
TRANSCRIPT OF PROCEEDINGS

INDEPENDENT COMMISSION OF INQUIRY INTO QUEENSLAND POLICE
SERVICE RESPONSES TO DOMESTIC AND FAMILY VIOLENCE

COMMISSIONER: HER HONOUR JUDGE DEBORAH RICHARDS

COUNSEL ASSISTING: RUTH O'GORMAN QC
ANNA CAPPELLANO

Court 17, Level 4, Brisbane Magistrates Court,
363 George Street, Brisbane.

Monday, 11 July 2022

1 COMMISSIONER: This is the first four weeks of public
2 hearings. Since 30 May the Commission has received
3 submissions from victim survivors, individual police, and
4 groups and academics working in the domestic and
5 family violence space. The Queensland Police Service, the
6 CCC and the Department of Justice and Attorney-General and
7 other bodies have provided material under notice to
8 produce, and we are in the process of analysing that
9 material.

10
11 The Commission has also sent out two different
12 anonymous online surveys to victim survivors on the one
13 hand and frontline police officers on the other, and they
14 will be collated and analysed over the coming weeks.
15 Experts have been engaged to provide information to assist
16 in the formulation of the recommendations in the report.
17 The evidence adduced at these hearings will be used
18 together with the material already obtained to form the
19 basis of our conclusions in relation to police culture, and
20 to chart and prioritise a plan for improvement.

21
22 The Commission will sit for four days this week.
23 Sixteen witnesses will be called over those four days. The
24 evidence this week will be from serving or retired officers
25 within the Queensland Police Service. The evidence today
26 will deal with the capability, capacity and structure of
27 the Queensland Police Service to respond to domestic and
28 family violence. Assistant Commissioner Brian Codd and
29 Chief Superintendent Ben Martain will give evidence in that
30 regard. In the afternoon we will hear about the operation
31 of the vulnerable persons units from Sergeant Neil Gardner
32 and Sergeant Elise Feltham.

33
34 Tomorrow the Commission's attention will turn to
35 training and recruitment. Acting Assistant Commissioner
36 Mark Kelly will give evidence about how recruits are vetted
37 before entering the academy, the training available to
38 police once they enter the academy and what happens in
39 terms of training after they leave. Acting Inspector
40 Mel Dwyer will give evidence in relation to the domestic
41 and family violence training, and the three-day course
42 which is to be rolled out to all officers in the future.
43 The final four witnesses tomorrow are serving police who
44 will give evidence of their experience of domestic and
45 family violence training from the perspective of frontline
46 police officers.

47

1 On Wednesday and Thursday the Commission will hear
2 evidence from four witnesses, two serving police officers
3 and two retired police officers. They will give evidence
4 on cultural issues that they have noticed within the police
5 force and how that impacts the response to domestic and
6 family violence. The final two witnesses will be from the
7 Prosecution Corps of the Queensland Police Service.
8 Sergeant Danielle Hulin and Sergeant Michael Read will
9 speak of the challenges and procedures involved in applying
10 for domestic and family violence orders.

11
12 Looking forward to the following weeks, in the week
13 commencing 18 July the Commission will hold public hearings
14 in Cairns on 18 and 19 July, and Townsville on 21 and
15 22 July. On 9 August public hearings will take place in
16 Mt Isa. Those hearings will focus on regional and remote
17 issues. The Commission will take evidence from the
18 Deputy Commissioner of Regional Queensland Paul Taylor as
19 well as police officers involved in policing in remote
20 communities and those involved in community organisations
21 and legal services in remote and regional areas. We will
22 hear about the challenges that are faced in areas where the
23 policing practices that may work well in the city do not
24 necessarily translate well to more sparsely populated areas
25 of the state. We will hear of some of the particular
26 issues faced by First Nations people when confronted with
27 police action.

28
29 The third and fourth week of hearings will be held in
30 Brisbane. During the first two days of the week of 25 July
31 the Commission will hear from a number of different
32 organisations that work helping victim survivors of
33 domestic violence. They will speak of their experience and
34 the experience of their clients when they have had dealings
35 with the police service. They will speak of the gaps they
36 see in the assistance offered by the police when dealing
37 with victim survivors of domestic violence. They will also
38 speak of the changes that are working in the system.

39
40 On 27 July Mark Ainsworth will give evidence.
41 Mr Ainsworth has been contracted by the Commission to
42 conduct confidential interviews with police in relation to
43 their domestic and family violence duties. He has already
44 conducted a significant number of interviews around the
45 state over a period of three weeks and will talk about the
46 results of those interviews. In this regard I must commend
47 the Queensland Police Service on their assistance with this

1 project. Initially Mr Ainsworth was experiencing
2 difficulties in convincing officers to talk to him.
3 However, the Queensland Police Service sent out a general
4 information sheet encouraging officers to speak not only to
5 the Commission but also to Mr Ainsworth, and the response
6 rate since has been exceptional.

7
8 The final two days of that week will be taken up with
9 expert evidence in relation to topics relevant to
10 the Commission, including cultural issues uncovered by
11 previous and current police surveys, the impact of trauma
12 on policing response, organisational change, and
13 First Nations trauma and how that impacts on their trust of
14 the police and overrepresentation in the criminal justice
15 system.

16
17 In the last week of hearings we will look at the issue
18 of how complaints are handled by the Queensland Police
19 Service. The Commission will call witnesses from the
20 Ethical Standards Command and the CCC. We will examine
21 whether the current system operates to discourage
22 legitimate complaints and whether it is too complicated to
23 navigate.

24
25 The Commission will also examine how the police
26 service deals with complaints of domestic violence against
27 serving police officers and whether the way that those
28 complaints are handled underscores a culture that treats
29 domestic and family violence less seriously than other
30 calls on its service. Evidence will be called about the
31 PONI system of dealing with complaints which has been
32 established in Ireland.

