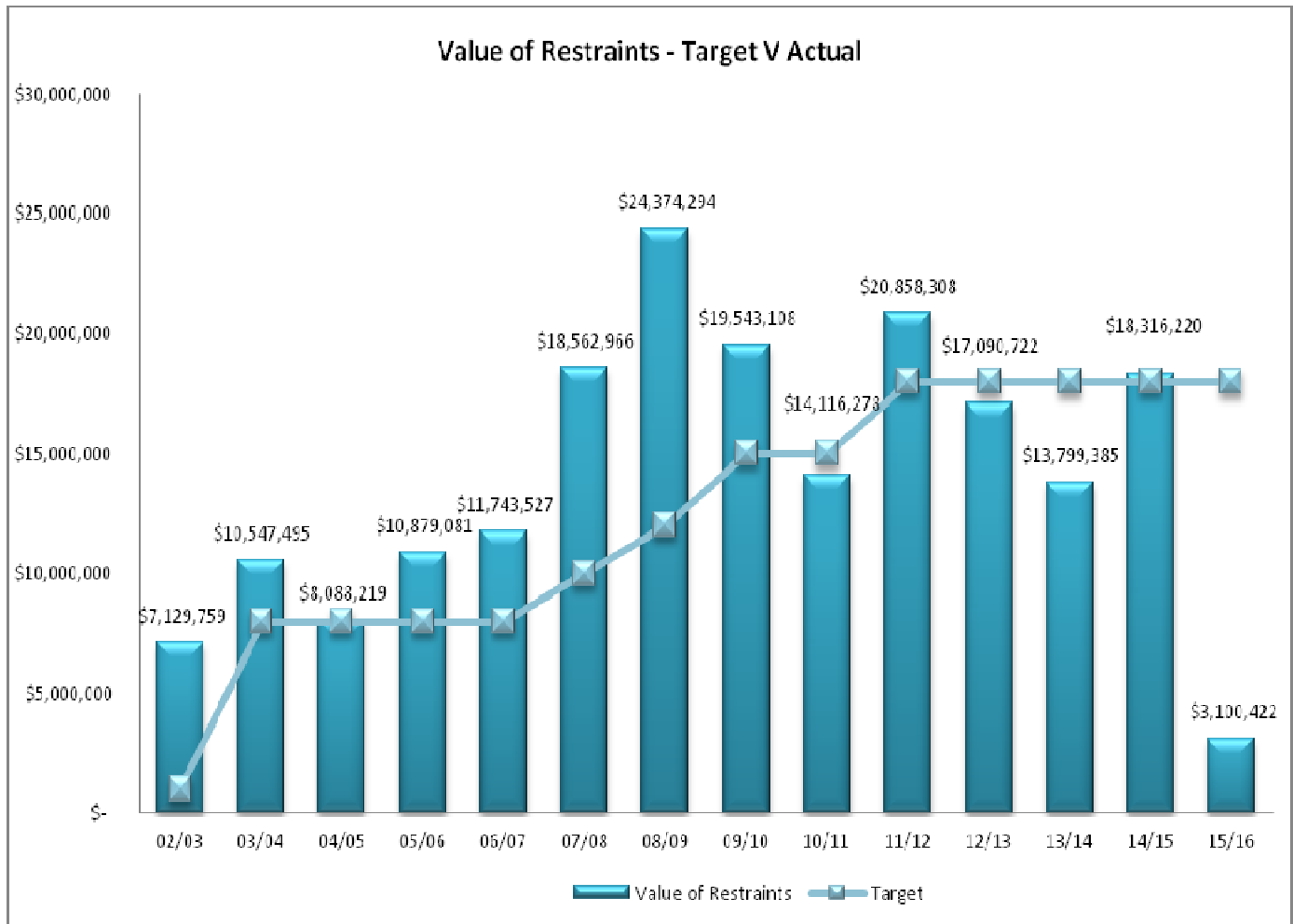


Figure: Estimated value of criminal proceeds restrained (target compared with actual), 2002–03 to 2015–16.

Value of forfeitures

In the financial year to date (as at 31 August 2015), \$1.621m has been forfeited against an annual target of \$7m.

