

**Commissions of Inquiry Act 1950**  
**Section 5(1)(d)**

Name of Witness:	James Treanor
Date of birth:	[REDACTED]
Current address:	[REDACTED]
Occupation:	Solicitor
Contact details (phone/email):	[REDACTED] [REDACTED]
Statement taken by:	Mr James Coghlan

1. I am currently a solicitor in the employ of Hannay Lawyers on the Gold Coast.
2. I was previously a serving police officer with the Queensland Police Service. I joined in December 2006 and graduated from the academy in June 2007. My first 12 months were spent between Nerang, Palm Beach and Southport stations. From 2008 to 2021 I was stationed at [REDACTED] I also worked for short periods at other Police Stations on the Gold Coast, [REDACTED]. I was a Senior Constable up until I was medically retired on 28 May 2021.
3. I was Queensland Police Union branch official from approximately 2011 until my medical retirement.

- There may be some issues stemming from the perception of what policing actually entails. Some officers are apathetic or disinterested because of a feeling that they are having to take on the duties of a social worker, counsellor, and mediator to resolve family disputes

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where there may be longstanding issues. This contradicts the general perception that a person is joining the police to become a crime fighter.

5. There are also pressures to do the job perfectly with domestic violence in relation to interpreting who is most at risk, often in the face of a very complex family makeup and competing issues related to child custody and property disputes. While balancing those complex issues you have time pressures from the Police Communications Centre ('PCC'), DTACC and your supervisors to attend other matters. There are very high expectations, and they can be frustrating when your assessment of what is important now is overridden by organisational goals motivated by statistics gathering.
6. Officers are not supported to deal with DV matters properly, nor do they have sufficient training. An officer is open to constant criticism from the Domestic Violence Liaison Officer ('DVLO'), crime manager, Ethical Standards Command ('ESC'), Officer in Charge ('OIC'), District Duty Officer ('DDO'), and the executive leadership team if a matter is not handled correctly. There are competing interests between having to finish a job in accordance with legislation and operational procedures whilst trying to respond and manage the multitude of other taskings and calls for service.
7. Unlike matters involving a crime, police officers on patrol will generally try to avoid a DV callout. When a general disturbance is broadcast by the PCC, most officers want to become involved, and it can be hard to find a gap in transmissions on the radio. However, when a DV job would be broadcast by the PCC, there is radio silence as you knew you were about to become involved in a complicated family dispute and you would be off the road for approximately 5 to 6 hours, not including all the follow up work required thereafter. The PCC or a supervisor would then have to ultimately direct someone to attend. There would be an immediate response to communications for jobs you knew were not DV related.
8. The QPS places an enormous amount of pressure on front line police to quickly finish the job they are currently on and attend to the next one. Couple this with the pressure of completing the vast number of daily taskings, and other investigations, it is inevitable that police officers will cut corners to avoid the wrath or scrutiny of their superiors. This exposes women to harm in our community and does not facilitate the scrutiny of potentially violent and lethal males.
9. I have been chastised for taking too long to take a statement from an aggrieved. The DDO was not interested about delays because the aggrieved was crying and needed breaks. The DDO just wanted me to get to the next job. This is inconsistent with the training for obtaining a statement. That training involves sitting with the aggrieved and having a conversation to establish rapport and trust whilst making notes. Then the officer takes a formal statement, clarifies all aspects of the statement, and obtains a signature. The reality is you just get a notebook statement or typed statement as quick as possible with the minimum details so you can move on.