33
34 In the final days of the hearings we will examine some
35 areas where the community and police are working together
36 to bring about some positive partnerships in the area of
37 domestic and family violence policing. We will also hear
38 about the Smudge app which has been developed and
39 implemented in New Zealand which has recorded a significant
40 reduction in paperwork for police attending to domestic and
41 family violence.

42
43 So that will be the order of the hearings generally,
44 although, like everything, it is subject to change. I'll
45 take appearances.

46
47 MS O'GORMAN: Commissioner, my name is Ruth O'Gorman.

1 I appear as Counsel Assisting the Commission.

2

3 MR HUNTER: May it please, my name is Hunter, initials JR,
4 Queen's Counsel. I appear with my learned friend
5 Ms Williams, initials SN. We appear for the
6 Queensland Police Service instructed by the Commissioner.

7

8 MR McCafferty: If it please the Commission, my name is
9 McCafferty, initials PJ. I appear for the Queensland
10 Police Union of Employees instructed by (indistinct).

11

12 MS HILLARD: May it please the Commissioner, my name is
13 Hillard, initials KM, counsel instructed by Women's Legal
14 Service Queensland.

15

16 COMMISSIONER: Thank you. Now, we have some
17 non-publication orders to make. So there's been an
18 application for non-publication of particulars for a
19 Witness A.

20

21 MS O'GORMAN: Yes, that's so.

22

23 COMMISSIONER: And I have a draft of an order to prohibit
24 publication of evidence in relation to that witness and in
25 particular non-publication of the identifying details of
26 that witness. Those details should not be published or
27 made publically accessible, including but not limited to
28 his name, age, residential address or location of current
29 place of work, and no audio or visual recording will be
30 made of that evidence.

31

32 There will also be an order that the annexures to the
33 statement of the witness James Trainor dated 4 July 2022
34 shall not be published or made publicly accessible.

35

36 MS O'GORMAN: Commissioner, those are the only two
37 applications at this stage. The third application that had
38 been foreshadowed, I'm not sure whether that's going to be
39 pursued or not. Perhaps we could revisit that a little
40 later.

41

42 COMMISSIONER: All right. That's for a witness giving
43 evidence tomorrow.

44

45 MS O'GORMAN: Yes, that's so.

46

47 COMMISSIONER: And there was also an application for leave

1 to appear made by a group called the Brotherhood of
2 Fathers.

3
4 MS O'GORMAN: There was originally, Commissioner, but
5 attempts have been made by myself to contact that
6 organisation and also a counsel that had been foreshadowed
7 as likely to be briefed in that matter. I haven't been
8 able to make contact with either the organisation or that
9 counsel and haven't heard anything further from them.
10 I don't understand that the organisation is here in the
11 Commission's room, but it might be worth checking.

12
13 COMMISSIONER: Is anybody here from the Brotherhood of
14 Fathers?

15
16 MS O'GORMAN: In those circumstances, I'm not sure that
17 the application can be pursued at this time, Commissioner.

18
19 COMMISSIONER: All right. I'll just strike out that
20 application and if at some stage there's another
21 application we'll consider it further at that stage.

22
23 MS O'GORMAN: Thank you. In terms of material for today I
24 have a tender bundle of material which is marked "Tender
25 bundle A" and dated Monday, 11 July 2022. These documents
26 have been already distributed to the parties and they have
27 access to them on the on-line book. Might I tender each of
28 those documents now? They include the statements of each
29 of the witnesses who are going to give evidence today so
30 that where necessary those documents can be shown to the
31 witnesses in due course.

32
33 COMMISSIONER: Yes.

34
35 MS O'GORMAN: I tender bundle A.

36
37 COMMISSIONER: No objection from anybody? That will be
38 admitted and marked as exhibit 1.

39
40 **EXHIBIT #1 TENDER BUNDLE A DATED 11/07/22**

41
42 MS O'GORMAN: In addition to those documents, Women's
43 Legal Service have advised of an intention to question
44 witnesses today, and I have been provided with six
45 documents that Women's Legal Service is likely to show to
46 some or all of those witnesses. I seek to tender those
47 documents as well in one bundle.

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COMMISSIONER: That will be exhibit 2.

EXHIBIT #2 DOCUMENTS PROVIDED BY THE WOMEN'S LEGAL SERVICE

MS O'GORMAN: I've been provided with multiple copies of an index to that list. So I might have my instructor distribute those to the parties so that they can see the documents that are part of this bundle.

COMMISSIONER: Yes.

MS O'GORMAN: Commissioner, might I have one moment to approach my friends?

COMMISSIONER: Yes, yes.

MS O'GORMAN: Commissioner, the matters which have just been discussed amongst the Bar table relate to the topics that Women's Legal Service had advised us that they wished to question the witnesses today about. That list of topics has not yet been circulated to the other parties, but Women's Legal Service is content for that to occur and I propose to do so simply so that the other parties can see what that list of areas is intended to be. Moving forward, when I receive that notice from any one of the parties I will distribute it to each of the parties.

COMMISSIONER: Yes.

MS O'GORMAN: I might have to just make some very quick arrangements to have that emailed to the parties. Might that be done now before we start? I think the parties would like to see it. It will only take me a minute or two.

COMMISSIONER: Yes.

MS O'GORMAN: Thank you, Commissioner, that process is now under way and, that being the case, we're in a position to commence with the first witness, if that's convenient.

COMMISSIONER: Yes, thank you. Just before you do that I'll just sign these orders prohibiting publication and mark them as exhibit A.

EXHIBIT #A ORDERS PROHIBITING PUBLICATION

1
2 MS O'GORMAN: Thank you. I call Assistant Commissioner
3 Brian Codd.

4
5 <BRIAN CODD, sworn:

6
7 <EXAMINATION BY MS O'GORMAN:

8
9 Q. Assistant Commissioner, do you have a copy of your
10 statement there with you?

11 A. Yes, I do.

12
13 Q. I might ask many of my questions by reference to that
14 statement. So at the appropriate time if you need to have
15 access to it by all means do.