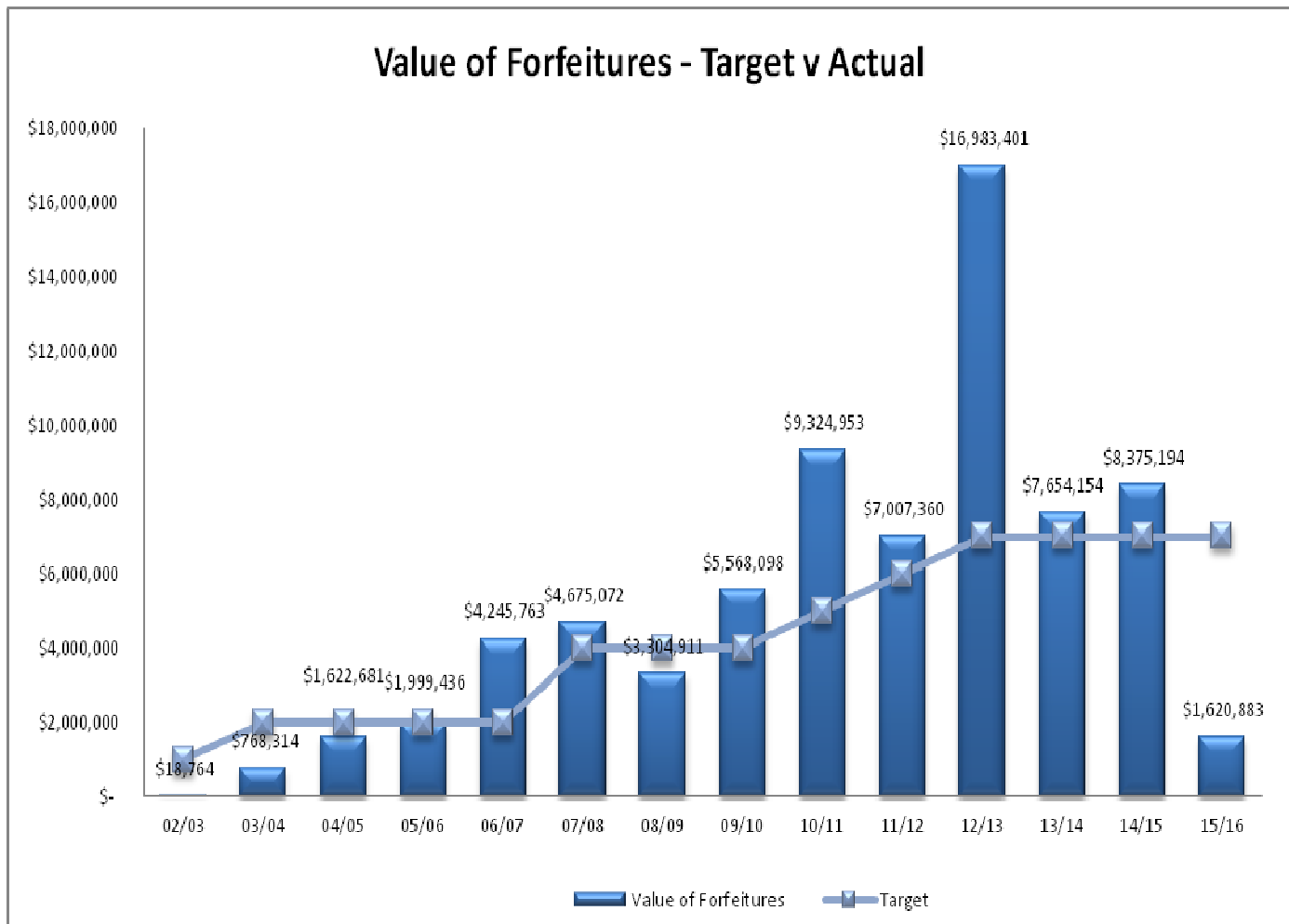


Figure: Net value of assets forfeited (target compared with actual), 2002–03 to 2015–16.

Data analysis project

The CCC has analysed its proceeds of crime data relating to the assets of drug offenders, and will issue a public report of its findings. For more information on this project, see page 25.