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10. The training packages may look good on paper and create an appearance that police are trained and equipped. However, putting that training into practice is mostly unrealistic.
11. Other training is in the form of Online Learning Programs ('OLP'). An OLP will be released to ensure police officers are updated with legislative changes, operational procedure, changes, and to provide best practice techniques and requirements. Almost all OLP's have an online exam with a one hundred percent pass mark required. The OLP will be released with a required completion date as directed by the Commissioner of Police.
12. I have never been provided time to complete an OLP. You are expected to squeeze it in during your shifts. Because of this, police rush through the OLP content. Every police station stores the answers to the exams for OLP's. This enables police to quickly click through the content and then complete the exam without reading and digesting any of the information.
13. This practice is known to the executive. The executive tacitly condones this practice because (on paper) it shows everyone has completed the OLP and there has been no loss in productivity. The executive can then report back to stakeholders that training has been implemented and completed. It also means the executive can punish the police officer for non-compliance with the learning objectives if things go wrong because *'we trained you, and our records show you obtained a one hundred percent pass mark.'*
14. There is a lot of pressure that keeps building through each shift. Generally, in an 8-hour shift some of the requirements are:
  - (a) finalising or updating matters from your previous shift;
  - (b) responding to calls for service as required, which continuously occur;
  - (c) completing daily taskings such as high visibility patrols of crime hotspots;
  - (d) an expectation that a certain number of traffic tickets will be obtained;
  - (e) investigating and actioning matters on your own task list, which could be around 30 protracted files;
  - (f) working on your briefs of evidence that are due, including obtaining statements and writing your own; and
  - (g) service of documents and orders (including interstate matters). This extends to affidavits of service and document filing at court registries.
15. Because the QPS rhetoric doesn't match the reality, I don't believe the QPS is truly invested in protecting women. The QPS is interested in protecting their brand and the reputation of the service by limiting liability and adverse comments from news outlets, Judges, and Coroners. This is evident in the way internal complaints are investigated. Police are forced to cut corners every day. The QPS do not care so long as nobody complains. However, if a complaint is received you can expect to be put through the wringer whereby every piece

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of legislation, policy, and procedure (and even case law) will be put to you. Even if you are not guilty, the QPS will find you guilty, so the QPS can placate the complainant and external stakeholders.

16. Operational police are not trained on what the procedural rules are to complete affidavits, file and serve documents, file exhibits, apply for subpoenas, attaching certificates of exhibit, or generating briefs of evidence. It is all ad hoc and word of mouth. Because of this DVAs have been struck out because of a failure to adhere to Uniform Civil Procedures which leaves women unprotected and exposed. Up to my retirement I don't recall ever being taught civil procedure rules for domestic violence applications ('DVAs') in the civil jurisdiction. I am not aware of any training package.
17. The Operational Procedures Manual ('OPM') 3.6.4 states the OIC is responsible for providing sufficient time to complete briefs of evidence. It is only on the rarest of occasions that a police officer will be provided with shifts (correspondence shift) to complete a brief of evidence. If an officer is lucky enough to obtain a correspondence shift it will generally be changed back to an operational shift to accommodate sick leave or to boost other taskings such as static random breath testing operations. There is a very dim view held of officers sitting in police stations completing correspondence.
18. If an officer fails to complete the brief of evidence in accordance with a court ordered time frame, it is the investigating officer that will be called to court to explain to the Magistrate. The OIC never gets called and is never the subject of a complaint to justify why time was not provided.

***Specific examples of police responses to domestic and family violence***

19. I can provide five examples of negative culture and attitudes of some police officers towards domestic and family violence that I am aware of.

***Example 1***

20. The DFV victim was a female domestic violence prosecutor employed by the QPS. She has since resigned.
21. The alleged perpetrator was a male acting Senior Sergeant from [REDACTED] Police Station.
22. The victim reported DFV at [REDACTED] Police Station on 14 January 2018. A DVA Occurrence Report was generated on QPRIME (Annexure JLT 1).
23. The action/investigating officer was an acting Inspector. The Inspector ordinarily worked at [REDACTED] Police Station with the Senior Sergeant. They worked together, had regular

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coffee together, and attended social functions together. The Inspector did not declare his conflict of interest as a friend and associate of the Senior Sergeant.