16 A. Thank you.

17
18 Q. I don't need to go to your statement for present
19 purposes, but I note that in paragraph 18 of it you advise
20 that the purpose of the Domestic, Family Violence and
21 Vulnerable Persons Command is to develop, enhance and
22 support the Queensland Police Service capability to
23 prevent, disrupt, investigate and respond to domestic and
24 family violence and harm to vulnerable persons. The
25 purpose of my questions for you this morning will be to
26 examine what that means in a practical sense.

27 A. Sure.

28
29 Q. You mention in paragraph 16 of your statement that you
30 were in March of 2021 appointed to establish the Domestic,
31 Family Violence and Vulnerable Persons Command; is that
32 right?

33 A. That's correct. That's correct.

34
35 Q. And you were at or about that time appointed as the
36 Assistant Commissioner to head up that command?

37 A. That's correct.

38
39 Q. You've been in that role since that point in time and
40 you continue to act in that role?

41 A. Yes.

42
43 Q. Now, prior to the establishment of the command in
44 March of 2021 as I understand it the Queensland Police
45 Service domestic and family violence capability sat within
46 what was called the State Domestic and Family Violence and
47 Vulnerable Persons Unit; is that right?

1 A. That's correct. The unit formed part of a group - we
2 have our structures - headed by a superintendent called the
3 Vulnerable Persons Group. That group sat within the Road
4 Policing and Regional Support Command. When we stood up
5 the Domestic and Family Violence and Vulnerable Persons
6 Command that group transitioned under my command.

7

8 Q. All right. I understand. In fact we might go to the
9 organisational structure for the QPS as at 20 September
10 2021. I wonder if that document might be placed on the
11 visualiser. It is item 5 in tender bundle A.

12

13 OPERATOR: Do you have the document ID identifier? I can
14 otherwise get it if you just allow me 10 seconds. But if
15 you have the identifier that might be helpful.

16

17 MS O'GORMAN: I'm just trying to work out whether that one
18 has a document identifier yet because I'm not sure that it
19 does. If I might just have a moment. That's the document.
20 Thank you.

21

22 Assistant Commissioner, you were talking about the
23 domestic and family violence and vulnerable persons unit
24 having previously sat within the road policing and regional
25 support command. Can we see that command on the far
26 left-hand side of the document in the column headed
27 "Regional Queensland"?

28

A. Yes, I can see that.

29

30 Q. All right. And that's where previously that unit sat?

31

A. That's correct.

32

33 Q. All right. And then as of March 2021 that unit was
34 transitioned into a command of its own headed up by
35 yourself?

36

A. That's correct.

37

38 Q. And we can now see because this chart postdates March
39 2021 that the command sits two columns over to the right
40 under the group of commands headed "Crime,
41 counter-terrorism and specialist operations."

42

A. That's correct.

43

44 Q. All right. Thank you. Now, firstly can you explain
45 for us, please, why it was at that time that the unit
46 transitioned from within the road policing and regional
47 support command over to its own command under the crime,

1 counterterrorism and specialist operations portfolio?
2 A. Certainly. I believe we were evolving in terms of our
3 capacity in this space in recent years for a number of
4 years until the state - originally the state unit was
5 created where it was and I think there was an appreciation
6 of the growing complexity and demand in this space that a
7 focus on domestic and family violence and vulnerable
8 persons policing was growing. Particularly on 26 February
9 last year the Commissioner called an extraordinary meeting
10 of the executive leadership team. That was precipitated by
11 I think reference to some number of domestic and
12 family violence homicides and other pieces of information
13 that brought to the fore the need to progress continually
14 in evolving our capacity in this space.

15
16 It was also approximate to the establishment of the
17 Women's Safety and Justice Taskforce report that was to
18 look at - the first report obviously was to look at issues
19 to do with domestic and family violence. At that meeting
20 the Commissioner formed a view that it was important now to
21 establish at the right level an important representation on
22 behalf of that form of policing within our structure. So
23 it was immediately responding to that meeting agreement was
24 made to stand up a new command.

25
26 Q. All right. And what was the intention behind the
27 standing up of that new command in the context that you've
28 just explained to us? Was it that the command would have
29 greater capability than the unit had previously to respond
30 to domestic and family violence or was there some other -
31 or some other additional reason?

32 A. I believe the intent was, firstly, to clarify who owns
33 the capability within the service. I think there was a
34 lack of clarity in the service who actually owned that
35 capability. Of course capability is beyond just the sort
36 of functional reporting arrangements but the broader
37 context of building the capability of the entire service.

38
39 The delivery of domestic and family violence policing
40 services is a partnered approach. The operational delivery
41 and response rests with the districts within the regions.
42 The establishment of the command was to take strategic
43 ownership of the capability to build the system, and that
44 was what the agreement was at the meeting on 26 February.

45
46 Q. Now, in terms of how the command looks relative to how
47 the unit had been structured what are the notable

1 differences?

2 A. Not a lot. We've started the journey, but we still
3 have a long way to go. The bulk of the unit when it was
4 established was based on temporary positions, they were not
5 made permanent, and they grew as a different functionality
6 came under its domain, for instance in the mental health
7 space and elder abuse and disabilities as well as domestic
8 and family violence. There was a small number of permanent
9 positions, I think only two police officer positions, and a
10 small number of staff member positions.

11
12 That remained that way and has remained that way since
13 March of last year when we established the command.
14 However, we've been moving to make those permanent. Right
15 now all of the staff member positions that form the
16 command, and there's approximately 30 permanent positions
17 within the command now not including the high-risk teams,
18 about 15 police positions, 15 staff member positions, and
19 we're just in the final arrangements of filling some of
20 those positions permanently.

21
22 So in terms of growth or any change there's been the
23 addition of one inspector's position. There has also been
24 the appointment of six domestic and family violence
25 coordinators that fit within the command that are based at
26 Police Communication Centre. So that's where we are at
27 now, and we're on the journey of working with our districts
28 to grow and expand the capability across the districts over
29 the next three to five years.