Witness protection

In the reporting period all witnesses in our program were kept safe and were able to give their evidence in court.

Additionally, the target for performance against the witness protection service standard in the CCC's Service Delivery Statement was exceeded, with the median time taken to conduct an initial witness protection assessment at 15 hours against a target of 48 hours for the period 1 April 2015 to 31 August 2015.

Research

Analysis of CCC proceeds of crime data relating to the assets of drug offenders

The CCC analysed its proceeds of crime data to determine whether there are any differences in asset ownership between different kinds of drug offenders (e.g. depending on drug type or the offender's position in the supply chain) and whether there have been any changes in drug offenders' assets over time. Findings may be used to:

- inform processes for targeting and prioritising law enforcement investigations
- inform decision making about which drug offenders should be referred for proceeds of crime action
- identify opportunities to improve legislative provisions or investigative practices to increase the likelihood of drug offenders' assets being restrained (e.g. seeking to restrain assets in a timelier manner)
- inform further research about proceeds of crime action and/or drug offenders in Queensland.

The report will be published in September 2015.

Review of the *G20 (Safety and Security) Act 2013*

Section 98 of the *G20 (Safety and Security) Act 2013* requires that the Commissioner of Police review the operation and effectiveness of the G20 Act and provide a report to the Minister for Police, Fire and Emergency Services and Minister for Corrective Services by 17 October 2015 (s.98, G20 Act). The Minister is required to table the report in Parliament.

In October 2014, the former Attorney-General and Minister for Justice approved the CCC participating in a joint Steering Committee with the QPS to conduct the review. The Steering Committee determined that the CCC would conduct research into the operation and effectiveness of the G20 Act and provide a report to the Commissioner of Police by late August 2015. In August, the CCC provided a draft report to the QPS.

Corruption data classification framework

The CCC developed a new framework for recording information about complaints, in order to:

- reflect the new definition of corrupt conduct in the *Crime and Corruption Act 2001*
- keep pace with a maturing understanding of the nature of corruption, including better ways to categorise different types of corruption
- address shortcomings in the previous system
- improve the quality of its corruption data holdings.

The new framework was implemented on 1 July 2015. The Queensland Police Service (QPS) has implemented a modified version of the framework on their CSS system on the same date.

Identifying corruption risks in Queensland: highest risk activities, actors, agencies and sectors

Corruption research is a priority area for the CCC under its 2015-18 research plan. It aims to identify new and emerging trends relevant to serious corruption, as well as corruption pressures, risks and vulnerabilities in the Queensland public sector. This is designed to improve strategic and operational decision-making, and complement the CCC's use of its complaints data.

The CCC is currently exploring a number of approaches to undertaking this research, including collaborating with external partner agencies.

The Australian Public Sector Anti-Corruption Conference (APSACC)

Planning is well under way for the fifth Australian Public Sector Anti-Corruption Conference (APSACC), to be held in Brisbane in November. APSACC is a bi-annual conference jointly hosted by the Queensland Crime and Corruption Commission, the New South Wales Independent Commission Against Corruption and the Western Australia Corruption and Crime Commission.

The conference is attended by senior practitioners, social commentators and academics in anti-corruption and related fields, and this year more than 500 delegates are expected.

Confirmed keynote speakers are Lydia Cacho (journalist, author and human rights activist, Mexico), Dr Daniel Kaufmann (President, Natural Resources Governance Institute USA), Alexandra Wrage (President, TRACE International Inc, USA), Martin Kreutner (Dean and Executive Secretary, International Anti-corruption Academy, Austria) and Dr Kerry Schott (Chairman, Moorebank Intermodal Company Ltd, Australia).

For more information, including a detailed program of speakers and sessions, see <http://www.apsac.com.au/>

Legal Services

Significant issues

Crime and Corruption Regulation

On September 1 the new CC Regulation 2015 came into effect, replacing previous regulations which were due to expire due to provisions of the *Statutory Instruments Act 1992*. The Legal Services Division, after consultation with operational areas, provided comments and recommendations for amendments and liaised extensively with officers of the Department of Justice and Attorney-General.