24. The Inspector unfounded the DVA and informed the Senior Sergeant of the complaint. The Inspector informed the victim the DVA was unfounded.
25. The victim attended the [REDACTED] Court and applied for a private DVA. The victim outlined instances of DFV and ultimately a historical rape and an assault where he stood on her neck. A Temporary Protection Order ('TPO') was granted, and the Senior Sergeant was served with a copy of the TPO.
26. The Senior Sergeant firearm was secured, and he was served with a Management Action Plan ('MAP') which stated he must not supervise any staff. Despite this, the Senior Sergeant was made the acting OIC of [REDACTED] Police Station with over 100 staff.
27. On 17 September 2018, the victim reported two instances of a breach of the TPO by the Senior Sergeant. Two breach of DV crime reports were generated on QPRIME. The investigating officer for the breaches of DV was another Inspector who I will refer to as Inspector 2.
28. Inspector 2 had just been moved from [REDACTED] Police Station to [REDACTED] Police Station. Inspector 2 also had meetings, enjoyed coffees with, and socialised at work functions with the Senior Sergeant and the first Inspector. Inspector 2 unfounded the breaches of DV and informed the victim (despite having never previously spoken to her and without obtaining her written statement). Inspector 2 did not declare his conflict of interest as a friend and associate of the Senior Sergeant.
29. On 5 March 2018, the victim made an official complaint of inaction to the QPS regarding the handling of her DV complaints (Annexure JLT 2).
30. The QPS ESC assigned the first Inspector, who had since returned to his substantive rank as a Senior Sergeant at [REDACTED] Police Station, as the case officer for the inaction investigation (Annexure JLT 2 and JLT 3). He was not listed as a subject member despite being named in the DVA Occurrence report as the action/investigating officer. He did not declare his involvement as the decision maker or declare the conflict of interest. He unsubstantiated the complaint against all the nominated subject officers. At no stage did he identify himself as an involved officer or declare the conflict of interest.
31. The Senior Sergeant (alleged DV perpetrator) was later promoted to the Officer in Charge of [REDACTED] Police Station.

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32. At some stage, the Senior Sergeant was allowed to make a counter DVA against the victim. In normal circumstances this would not be permitted as the DDO would not approve an application for Cross-Orders. Normally, only the person in most need of protection is permitted to make a DVA. The 'boys club' had effectively enabled the perpetrator to retaliate using the DFV system and internal QPS complaints system.
33. I was working with the victim and discussing the matters with her at work. It was at this time I made her aware of the relationship between the officers involved. She was visibly distressed and later provided me with an affidavit (JLT 4) outlining police failures.

*Issues from this incident*

34. The two inspectors did not declare they regularly associated with the alleged perpetrator despite this being an obvious conflict of interest. One also did not declare he was the action/investigating officer and ultimate decision maker for a DFV Occurrence Report he was later assigned to investigate for inaction. The allegations of DV, rape, and assault were not properly investigated.
35. The MAP was a gesture to keep up the appearance of action being taken against the suspected perpetrator. Despite this the 'boys club' allowed him to supervise over 100 staff.
36. The reports detail that senior officers made decisions about whether DV had occurred. This is not their role, and their conduct is improper. Their role is to gather the information and place that information before a Court where an impartial Magistrate can decide the case in accordance with legislation and precedent.
37. It is worthy to note that the first Inspector was also the police officer who was found to have made a homophobic and racist comment on the [REDACTED] Police Station Roster.
38. ESC has attempted to justify their actions by redacting documents which clearly show they knew what had occurred. It is inconceivable that the chain of command was not aware that:
  - (a) the first Inspector was too closely connected to the Senior Sergeant to investigate the DV allegations impartially, and
  - (b) the first Inspector was effectively assigned by ESC to investigate himself for inaction.

*Example 2*

39. On 27 November 2017, I urgently attended a disturbance in [REDACTED]. Whilst at the location a witness gave information that DV had occurred in the dwelling.

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40. I knocked on the front door repeatedly and nobody answered. I entered the dwelling through an unlocked sliding glass door at the rear exercising Police DV Powers.
41. I spoke to a female who was evasive and who stated no other person was inside. I searched the dwelling and located a male hiding in the upstairs bedroom. Despite the suspicious nature of the entire incident, I could not identify DV had occurred.
42. I returned to [REDACTED] Police Station and started a report with the intention of entering an occurrence on QPRIME classified as a DV referral or No DV in accordance with the OPM.
43. The Shift Supervisor, a Sergeant, directed me to enter the report as a Street Check. I questioned the direction and eventually the Sergeant shouted and swore at me and said, "It's not a fuckin DV" and that she would make a complaint against me. I entered the Street Check as directed because I was frightened of retribution (Annexure JLT 5).
44. I reported the conduct of the Sergeant, and no action was taken for over three months. The Sergeant was eventually given guidance for swearing at me but the unlawful direction to enter a Street Check was never investigated. I believe that she wanted me to enter a Street Check because she wanted me to go to another job and a DV report would have taken much longer to complete.