30
31 Q. Can I ask you this, Assistant Commissioner: given that
32 the unit was transitioned out of the previous command that
33 it was in and stood up as a new command in and of its own
34 because of, as you explained to us, growing complexities
35 and demands on the QPS in relation to domestic and
36 family violence would it have been preferable from your
37 point of view as the head of that command if you had been
38 able to stand up the command with greater capability than
39 the unit itself had had right from the very beginning?

40 A. I think that would have been optimal. The
41 arrangements at the time of course were that we were in the
42 middle of COVID responses where we still had commands and
43 taskforces established for that purpose. So I think there
44 were some limitations to the available resources and the
45 flexibility we had and resources to do that. But, yes, if
46 we were to establish it with full capability - and I guess,
47 sorry, the other part to it is starting a journey with this

1 new command as to where growth might be necessary was part
2 of what we were tasked with doing. So I think there was
3 always the expectation that we would start with X, but as
4 we understood our domain more that we would build that
5 capability.

6
7 Q. All right. We might go now to the organisational
8 structure of the command so that I can have you point out
9 for us some of the features of it, including in what
10 aspects it's grown since March of 2021.

11 A. Certainly.

12
13 Q. Could I ask then that that document [BRM.003.0001] be
14 put on the screen, please. Now, before I embark on any
15 questions of you to have you explain the command to us,
16 Assistant Commissioner, you mentioned earlier in your
17 evidence that essentially the QPS responses to domestic and
18 family violence works as a partnership model between the
19 command and the districts?

20 A. That's correct.

21
22 Q. Can I just check that I understand that what that
23 means is that the command itself holds the strategic
24 capability for the QPS responses to domestic and
25 family violence while the districts retain that operational
26 capability for that response?

27 A. Yes, that's correct, with minor exceptions in that we
28 have as I mentioned six domestic and family violence
29 coordinators now that we as a result of discussions last
30 March have placed in Police Communication Centre in
31 Brisbane. They are essentially operational advisers, but
32 they sit within our command because they're all based in
33 Brisbane.

34
35 There are also 20 members of HRTs, high-risk teams,
36 that is distributed across eight locations in Queensland
37 which, whilst they operate within the district,
38 functionally report through a coordinator within our
39 command. But, other than that, the role of the command is
40 in strategic capability, policy, procedures, guidelines,
41 training, that type of support work, whereas the actual
42 response investigation of domestic and family violence
43 matters rests with the districts.

44
45 Q. All right. So what that means is that the six
46 positions sit within Brisbane police communications you
47 have line control over?

1 A. That's correct.

2

3 Q. As well as the positions that are filled in the HRTs
4 around the state?

5 A. That's correct.

6

7 Q. But in terms of other specialist DV positions in
8 various locations around the state and frontline officers
9 who respond to domestic and family violence the command
10 doesn't have line control over?

11 A. That's correct. There are entities in each of the 15
12 districts across Queensland, 15 police districts, that are
13 referred to as either domestic and family violence and
14 vulnerable persons units - we use colloquially because
15 that's a mouthful VPU's --

16

17 Q. Yes.

18 A. Or domestic and family violence units, which are a
19 smaller version or DVUs. Each one of the districts has one
20 of those in it and it's building its capability, different
21 sizes, depending on demand. They all operate under the
22 direction of their district officer, and of course the
23 primary responders to domestic violence throughout the
24 state are our frontline general duties officers and they
25 all report through their districts.

26

27 Q. All right. Now, we'll come to some of those district
28 led structures later and in more detail with other
29 witnesses, given your position is within the command. Can
30 I have you please have a look at the document which is up
31 on the screen titled "The state domestic family violence
32 and vulnerable persons unit". That's the organisational
33 structure as of 14 February 2022; am I right?

34 A. Yes, that's correct.

35

36 Q. Now, this is headed the unit, but you've been talking
37 about the command.

38 A. Yes.

39

40 Q. Is that because this unit essentially sits within the
41 command with you sitting above what we can see as those
42 positions there to overview it?

43 A. That's correct. So the inspector of - you'll see that
44 there are two inspector positions either side. They report
45 to a superintendent, who is essentially the commander of
46 what we call the vulnerable persons group. Then the
47 superintendent, I am the line responsible manager for that

1 position.

2

3 Q. All right. So the superintendent position isn't shown
4 on that chart?

5 A. That's correct.

6

7 Q. But that would sit above the two inspectors that we
8 can see at the top?

9 A. That's correct.

10

11 Q. And then above that position sits yourself?

12 A. That's right, and my command office is a relatively
13 small one: myself, an inspector and an EA.

14

15 Q. All right.

16

17 COMMISSIONER: Sorry, can I just ask: one's called an
18 inspector and one's called a manager. What's the
19 difference?

20 A. One is simply the rank. The other is the function.
21 So I'm not sure why they have used the two different terms,
22 but the police rank delineates that that's actually a
23 police position. But both that one and the mental health
24 one are in management roles, Your Honour.

25

26 MS O'GORMAN: You mentioned the superintendent position
27 which sits for reports directly to you. As I understand it
28 that position was previously filled by Ben Martain; is that
29 correct?

30 A. That's correct, in an acting capacity, yes.

31

32 Q. I understand. He hasn't been in that position since
33 I believe April of this year?

34 A. I believe so. He was promoted to another area.

35

36 Q. All right. Who fills his position now?

37 A. The substantive holder of that position is in the
38 court with us at the moment, and that's
39 Superintendent Peter Brewer.

40

41 Q. Thank you. All right. Well, if we can have --

42

43 COMMISSIONER: Sorry, when you say "the substantive", so
44 he's come back?

45 A. That's correct. Without trying to make it too
46 complicated, there were transitions of the vulnerable
47 persons group between different commands at the time.

