

Summary prepared by the Commission of Inquiry into QPS responses to domestic and family violence
Primary source material provided by the QPS in response to NTP 2.042, Item 15 and 2.059, Item 27

Case study 1

In 2019, the female Officer-in-Charge at [REDACTED] police station had cause to manage a male Senior Constable's negative attitude, aggressive behavior at work and poor work performance. In January 2019, she informed the Senior Constable that he was unsuccessful in his application for relieving in a higher role and would not be considered for it until his work performance improved. In a subsequent conversation with four or five other officers at the station, the Senior Constable made a statement to the following effect:

She is nothing but a cunt, and if she doesn't give me a relieving role, I am going to punch her in the cunt.

One of the officers who heard the Senior Constable's words was concerned for the Officer-in-Charge's safety, and told the Officer-in-Charge about what the Senior Constable had said. When the Officer-in-Charge spoke to the Senior Constable about his statement, he denied them.

In October 2019, the Officer-in-Charge made a complaint about the Senior Constable's statement to the Ethical Standards Command and the matter was investigated. After completing the investigation, the investigating officer found the Senior Constable did make the statement, and that it constituted a threat against the Officer-in-Charge.

The Senior Constable was dealt with by way of local management resolution. As part of the process, he was required to apologise to the Officer-in-Charge and complete some professional development online learning products. He completed the online learning products, and on 14 September 2020, he wrote a written apology to the Officer-in-Charge. The complaint was finalised on 17 September 2020. Nothing was said publicly at the station about the inappropriateness of the conduct.

Previous conduct by the Senior Constable

Failure to correctly and fully investigate a DV matter in 2016 (failure of duty)

In 2016, the Senior Constable was tasked to investigate a DV matter in [REDACTED]. He and his Constable partner interviewed both the aggrieved and respondent and the aggrieved left the house and sought overnight accommodation elsewhere. Upon returning to the station, the Senior Constable finalised the job as 'no DV'. The Constable was of the view there was sufficient evidence to support a police application for a DVO. That evidence included the respondent's admissions that he had threatened to assault the aggrieved (by punching her in the face) and her children (by kicking them in the "guts") and refusing to leave the aggrieved's home.

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A Sergeant from within the Senior Constable's District investigated the matter. The investigator concluded that the Senior Constable's investigation, report and actions were deficient. He did not accurately record the versions provided by the parties or the observations by police. A DV order was later applied for by police and granted. In 2017, the Senior Constable was provided with guidance on the manner in which to conduct an investigation and on compliance with QPS policy and procedures. He was tasked to complete a number of online learning products including recognising and responding to DV and vulnerable persons training.

Commit domestic violence in 2018 (police misconduct)

In February 2018, the Senior Constable was named as a respondent in a temporary protection order, and stood down from duty by the Assistant Commissioner [REDACTED] Region. His wife was the aggrieved and his two children were named persons in the order. His wife provided a statement alleging that he put a hole in a door by punching it. during an argument. The incident occurred in front of the aggrieved and their son. She also detailed prior incidents which included other arguments and attempts to self-harm by the Senior Constable.

The Senior Constable admitted the conduct. After an investigation by the Ethical Standards Command, the conduct was finalised by local management resolution, having regard to his cooperation with the police investigation and the counselling he had undertaken since the incident. The Senior Constable was provided with guidance about ethical principles and the personal conduct expected of QPS members, and placed on a management action plan until September 2018. On [REDACTED] August 2018, his stand down order was revoked. It was approximately five months after the management action plan was finalised that he made the statement about his Officer-in-Charge.

Subsequent conduct by the Senior Constable

Assault/use excessive force in 2019 (corrupt conduct)

In December 2019, the Senior Constable was effecting an arrest when he allegedly assaulted the person he was arresting by kneeling him in the head several times while the victim was handcuffed and on the ground. The Senior Constable did not have his body worn camera footage activated at the time. During the arrest, the victim sustained injuries including a cut above his left eye that required stitches and abrasions and bruising to left side of his face and chin, which the Senior Constable's actions may have contributed to, but it was unable to be determined whether those injuries were in fact caused by the Senior Constable. Other officers who were present, and their body worn camera footage, provided corroboration of the force allegedly used by the Senior Constable.

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The victim made a complaint, but withdrew it a short time later. However, given the other evidence available, the complaint was dealt with by way of local management resolution in 2020, which included a refresher course on 'Use of Force' and a development strategy to ensure compliance with use of body worn camera footage. The Senior Constable now works at a different station.