*Issues from this incident*

45. This is evidence of the lack of support I was provided as a police officer when I tried to conduct a proper and thorough investigation into DV. I was chastised for trying to correctly record a DV investigation and was not supported when I reported the Sergeant's conduct. The Sergeant gave me an unlawful direction but was never held accountable for her conduct. Likewise, I was not supported in trying to accurately record a DV incident.
46. The reason a Street Check is not used to record DV is because the report is not overviewed by the Gold Coast DV Taskforce, Domestic Violence Coordinator, or Crime Manager. This means the checks and balances that ensure victims do not slip between the cracks are not adhered to and a properly recorded incident of DV is not made.
47. If police officers are not supported to take the time necessary to conduct proper and thorough investigations into DV then women will continue to be murdered.
48. The CCC had already tried to dismiss the Sergeant for allowing other police to bash a person she had in custody. Ironically, the Sergeant was given a position as the [REDACTED] Professional Practices Manager which disciplines officers for non-compliance with the OPMs, legislation and standards of conduct.

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49. During the Sergeant's tenure at [REDACTED] Police Station, she had also directed me to expire a DV document service flag for a document I had not served. This would have exposed the victim of DV to further risk of DV because the file would have been closed incorrectly and no follow up or monitoring would have occurred to protect the aggrieved.
50. I was also approached by a junior officer who had expressed concern that the Sergeant had directed him to enter a Street Check for a DV incident. I told him to wait until the following morning and to create a DV Occurrence Report so that she would not chastise him. He later told me he entered a DV Referral Report the next day without the Sergeant's knowledge. This complied with the OPM's, ensured appropriate oversight, and correctly recorded an incident of DV.
51. I also believe that another officer raised concerns about the "dubious operational advice" the Sergeant gave to officers and informed the OIC, but no action was taken. I have also witnessed the Sergeant state an aggrieved was, "full of shit" after she gave her version of DV at the [REDACTED] front counter.

### Example 3

52. In 2016, I applied for a DVA under direction from a senior officer. I complied with the OPMs but thought I had an ethical dilemma because I had been directed to form a reasonable suspicion of DV when I had not been involved or a party to the investigation. On the day of trial, the DV Coordinator provided me with an extract of cases I had never seen before (Annexure JLT 6).
53. At trial I was criticised by the Magistrate who, using case law, stated my reasonable suspicion could be founded on the aggrieved affidavit alone and could not be unfounded, even if the respondent denied the allegations. The case was *LJC v KGC and Commissioner of Police* [2012] QDC 67. This conflicted with the OPMs which required us to speak to the respondent and then form a reasonable suspicion if we should make a DVA.
54. I was then investigated by QP5 ESC because of the adverse comment of the Magistrate. They also presented the case law and criticised me for not complying with the reasoning in that case.
55. I had never been taught this case law and relied on the OPMs which I had complied with. I also relied on standard criminal investigative techniques because I had never been taught any different. This meant we had to speak to the respondent before applying for a DVA.

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56. ESC also chastised me for using a criminal brief of evidence cover sheet for the brief of evidence. At that time there was no civil brief of evidence cover sheet and no training on how to complete a civil brief of evidence.
57. I later requested the ESC investigator inform people of the case law as I then understood the importance and how it would positively impact police officer decision making for DV matters. The ESC investigator did not respond.
58. On 16 December 2016, I sent an email to all staff at [REDACTED] Police Station outlining the case law, how it conflicted with the OPMs, and to follow the case law. The purpose was to educate other police officers and inform their decision making to enhance the protection of women. (Annexure JLT 7)
59. On 21 December 2016, a Sergeant who was the [REDACTED] Domestic Violence Coordinator, confirmed in an email that the case law conflicted with the OPMs (Annexure JLT 7). I should have thought this would have generated a positive change, but nothing occurred.
60. On 16 January 2017 the Inspector, who had returned to his substantive as a Senior Sergeant from my first example, generated an official complaint against me for sending the email without authority. He found the contents of the email were "disparaging" and "lowers the professional reputation of the QPS in the eyes of the public" (Annexure JLT 8). He never asked me why I sent the email, the relevance, or how it would improve decision making.