The CC Regulation is largely administrative in nature, but provides guidance for officers who exercise powers under the CC Act, and accountability for use of those powers. There were no significant changes in the 2015 regulation, with most of the changes addressing updates to the *Crime and Corruption Act 2001* and related legislation and obsolete references.

Police disciplinary reviews

During the relevant period the CCC was involved in three police disciplinary review applications before QCAT. Two of these have been finalised, and the third review was only filed in QCAT on 1 July 2015. There are no appeals before the Appellate Tribunal of QCAT. The recent QCAT appeals tribunal decision to set aside a QPS decision and order a sanction of dismissal has subsequently been appealed to the Court of Appeal by the officer.

Judicial reviews

The CCC has been involved in two judicial review matters over the relevant period, that have now proceeded to High Court applications for special leave to appeal. The judicial reviews involved witnesses/suspects who were required to attend at crime/intelligence hearings.

Section 195 appeals

Over the relevant period, the CCC was involved in one appeal pursuant to s. 195 of the CC Act, relating to a witness' claim of "reasonable excuse" in relation to requirements to answer questions at a CCC hearing.

Contempt applications

There was one contempt matter on behalf of the CCC over the relevant period, which is the subject of an Appeal to the Court of Appeal, in relation to a second contempt.

Telecommunications (*Interception and Access*) Act 1979 (Cth)

Under the *Telecommunications Interception Act 2009* (Qld) (Qld TI Act), the CCC was declared to be an interception agency for the purposes of the *Telecommunications Interception and Access Act 1979* (Cth) (TIA Act) on 8 June 2009. From this point, CCC investigative teams have used telecommunications interception (TI) capabilities as part of their investigative strategies, to great effect. The TI regime imposes a number of stringent obligations upon the CCC.

TIA Act reform

It has been recognised that the TI landscape is constantly changing and that the interception of data has become increasingly important in the conduct of crime and corruption operations. Given the complexity of the TIA Act and its inability to keep pace with technological advances in telecommunications, the former Commonwealth Government sought to embark upon TIA Act reform — in particular, principles-based TI legislation that would be flexible enough to encompass new technologies and provide a more streamlined approach for agencies who use TI as an investigative tool.

On 16 December 2013, the CCC was invited by the Senate Legal and Constitutional Affairs References Committee (the Committee) to lodge a submission to the Inquiry into Comprehensive Revision of the TIA Act, with specific regard to:

- (a) The recommendations of the Australian Law Reform Commission *For your Information: Australian Privacy Law and Practice* report, dated May 2008, particularly recommendation 71.2; and
- (b) Recommendations relating to the TIA Act from the PJCS *Inquiry into the potential reforms of Australia's National Security Legislation* report, dated May 2013.

The CMC lodged a confidential submission to the Committee on 27 February 2014.

On 19 January 2015, the CCC lodged a further confidential submission to the committee in respect of the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 ('the Bill'), which gives effect to several committee recommendations.

The Bill received Royal assent and passed into law on Monday 13 April 2015. The Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015 (the Amendment Act) standardises the types of telecommunications data that service providers must retain and the period of time that information must be held (two years).

The Amendment Act also heightens the privacy threshold to be taken into account by authorised officers of law enforcement agencies when considering applications to access telecommunications data.

Schedule 3 of the Amendment Act also imposes a number of additional reporting and compliance obligations upon law enforcement agencies in relation to telecommunications data and stored communications data. Schedules 2 and 3 of the Amendment Act commence on 13 October 2015.

Reporting and compliance obligations

The Parliamentary Crime and Corruption Commissioner has continued to report favourably in relation to the CCC's procedure on obtaining TI warrants and managing TI warrant information. The CCC has also been assessed as compliant by the Commonwealth Ombudsman with regard to stored communications obligations under the TIA Act, and Commonwealth surveillance device obligations under the *Surveillance Devices Act 2004* (Cth).

Our people

The CCC recognises that committed and capable employees are central to our success in achieving our goals and objectives. We continue to review, develop and implement human resource management practices and programs to provide a supportive and stimulating environment for all staff.