1 Mr Brewer held the superintendent's position that it
2 transitioned to be that position in charge of that group.
3 He had been seconded away to other duties, both in terms of
4 the taskforce Sierra Linnet, which was our COVID response,
5 but also the Ethical Standards Command in a higher duties
6 relieving position. Whilst that was his substantive
7 position, Your Honour, he didn't return to that after being
8 away until relatively recently.

9

10 MS O'GORMAN: Assistant Commissioner, we can see within
11 this command a number of different if I was to use the word
12 portfolios would that be correct?

13 A. That's correct.

14

15 Q. There's the domestic and family violence portfolio?

16 A. Yes.

17

18 Q. And alongside that the elder abuse and disabilities
19 portfolio?

20 A. That's correct.

21

22 Q. Research?

23 A. Yes.

24

25 Q. White Ribbon?

26 A. That's correct.

27

28 Q. Now, that's the position that deals with the
29 re-accreditation process for White Ribbon and ongoing
30 activities that are necessary as a result of that
31 accreditation; is that right?

32 A. That's correct.

33

34 Q. Then we have mental health, police referrals and
35 victims assist Queensland?

36 A. That's correct.

37

38 Q. So if we can focus then in on the domestic and
39 family violence portfolio, first of all, would it be
40 correct to say that as between those seven portfolios
41 pictured there on the page it's only the domestic and
42 family violence portfolio which on a regular basis would be
43 dealing with the commission of criminal offences?

44 A. No, I'd add to that that there is - sorry, I might
45 have misheard the question, but I just wanted to make the
46 point that the research capability can be tasked with
47 research with respect to the domestic family violence area.

1 The police referrals area, a substantial part of the
2 referrals process relates to DV referrals as well as other
3 referrals, and there is at times some cross-over between
4 the various functions to domestic and family violence. But
5 you're correct in that the - and of course in the elder
6 abuse and disabilities area a lot of the difficulties and
7 vulnerabilities in that space is around DV. So there is a
8 lot of cross-over and taskings that will bring people from
9 the different functional areas. But essentially that teal
10 coloured group of positions are those that are specifically
11 in the domestic and family violence space on a full-time
12 basis.

13
14 Q. We were slightly at cross-purposes, but that's all
15 right, I'll come back to my question in due course.

16 A. Sorry.

17
18 Q. What you've pointed out for us is that there is some
19 cross-over between the domestic and family violence
20 portfolio and the portfolios related to elder abuse and
21 disabilities, research and police referrals?

22 A. And for that matter White Ribbon but, yes, that's
23 correct.

24
25 Q. All right. Essentially what you're saying is they
26 don't all sit completely in silos from each other?

27 A. No, and in fact they're in the same office space.

28
29 Q. Okay. Now, you mentioned the research portfolio.
30 I can see there three officers or three positions. Is that
31 representative of the entire number of research positions
32 that the domestic and family violence portfolio has access
33 to if it wants to conduct research into domestic and
34 family violence issues?

35 A. In fact that might paint a rosier picture of the
36 position that we're in because at least two of the
37 researchers that we had within the command - one from that
38 research area, one a principal policy officer in the mental
39 health space - were seconded to the Women's Safety and
40 Justice Taskforce and have been there for quite some time.
41 So we have very limited research capacity and analytical
42 capacity within the command. It's an area that I'm of the
43 view that certainly needs some attention and to build, and
44 that's part of the area we want to plan to build.

45
46 But we do have access to other research areas within
47 the service. Of course we will have to compete with other

1 priorities that they might be tasked with. There is a
2 substantial research capability within the Crime and
3 Intelligence Command and our policy and planning division.
4 There is a degree of research capability in the
5 organisational capability command and the research and
6 analytics area of our IT services. Those of course,
7 though, are not specific to DV. We have to go and make
8 requests et cetera. Whilst they're of fantastic help, we
9 have to compete sometimes with other priorities.

10
11 Q. I have some understanding of the fact that the Crime
12 and Intelligence Command is itself both very large and very
13 busy; that's right?

14 A. That's correct, yes.

15
16 Q. And so the research and intelligence function
17 associated with that command would necessarily be largely
18 devoted to research for portfolios within that command; is
19 that right?

20 A. Yes, it is, although it is available through in
21 particular the intelligence side of that command for
22 regional and other command and division requests for
23 assistance or analysis and they do do it from time to time.
24 So they are there not just to support their own functions.
25 They are there to support functions across the service.
26 But it would be fair to say they are busy and they have a
27 lot of things to focus on.

28
29 Q. All right. Just quickly before we move on how often
30 in the last 12 months has the domestic and family violence
31 portfolio asked for and received research assistance from
32 the Crime and Intelligence Command?

33 A. There's at least two areas that I know that they gave
34 us assistance with. One was on the development of our
35 strategic plan because it met - it mirrored a process they
36 were going through which was developing a strategy around
37 sexual violence responses. We found that there's a lot of
38 cross-over in terms of domestic and family violence and the
39 sexual violence area.

40
41 There was another body of work that they did that was
42 in assisting to identify some of the indicators of
43 lethality associated with DV and focus areas. I know
44 interestingly enough one area that they worked on was
45 establishing a relationship with the RSPCA because of the
46 linkages between indicators of animal cruelty to DV. But,
47 other than that, I'd have to check with the unit to see

1 what other requests we've made of them.

2

3 Q. As a matter of practicality or convenience, given that
4 the homicide group sits within that Crime and Intelligence
5 Command, and at least that second research topic that you
6 mentioned there, lethality risks around domestic and family
7 violence, it would make sense, wouldn't it, that that
8 research capacity or capability assist in identifying
9 lethality risks?

10 A. Yes, yes, it is, and we also have a direct
11 relationship with the homicide investigation unit itself
12 and we also have a direct relationship with the sexual
13 crimes and child abuse areas. In fact one of the things
14 mentioned in my statement about some of the predictive
15 tools that we're trying to develop was drawn from skill
16 sets that they had that they applied predictive analytics
17 for child sex offenders et cetera.