*Issues from this incident*

61. The QPS do not provide training for the investigation of DVAs and do not clearly distinguish that the decision-making process and investigative techniques are different for DV matters and criminal matters.
62. The QPS does not sufficiently educate police officers about DV. Police officers have a very simplistic view of DV legislation and are not exposed to case law that could influence how they make decisions consistent with the intention of the legislation.
63. DFV Coordinators, Operational Police, Supervisors, Managers, and Police Prosecutors all have different views on how to interpret or make decisions about DFV matters. Nothing is consistent and front-line Police operate in a state of fear that they will be disciplined, or worse yet, make a mistake that results in another woman's death.
64. The QPS will discipline police officers who try to educate and inform their fellow police officers about how to best investigate DV. It is easier for senior police to discipline operational Police than to resolve the inconsistencies in training, policy, and legislation.

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**Example 4**

65. On 17 August 2017, a female Administration Officer ('AO'), whilst 25 weeks pregnant, reported that she was being bullied in the workplace. She made a WorkCover ('WC') claim that was rejected.
66. The female AO supplied WC with a recording of her conversation with the Senior Sergeant, being the same Senior Sergeant referred to in my first example. It was clear the Senior Sergeant had lied to WC. WC promptly called the female AO, apologised, and accepted her claim. No action was ever taken against the Senior Sergeant for bullying and lying.
67. On 13 October 2019 and 10 May 2020, the female AO was later subjected to unsolicited and inappropriate messages from another Sergeant. The female AO reported the matter, as did other female complainants. The female AO's complaint was unsubstantiated, but the Sergeant was transferred and demoted because of his overall conduct. One of the female police officers who complained resigned.
68. The female AO was now 'marked' by the 'boys club' as someone who would make complaints against senior police.
69. On 8 December 2021, the female AO was later confronted in the upstairs narrow isolated hallway of [REDACTED] Police Station. She was spoken to in a menacing and intimidating way by a male acting Senior Sergeant ('the perpetrator'). The female AO retreated to the Office of another male Senior Sergeant where another male Senior Sergeant was present. She closed the door behind her. She was extremely upset and began to explain what had happened in the hallway. The perpetrator burst in and directed her to immediately go to a male Inspector's office.
70. The female AO went to the male Inspector's office and was forced to recount the incident in front of the perpetrator. She was also chastised for late time sheets and directed to complete them immediately. No notice was given of the meeting and no support person was offered or permitted.
71. The female AO later advised the male Inspector she wanted to formalise a complaint about the perpetrator's conduct towards her.
72. The female AO hastily completed a time sheet.
73. On 18 Dec 2020, the female AO was directed to the male Inspectors office. The male Inspector advised her she was the subject of a criminal investigation for submitting a fraudulent time sheet. She was then moved to another workplace.

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74. On 24 April 2021, the female AO was at a bar in [REDACTED] drinking with friends. A male unknown to her placed his hand up her skirt and grabbed her buttocks. She pulled his hair in self-defence and said that her husband was a police officer.
75. Instead of supporting her as a victim of sexual assault the QPS obtained the CCTV and generated a complaint against the female AO for pulling the male's hair, stating she was a police officer. The female AO was then subjected to a directed disciplinary interview where she was forced to watch and relive herself being sexually assaulted repeatedly on a big screen TV.
76. I attended the directed disciplinary interview with the female AO as her solicitor. I was disgusted by what I witnessed and knew this was not a legitimate investigation. I was told by the investigator not allowed to speak during the interview.
77. The female AO has now been issued with a show cause notice and the matter has been referred to a prescribed officer for a disciplinary outcome which could include dismissal. This is inconsistent with the very recent findings of the Women's Safety Taskforce. I expect the QPS will acknowledge the findings with a motherhood statement but will continue to victimise the female AO and other females in the same manner.
78. It is interesting to note that the QPS have simply dismissed her allegation of sexual assault because it was not specifically captured on the CCTV. Her immediate reaction was captured on the CCTV, and she sent her husband a text message to state what had just occurred. This would ordinarily be enough on balance to investigate the male. The QPS chose not to believe her and have relied on the male's email statement that she was a flirt and angry that she wasn't getting attention, to take disciplinary action against her for misconduct in the public service. This means the female AO is now placed in the category of other females reporting sexual assault because she is not believed and is now the perpetrator.