CCC establishment

(as at 31 August 2015)

People

Division	Data	Permanent	Temporary	Casual	Grand	Mar-15*	Differential
Executive, Office of the Commission [^]	Headcount ⁷	6	3	0	9	16	-7
	FTE ⁸	6.00	3.00	0.00	9.00	16	-7
Operations Support	Headcount	49	2	0	51	53	-2
	FTE	48.40	1.60	0.00	50.00	52	-2
Intelligence*	Headcount	30	2	24	56	54	2
	FTE	27.35	2.00	9.28	38.63	27.8	10.83
Proceeds of Crime	Headcount	15	6	0	21	23	-2
	FTE	15.00	6.00	0.00	21.00	23	-2
Crime* [^]	Headcount	45	11	3	59	53	6
	FTE	43.76	10.80	0.72	55.28	46.9	8.38
Corruption	Headcount	60	8	0	68	70	-2
	FTE	58.20	7.40	0.00	65.60	66.6	-1
Legal Services	Headcount	13	5	0	18	15	3
	FTE	12.05	5.00	0.00	17.05	14.1	2.95
Policy and Research	Headcount	10	4	0	14	11	3
	FTE	9.40	3.40	0.00	12.80	11	1.8
Strategic and Corporate Services	Headcount	61	5	0	66	68	-2
	FTE	58.50	3.90	0.00	62.40	65	-2.6
Total Count of Actual Staff		289	46	27	362	363	-1
Total Sum of Staff FTE		278.66	43.10	10.00	331.76	322.4	9.36

[^] The Special Investigations Unit (SIU) was moved from the Executive Office of the Commission division to the Crime division as at 1 August 2015.

* The CCC has commenced reporting average casual FTE figures as of 31 August 2015.

⁷ Headcount represents actual people.

⁸ FTE represents full-time equivalent positions. These may involve more than one person filling a position, for example one person may work three days per week and another person two days per week in the same position.

Permanent positions

Division		Aug-15	Mar-14	Differential	Differential
Executive, Office of the Commission	Actual	10	11	-1	
	FTE	10.00	11.00		-1.00
Operations Support	Actual	52	52	0	
	FTE	52.00	52.00		0.00
Intelligence	Actual	31	31	0	
	FTE	29.80	29.80		0.00
Proceeds of Crime	Actual	17	16	1	
	FTE	17.00	16.00		1.00
Crime	Actual	37	38	-1	
	FTE	37.00	38.00		-1.00
Corruption	Actual	69	69	0	
	FTE	68.80	68.80		0.00
Legal Services	Actual	17	17	0	
	FTE	17.00	17.00		0.00
Policy and Research	Actual	11	11	0	
	FTE	11.00	11.00		0.00
Strategic and Corporate Services	Actual	65	64	1	
	FTE	64.40	63.40		1.00
Total	Actual	309	309	0	
Total	FTE	307.00	307.00		0.00

Police Service Reviews

Commissioners for Police Service Reviews (Review Commissioners) arbitrate on any grievances that police officers may have about promotions, transfers or disciplinary action. To ensure the transparency and independence of the review process, Queensland Police Union of Employees representatives have a standing invitation to attend promotion, transfer and disciplinary review hearings as observers.

When a review matter progresses to a hearing, the Review Commissioner is empowered to consider the material presented and prepare written recommendations for the attention of the Commissioner of Police (Commissioner), who makes the final decision. If a recommendation is not accepted, the Commissioner must provide the Review Commissioner with a statement of reasons for this.

During the reporting period, the following statistical information applies:

Status	Promotion	Transfer	Unapplied Transfer	Disciplinary	Non-appointment
Matters lodged	7 ⁹	3	-	7	1 ¹⁰
Matters withdrawn before hearing	2		-	2	-
Matters out of jurisdiction	-	1 ¹¹	-	-	-
Matters awaiting hearing at 31.08.15	-	2	-		-
Matters heard in a preliminary hearing	-	-	-	1 ¹²	-
Matters heard	2	-	-	-	-
Matters progressing (awaiting papers)	2	-	-	6 ¹³	-
Matters referred for Judicial Review	-	-	-	-	-
Matters lapsed ¹⁴	1	-	-	-	1
Matters awaiting outcome from hearings held in previous reporting period	-	-	-	-	-

⁹ One application received reviewed both the promotion of an officer, and their non-appointment (CPSR 03.15).