18

19 Q. And I think specifically the THReT tool, which is one
20 of the significant analytic tools being rolled out or
21 trialled by the QPS borrows very heavily from the child sex
22 offender tool?

23 A. Yes, it does, and I need to make that clear because
24 I think by the misprinting there's been some
25 misunderstanding there. The THReT tool was developed quite
26 specifically and evaluated and has its strength by experts
27 in the child sex area. We've drawn from some learnings
28 about that tool to develop a tool in the DV space, but it's
29 not exactly the same tool and nor has it been subject to
30 the rigorous evaluation that that THReT tool has been based
31 on.

32

33 Q. Okay. Will it be in due course subject to an
34 analysis?

35 A. That tool is being evolved and will be subject to
36 evaluation, and there's the development of another tool
37 also under way which will be subject to rigorous analysis.

38

39 Q. All right. Can we come back now then, please, to the
40 research capability that you were mentioning?

41 A. Sure.

42

43 Q. And can I just check that I understand: of those three
44 positions pictured there, two of them have actually been
45 seconded over to the Women's Safety and Justice Taskforce
46 and remain engaged in that taskforce?

47 A. One of them and an officer whose position was as a

1 senior policy officer you'll see under the mental health
2 area, her substantive position is that senior policy
3 officer A06, but she was operating within our research area
4 when she was seconded. So essentially there's two
5 positions out of the command that were seconded into the
6 Women's Safety and Justice Taskforce.

7
8 Q. All right. So, just looking at the research
9 capability, how many positions are actually being filled as
10 of today's date?

11 A. If you don't mind I've got an updated version that
12 lets me know because we've had people moving in and out of
13 various positions within the command in their temporary
14 form for some time. It's been a real challenge for us.
15 I'm sorry, I don't have that information with me.
16 I thought I did.

17
18 Q. That's okay. It might be something that you can take
19 on notice and advise us about at a later date.

20 A. Yes, thank you.

21
22 COMMISSIONER: Can I just ask a question about this
23 particular structure, and it's just about what this meaning
24 is. So "vacant" means there's nobody in the role?

25 A. That's correct. I was sort of clarifying and talking
26 to this because I know it can be complicated. Yes, it
27 means that it's a substantive position that's been created
28 but nobody's actually there at the moment.

29
30 COMMISSIONER: Okay. And the little red stars or whatever
31 you call those things?

32 A. That's right.

33
34 COMMISSIONER: Means that somebody's relieving in the
35 position but there's no permanent person?

36 A. That's correct. Either the permanent person is away
37 for some reason and they're just temporarily relieving in
38 it or - and sometimes that can be from within the command.
39 So one of the other positions is relieving in a higher
40 position.

41
42 COMMISSIONER: Yes.

43 A. Or we've drawn from people elsewhere in the service to
44 come and relieve in them.

45
46 COMMISSIONER: Okay. So the green position has
47 substantive owner, but some of the greens have got the red

1 asterisks as well.

2 A. That will mean that there's a substantive owner to
3 that position who's working elsewhere, who's relieving
4 elsewhere. It's a moving feast. Can I say, Your Honour,
5 it's one of the challenges of the establishment of the
6 command in the first instance. The temporary nature,
7 whilst it's a good move to get positions in there, being
8 able to keep stability then and that focus really does
9 challenge --

10

11 COMMISSIONER: It's a challenge for --

12

A. The capacity.

13

14 COMMISSIONER: -- maintaining expertise as well, isn't it?

15

A. Very much, and it's a disincentive for good quality
16 people to stay in those positions or apply to those
17 positions because of the temporary nature of them. That's
18 why I'm delighted now that at least all of them have been
19 made permanent.

20

21 COMMISSIONER: Yes.

22

A. And we're in the process of filling many of those
23 positions permanently.

24

25 COMMISSIONER: Okay. So the blank little boxes, does that
26 mean there's no-one in those positions?

27

A. No, it doesn't. Those positions have names in them,
28 but we've removed the names. I did have a more up to date
29 one from February, Your Honour, but I'd have to --

30

31 COMMISSIONER: So does blank mean they're permanently
32 there or --

33

A. They are.

34

35 COMMISSIONER: Okay.

36

A. All of those positions with the exception of the two
37 ones in red or the three in red are now permanently
38 approved positions. The issue is whether there's somebody
39 relieving them at the moment or whether they're vacant and
40 we're in the process of filling them.

41

42 MS O'GORMAN: Are you able to say how many of the
43 positions are vacant at the moment or have someone
44 relieving in it?

45

A. Without access to the - I would be able to get you
46 that information. I just don't have it with me at the
47 moment.

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Q. All right.

A. I know, for instance, that the six domestic and family violence coordinators based at PCC, we have one who's been selected and we have panels going on at the moment to fill the other five. But we've got people relieving in at least three of them temporarily, which means the other two are not being operated in at the moment.

Q. All right. If you wouldn't mind taking on notice that question in respect of how many of the positions are --

A. Thank you.

Q. I've been provided with a document which is an update and will assist the Assistant Commissioner to answer these questions now. So I might have them provided to him. I won't seek to tender them because they do have the people's names still on this chart, but I will obtain a de-identified copy of the chart later. I've been given that too. So we might have the chart that this complete, please, shown to the Assistant Commissioner.

A. Thank you. We recognised that the February version was a bit confusing ourselves. So we attempted to prepare one that tries to clarify that.

Q. Thank you. I'm grateful. I do have a de-identified copy. I will tender one and there's an additional working copy for the Commissioner.

COMMISSIONER: Thank you. That will be exhibit 3.

EXHIBIT #3 DE-IDENTIFIED ORGANISATIONAL CHART

MS O'GORMAN: So, Assistant Commissioner, this chart that we've been provided with is current as of 8 July 2022 according to the notation in the top right corner; can you see that?