*Issues from this incident*

79. The mechanism outlined above is what occurs when female AO's or female police officers report the conduct of the 'boys club'. The 'boys club' will improperly use internal mechanisms, which they control in entirety with no external review, to destroy people they view as adversaries or who made complaints against them.
80. Clearly the female AO made a mistake on her time sheet. There was no intent to defraud but she was under immense pressure and had already been bullied and harassed. This has not deterred the 'boys club' from making a vexatious complaint. The incident is evidence of what happens to females who report the conduct of male senior police. The female AO

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is now the subject of excessive scrutiny and vexatious complaints because she has been identified by the 'boys club'.

81. No complaint of sexual assault was taken from the female AO by police who attended the bar. There was no follow up. No complaint was taken from the unknown male for the alleged assault (hair pulling) and no official report was completed on QPRIME as required. The QPS simply created an internal discipline file to victimise the female AO.
82. As it was only an internal discipline file police did not obtain a search warrant for the CCTV or submit any paperwork. Police simply attended in uniform and demanded the CCTV of the female AO who was off duty and should have expected a degree of privacy.
83. The investigating police officer displayed no compassion or empathy for the female AO despite being informed of the sexual assault. He played the CCTV over and over again.
84. This is an example of why females in the QPS would not want to report allegations against senior Police Officers and why females in the QPS would not want to report allegations of sexual assault (even off duty), because they then become the subject of the inquiry and can face discipline.

#### **Example 5**

85. On 8 July 2021, a female victim of DV attended [REDACTED] Police Station after being violently assaulted by her partner.
86. The female victim played a recording to police where she was screaming and was being dragged through the house naked by her hair. The recording is graphic and confronting. The female victim also showed police text messages from her ex-partner where he had taken photos from outside the house and described what she was doing inside. The ex-partner sent her text messages and threatened to turn up at her sporting events. He sent her a text message in large font stating "Let the games begin ...".
87. The Police at [REDACTED] called the ex-partner and then refused to make a DVA and sent the female victim away.
88. The female victim attended a solicitor's office in a state of distress and fear. She sought legal advice and solicitors were shocked and appalled with police inaction. Solicitors assisted with an urgent private DVA. The Magistrate listened to 5 seconds of the recording before telling the solicitor to stop. The Magistrate then made a TPO with every condition available to prevent contact with the female victim that was legislatively available to him.

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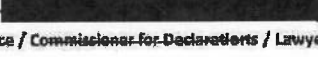
89. Because the Police had contacted the respondent, he then went to Broadbeach Police Station to report DV against himself. Police made a DVA naming him as the aggrieved.

*Issues from this incident*

90. This is an absolute failure of duty and does not encapsulate the ethos of the DV Legislation or the 'Not Now, Not Ever Report' to protect female victims of DV.