¹⁰ As per footnote 7.

¹¹ Lateral Transfer.

¹² A hearing was held with representatives of the QPS and QPU to discuss concerns relating to a number of disciplinary reviews.

¹³ Includes matter lodged in earlier reporting period.

¹⁴ As per footnote 7.

Media

- 27.08.2015 Organised crime investigators charge Hells Angels member with drug trafficking – Statement announcing that the CCC has closed an organised crime investigation, codenamed Operation Amulet, which targeted a criminal syndicate allegedly trafficking crystal methamphetamine and other illicit drugs throughout the Gold Coast region and South East Queensland.
- 25.08.2015 CCC releases statement on issues arising from an incident at the Surfers Paradise Police Station in 2012 – Statement announcing that the CCC has released a statement outlining its involvement in investigations arising from an incident at the Surfers Paradise Police Station in 2012.
- 20.08.2015 Former police officer to appear in court on misconduct charges – Statement announcing that the CCC has issued a former police officer with a Notice to Appear in court for allegedly releasing confidential information.
- 20.08.2015 Police officer charged for releasing confidential information – Statement announcing that the CCC has issued a police officer with a Notice to Appear in court for allegedly releasing confidential information.
- 19.08.2015 Further charges – Operation Unwind Update 2 – Statement announcing that the CCC has issued a 34-year-old Coombabah man with a Notice to Appear in court on drug and property charges as a result of the joint CCC-QPS Operation Unwind.
- 18.08.2015 Operation Unwind update – Statement announcing that six people have been charged with fraud offences as a result of the joint CCC-QPS Operation Unwind which targeted an alleged cold call investment fraud syndicate operating from the Gold Coast.
- 17.08.2015 Four men detained after two active boiler rooms raided on the Gold Coast – Statement announcing that four men are in custody and two active ‘boiler rooms’ have been shut down following a joint CCC-QPS investigation codenamed Operation Unwind.
- 03.08.2015 Two men to appear in court over alleged fraud – Statement announcing that two men have been served with Notices to Appear in court on charges of defrauding a local Council and a beneficial enterprise following a CCC investigation.
- 01.07.2015 CCC media statement: Update on investigation into cocaine-trafficking syndicate – Statement clarifying information about the CCC’s investigation into a cocaine-trafficking syndicate in the public interest and the interests of fairness.
- 18.06.2015 CCC will not investigate Police Minister – Statement announcing that the CCC has finished assessing whether the Minister for Police, Fire and Emergency Services unlawfully contacted an individual who made allegations about a Member of Parliament, and will not proceed with an investigation.
- 17.06.2015 CCC charges primary school teacher with child exploitation offences – Statement announcing that the CCC has charged a 43-year-old male primary school teacher with possessing and accessing child exploitation material.
- 02.06.2015 Toowoomba man charged with child exploitation offences – Statement about a 47-year-old Toowoomba man being charged with possessing and accessing child exploitation material following a CCC investigation.

- 22.05.2015 CCC charges Gold Coast man with child exploitation offences – Statement about the CCC charging a 68-year-old Gold Coast man with possessing, accessing and sharing child exploitation material.
- 20.05.2015 CCC completes investigation into Cook Shire Council – Statement announcing that the CCC has finished an investigation into the Cook Shire Council and will not pursue any criminal charges.
- 20.05.2015 \$28 million proceeds of crime order granted – Statement announcing that two convicted drug traffickers have been ordered to pay \$28 million to the State of Queensland following successful proceeds of crime action by the CCC.
- 07.05.2015 CCC completes investigation into Ipswich Mayor Paul Pisasale – Statement announcing that the CCC has completed an investigation into the Ipswich Mayor Paul Pisasale and will not proceed with any criminal prosecution.
- 07.05.2015 Two men to face fraud charges over escort scam – Statement announcing that the CCC has issued two men with Notices to Appear in court for allegedly defrauding more than 130 people across Australia via an online social escort scam.
- 25.04.2015 More charges in CCC cocaine-trafficking investigation – Statement announcing that the CCC has charged a further two people with drug offences as part of an ongoing investigation that is focused on a cocaine-trafficking syndicate operating in South East Queensland.
- 20.04.2015 CCC arrests scout leader on child exploitation offences – Statement announcing that a West Ipswich man, who is also a scout leader, is due to appear in court on more than 20 child exploitation offences following an investigation by the CCC’s Cerberus team.
- 18.04.2015 Gold Coast man charged with drug trafficking and supply – Statement announcing that the CCC has charged a 43-year-old Tugan man with drug trafficking and supply as part of an ongoing investigation that is focused on a cocaine-trafficking syndicate operating in South East Queensland.
- 02.04.2015 Statement from Acting CCC Chairman Dr Ken Levy RFD – Statement from Dr Levy in response to the Queensland Police Service’s announcement that that it will not instigate criminal proceedings following their investigation into a complaint that Dr Levy knowingly misled the Parliament.
- 02.04.2015 CCC makes first arrests in cold call investment fraud investigation – Statement announcing that two people have been charged with money laundering and fraud offences as part of an ongoing CCC investigation into cold call investment frauds.