A. That's correct.

Q. All right. By reference to this document then are you able to advise how many of the positions are presently filled?

A. Yes, I can. So in the research area that you were enquiring about before there are three research positions at the moment. There is one substantive person in that position, and the other two have people relieving in them

1 temporarily.

2

3 Q. I see. Then if we could move over to the domestic and
4 family violence portfolio itself, are you able to explain
5 which of those positions are filled and which are vacant or
6 have someone relieving?

7 A. Yes. So one of the domestic and family violence
8 coordinator positions attached to PCC Brisbane is filled
9 permanently. The others are not filled permanently but
10 there's at least three of them have got temporary people in
11 them, temporary appointment rather than people. The other
12 two are vacant.

13

14 The project coordinator, a senior sergeant and the
15 training officer are vacant and, whilst we've been
16 advertising for expressions of interest to come and
17 temporarily operate in those, we've had a great deal of
18 difficulty attracting people to those. The other project
19 officer, A04, is filled and the other senior sergeant
20 project coordinator has a temporary person in it.

21

22 Q. Thank you for that. Now, is there any reason - and by
23 all means speculate a little bit or give us your views - as
24 to why it would be difficult for roles like a senior
25 sergeant project coordinator role and a sergeant training
26 officer role to be filled within a command like the DFV
27 command?

28 A. If you're advertising them temporarily it means that
29 we have to seek somebody who already has a job in another
30 area. The service is under substantial demand across the
31 board at the moment and previous levels of flexibility,
32 I guess, and agility to be able to move positions even in
33 the relieving ones is really being tested across our
34 organisation.

35

36 I can tell you, however, that when they're advertised
37 permanently the position is far stronger. We're in the
38 process at the moment of advertising and trying to fill
39 three inspectors' positions in the command and we've had
40 25 - up to 25 applicants for each. Also we are filling
41 four senior sergeants' positions and have a large number of
42 people applying for it as permanent positions. But when
43 you're trying to fill them temporarily for three or six
44 months it's becoming increasingly difficult for other areas
45 to release those officers to come in and join us.

46

47 Q. Now, I might have misunderstood, but I thought you had

1 said earlier that each of the positions which are not
2 presently filled but will be are being filled on a
3 permanent basis; did I misunderstand that?

4 A. No, no, that's correct.

5

6 COMMISSIONER: So then why are you advertising temporary
7 positions?

8 A. Sorry, in the past we've advertised those as temporary
9 positions. We're in the process now of advertising those
10 permanently, sorry.

11

12 MS O'GORMAN: While you've got that chart there in front
13 of you, Assistant Commissioner, you've been speaking just
14 most recently about those positions, the project
15 coordinators, the training officer and the A04 officer on
16 the right-hand side of the chart.

17 A. Yes.

18

19 Q. Can you just speak very briefly about the positions
20 listed there on the left-hand side of that portfolio, the
21 DV portfolio?

22 A. Yes.

23

24 Q. They're listed as DFVCs sergeant.

25 A. That's correct.

26

27 Q. Are they the domestic and family violence coordinators
28 which are located within Brisbane headquarters in Brisbane
29 police communications?

30 A. That's correct.

31

32 Q. In respect of those positions am I right that their
33 role is essentially to assist frontline police officers
34 with advice or to answer any questions that police officers
35 might have as they're responding to incidents out in the
36 community, they can call into police headquarters, speak to
37 a domestic and family violence coordinator and get that
38 real-time advice?

39 A. Yes, it is, and even more proactively than that those
40 officers are sitting in police communications and are
41 keeping vision of the DV related jobs going on throughout
42 the state and where they can identify that they're complex
43 matters that might need some assistance they themselves are
44 proactively then checking our systems, our computers to
45 value add and then provide that advice over the radio or
46 phone to the officers that might be attending a job.

47

1 Q. Because they have access to a number of different
2 databases within the Queensland Police Service they can
3 access different types of information and be feeding that
4 through to frontline officers?

5 A. Yes, they have access to different sets, but they also
6 have because of their skills an ability to be able to do
7 that with a great deal of experience and expertise. The
8 QPRIME system that all of our data is is not an easy system
9 to use if you're unfamiliar with it, and certainly in the
10 complex areas such as domestic and family violence, and
11 these officers have a skill set that allows them to drill
12 into that quickly and effectively and then provide that
13 information to the officers in the field.

14

15 Q. I understand that on any given shift those police
16 officers might be answering a number of different phone
17 calls from people in the field; is that right?

18 A. There's occasions at high demand across the state
19 where you might have as many as 70-plus domestic and
20 family violence jobs being responded to across the state.

21

22 Q. Yes. So those positions don't have an ongoing
23 substantive case management role in respect of any of the
24 incidents that are unfolding?

25 A. No, no, they're contributing to helping that
26 response at that time.

27

28 Q. Yes.

29 A. Where there would be an ongoing case management
30 response that would be delivered through the district
31 resources thereafter. It's primarily a service that's
32 available particularly after hours, after normal hours, and
33 perhaps when there's other demands being placed on a
34 district of people who are hearing real-time these jobs
35 coming through the radio being able to add value to them
36 then and there. But in terms of them as you asked the case
37 management thereafter, no, that will rest with the
38 districts.

39

40 Q. All right. Would you mind, please, turning over to
41 the second page of the chart in front of you, if you have a
42 second page on that document? Yes. So what you've got
43 there, and it might be of use if the second page of this
44 document which is on the visualise also be placed there.
45 There may be some differences, but they'll be minimal.
46 What you have there is a visual depiction of the positions
47 which you have line control over, that is the command has

1 line control over, in the various HRTs throughout the
2 state, there being eight of them.

3 A. Yes, it is. Can I just clarify in terms of the line
4 control we have coordinating responsibility for those teams
5 in terms of HR filling positions et cetera, but the tasking
6 that goes for their work comes from the local districts.