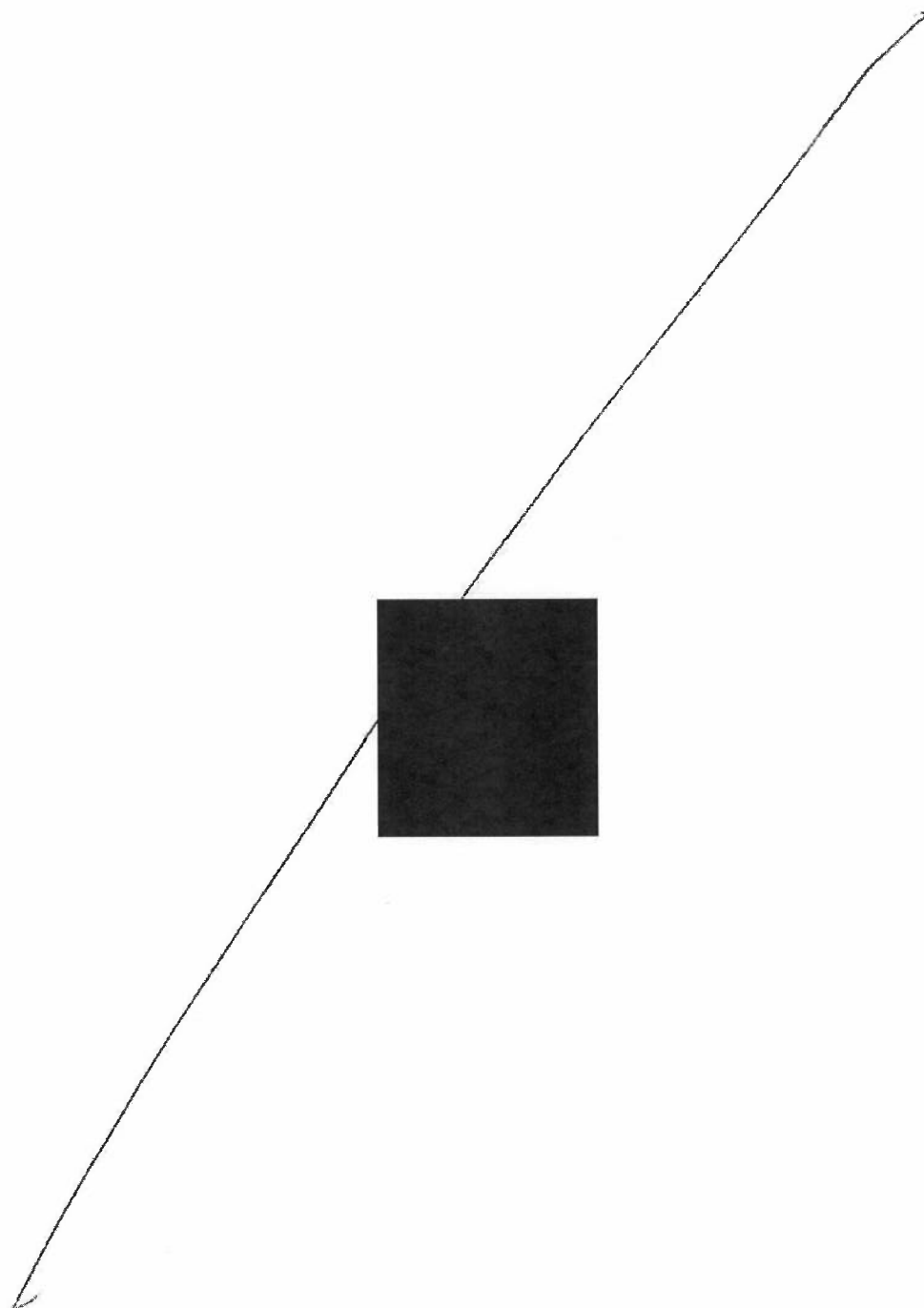
**Conclusion**

91. General duties Police who respond to and investigate DV are not supported. They are used as scapegoats by the executive when things go wrong. It is the attending officer that is ultimately responsible, and the executive sits on the sideline adding to the pressure and criticism. It is never the executive that is held responsible for failing to support, provide training, or ultimately 'time' to thoroughly investigate. That is why Police are demoralised and afraid to get involved.
92. The essential elements to improve the current DFV issues are thorough training, support, and adequate time to investigate. There must also be accountability up the chain of command when operational police are not provided with these essential elements.
93. I have tried to have these matters dealt with through the appropriate departments and they have all failed. Honesty has cost me my career and mental health.
94. The 'boys club' is systemic in the QPS and it is not only women outside the QPS that need protection.

OATHS ACT 1867 (DECLARATION)	
I, James Treanor, do solemnly and sincerely declare that:	
(1)	This written statement by me is true to the best of my knowledge and belief: and
(2)	I make this statement knowing that if it were admitted as evidence, I may be liable to prosecution for stating in it anything I know to be false.
And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.	
Signature	
Taken and declared	 of July 2022.
Taken By	 <i>Lee Quinn</i>
Justice of the Peace / Commissioner for Declarations / Lawyer	

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