Media interviews

- 20.08.2015 Acting Chairman Ann Gummow: Interview with ABC 612 Local Radio mornings program about the CCC’s intention to release a statement on issues arising from an incident at the Surfers Paradise police station in 2012.
- 17.08.2015 Acting Executive Director, Crime, Michael Scott: Joint media conference with QPS Acting Assistant Commissioner Cameron Harsley about the closure of two active ‘boiler rooms’ on the Gold Coast as part of the joint CCC-QPS investigation Operation Unwind.
- 15.05.2015 Acting Chairman Dr Ken Levy: Interview with ABC News about the CCC’s investigation into cold call investment frauds on the Gold Coast.

Communications

External presentations

DATE	PRESENTER AND TITLE	AUDIENCE	TOPIC
August 2015			
19/8/15	Maurice Carless Executive Director Operations Support	Officer's in Charge (Darling Downs District)	<i>Operational and tactical capabilities of the CCC.</i>
06/08/15	Simon Kupec Acting Principal Lawyer Crime & Corruption Division	Thursday Island Detectives Conference	<i>CCC Coercive Hearings</i>
	Tim Geraghty Financial Investigator Proceeds of Crime Division		<i>CCC Proceeds of Crime</i>
	John James Operations Coordinator Crime & Corruption Division		<i>CCC Organised Crime</i>
	Witness Protection Officers (2)		<i>CCC Witness Protection</i>
	Andrew Massingham Operations Coordinator Corruption		<i>CCC Corruption</i>
04/08/15	Simon Kupec Acting Principal Lawyer Crime & Corruption Division	Cairns Detectives Conference	<i>CCC Coercive Hearings</i>
	Tim Geraghty Financial Investigator Proceeds of Crime Division		<i>CCC Proceeds of Crime</i>
	John James Operations Coordinator Crime & Corruption Division		<i>CCC Organised Crime</i>
	Witness Protection Officers (2)		<i>CCC Witness Protection</i>
	Andrew Massingham Operations Coordinator Corruption		<i>CCC Corruption</i>
July 2015			
27/7/15	Angela Pyke Director Financial Investigations	Australian Financial Crime Summit	<i>Recovery of the Proceeds of Crime- A Queensland Perspective</i>
21/07/15	Christopher Walsh Detective Sergeant Corruption Operations	Qld Police Academy, Oxley - Recruits	<ul style="list-style-type: none"> - CCC overview & complaints process - History of the CCC - Services provided by CCC to police and the community - Complaints process involving police

DATE	PRESENTER AND TITLE	AUDIENCE	TOPIC
20/07/15	Christopher Walsh Detective Sergeant Corruption Operations	Qld Police Academy, Oxley - Recruits	- CCC overview & complaints process - History of the CCC - Services provided by CCC to police and the community - Complaints process involving police
17/07/15	Christopher Walsh Detective Sergeant Corruption Operations	Qld Police Academy, Oxley - Recruits	- CCC overview & complaints process - History of the CCC - Services provided by CCC to police and the community - Complaints process involving police
10/07/15	Christopher Walsh Detective Sergeant Corruption Operations	Qld Police Academy, Oxley - Recruits	- CCC overview & complaints process - History of the CCC - Services provided by CCC to police and the community - Complaints process involving police
June 2015			
05/06/15	Cameron Burke Operations Leader Crime Criminal Paedophilia Unit	Parliamentary Crime and Corruption Commission Committee members	<i>How the CCC exercises its criminal paedophilia jurisdiction.</i>
03/06/15	Kathleen Florian Executive Director, Crime	Q-Balance Program Qld Police Academy, Oxley	<i>Leadership</i>
02/06/15	Officer in Charge Witness Protection	Gold Coast District CIB and Child Protection Investigation Unit – Surfers Paradise Police Station	- Proceeds of Crime - Crime and Corruption Investigations - Coercive Hearings - Witness Protection
	John James Operations Coordinator Crime		
	Simon Kupec Senior Lawyer Crime & Corruption		
	Emma Heap Acting Principal Financial Investigator Proceeds of Crime		
Scott Campbell Acting Senior Financial Investigator Proceeds of Crime			
May 2015			
27/05/15	Christopher Walsh Detective Sergeant Corruption Operations	Qld Police Academy, Townsville - Recruits	- CCC overview & complaints process - History of the CCC - Services provided by CCC to police and the community - Complaints process involving police

DATE	PRESENTER AND TITLE	AUDIENCE	TOPIC
26/05/15	Detective Chief Superintendent Maurice Carless	Senior Officers – Management Development Program QPS	<i>The role and function of the CCC</i>
25/05/15	Kylee Rumble Acting Director Integrity Services	Queensland Association of Independent Legal Services – Working with Queensland regulators, investigators and enforcement agencies Conference	<i>The work of the CCC</i>
22/05/15	Officer in Charge Witness Protection	QPS Central Region Detectives Conference, Maroochydore.	<ul style="list-style-type: none"> - Proceeds of Crime - Crime and Corruption Investigations - Coercive Hearings - Witness Protection
	John James Operations Coordinator Crime		
	Simon Kupec Senior Lawyer Crime & Corruption		
	Sally McCarthy Senior Financial Investigator Proceeds of Crime		
20/05/15	Officer in Charge Witness Protection	Rockhampton Detective's Conference	<ul style="list-style-type: none"> - Proceeds of Crime - Crime and Corruption Investigations - Coercive Hearings - Witness Protection
	John James Operations Coordinator Crime		
	Simon Kupec Senior Lawyer Crime & Corruption		
	Emma Heap Acting Principal Financial Investigator Proceeds of Crime		
18/05/15	Officer in Charge Witness Protection	Mackay Detective's Conference	<ul style="list-style-type: none"> - Proceeds of Crime - Crime and Corruption Investigations - Coercive Hearings - Witness Protection
	John James Operations Coordinator Crime		
	Simon Kupec Senior Lawyer Crime & Corruption		
	Emma Heap Acting Principal Financial Investigator Proceeds of Crime		
12/05/15	Mark Pathé Deputy Director Policy & Research	Brisbane City Council – Ethical Standards	<i>CCC corruption data framework</i>
07/05/15	Mark Pathé Deputy Director Policy & Research	Qld Health – Conduct Advisory Service	<i>CCC corruption data framework</i>
1/05/15	Christopher Walsh Detective Sergeant Corruption Operations	Qld Police Academy, Oxley - Recruits	<ul style="list-style-type: none"> - CCC overview & complaints process - History of the CCC - Services provided by CCC to police and the community - Complaints process involving police

DATE	PRESENTER AND TITLE	AUDIENCE	TOPIC
<i>April 2015</i>			
27/04/15	Christopher Walsh Detective Sergeant Corruption Operations	Qld Police Academy, Oxley - Recruits	<ul style="list-style-type: none"> - CCC overview & complaints process - History of the CCC - Services provided by CCC to police and the community - Complaints process involving police



Crime and Corruption Commission
QUEENSLAND

Crime and Corruption Commission

Level 2, North Tower Green Square
515 St Pauls Terrace, Fortitude Valley Qld 4006
GPO Box 3123, Brisbane Qld 4011

Tel: 07 3360 6060

Fax: 07 3360 6333

mailbox@ccc.qld.gov.au

www.ccc.qld.gov.au