7

8 Q. Yes, all right. I do understand that. Thank you. So
9 at an operational level they're engaged with the districts?

10 A. That's correct.

11

12 Q. But what we can see is that there are high-risk teams
13 in Brisbane, Cairns, Cherbourg, Caboolture, Ipswich, Logan,
14 Mackay and Mt Isa, and we can see the command positions
15 identified on that chart?

16 A. That's correct.

17

18 COMMISSIONER: Sorry, can I interrupt again. Probably
19 it's my own local understanding of these charts, but the
20 command says "manager inspector", that's the person who's
21 over to one side on that previous chart, but then
22 underneath that is the project officer. Where does that
23 project officer sit on that first chart that we were
24 looking at?

25 A. That project officer at the moment is not a
26 substantive position. It's somebody that we're using as an
27 extra. To try and give some clarity, Your Honour, to the
28 difference between the ranks and then the roles we have our
29 ranks and then we'll have a job description that might be
30 pertinent to a particular role. So an inspector might be a
31 manager, an inspector might be a project officer depending
32 on the role that they're given. So that little title next
33 to them tells us what the job description would look like.
34 The project officer similarly is a functional allocation to
35 some senior sergeants. I think I'd place more --

36

37 COMMISSIONER: So who is that on the first map?

38 A. It doesn't exist on the first map. That's why it's
39 been kept off separately. So that's the command as a
40 whole. This is the other part - that's also part of our
41 command responsibility, is the HRTs. That inspector is
42 common on both.

43

44 COMMISSIONER: Yes.

45 A. But the senior sergeant is not.

46

47 COMMISSIONER: Okay.

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MS O'GORMAN: So those two pages taken together represent the organisational structure of the Domestic and Family Violence and Vulnerable Persons Command?

A. That's correct.

Q. All right. Can we just keep looking at this page for a moment before I then move back to the first page with some final questions. This page here, that is the second one depicting the various positions allocated to the high-risk teams around the state, are not positions which have ongoing strategic roles within the command; that's right, isn't it?

A. Yes, that's right. The high-risk teams were developed and funded out of the Department of Justice and Attorney-General integrated response approach and initial funding was given to establish those multi-jurisdictional entities in different locations in Queensland, and funding was provided for the QPS team to provide a substantial part of the information sharing and coordination of those teams. We're actually moving to position those HRTs to be functionally placed under the districts, but at the moment they still then are coordinated centrally through us as a command.

Q. All right. Then if we move back to the first page of the organisational chart then, please, and if I could ask you to look again at the purple coloured positions, that is the positions under the domestic and family violence portfolio. We can see that six of them are the DFVCs that you spoke about being on the phone giving frontline officers assistance with unfolding domestic violence incidents?

A. That's correct.

Q. And so those six positions similarly are not associated with ongoing strategic management and future looking of DFV responses within the QPS?

A. That's correct.

Q. Okay. So we've moved those positions that we've talked about off to one side in terms of the command's strategic capability, and does that mean that we're left then with those four positions, the project coordinator positions, the training officer, the project officer and of course the superintendent and yourself sitting above it?

A. That's correct.

1
2 Q. And that is really the representation of the strategic
3 response by the QPS to DFV?

4 A. With respect to the command, yes. As I said to you
5 before, that's absolutely correct. Unless we access some
6 of the other inputs from analytical researches elsewhere,
7 specifically within our command, that is the small cohort
8 that we operate within and carrying a quite substantial
9 workload.

10
11 Q. Yes, absolutely. So I understand that you can from
12 time to time go outside the command and ask for assistance
13 from portfolios or capabilities within other commands, but
14 those portfolios and those other commands are not looking
15 in any significant way or ongoing way in relation to the
16 QPS strategic response to domestic and family violence?

17 A. Not in an exclusive way, that's correct.

18
19 Q. Okay. And of what we've established is a very small
20 number of positions handling that very heavy load I think
21 you've identified that at least two of them are not
22 presently filled; that is, the project coordinator, the
23 senior sergeant, and the training officer?

24 A. That's correct.

25
26 Q. So we're down to essentially one, two, three, maybe
27 four people who are carrying that load of working out the
28 Queensland Police Service's strategic response to domestic
29 and family violence in this state?

30 A. That's correct. We rely heavily on our interaction
31 then also with the vulnerable persons units and the
32 officers in charge across the state --

33
34 Q. Yes.

35 A. As important inputs to that decision making. But
36 you're correct, the substantive strength is those few
37 positions that you mentioned.

38
39 Q. All right. I might come later on to your views about
40 how and whether it would be beneficial for the command to
41 be strengthened in terms of its strategic capability. But
42 can I turn now to the district capability model and matrix
43 that you refer to in your statement?

44 A. Yes.

45
46 Q. All right. So this document can be taken down,
47 please. What we're doing now is moving away from the

1 structure of the command, which, as you advised us, deals
2 with the strategic responses to domestic and
3 family violence, and we're looking now at the districts
4 which have that operational functionality?

5 A. Yes.

6
7 Q. Okay. In paragraph 29 of your statement you say that
8 the Queensland Police Service recognises that there has
9 been a lack of a consistent approach across the
10 15 districts in respect to domestic and family violence?

11 A. Yes, that's correct.

12
13 Q. Can I ask you firstly in respect of that paragraph
14 when it was that the Queensland Police Service recognised a
15 lack of consistency across the districts?

16 A. Some of this will predate me and there may well be a
17 greater deal of clarity provided by other witnesses that
18 I know will be called.

19
20 Q. Thank you.

21 A. But my understanding is prior to 2016 the domestic and
22 family violence sort of specialist functionality was
23 relatively small, there was only perhaps one or two
24 officers, and that was at a determination about particular
25 districts feeling the need to have somebody to fill that
26 position. The actual creation of the devolved model was
27 given approval back in 2018, and in 2018 a government
28 commitment was made to 24 DFVC positions being created over
29 the outgoing four years to be distributed into new domestic
30 and family violence units across the state. So I think you
31 could safely say in a more formal manner that the
32 determination to build those district base capabilities was
33 formalised around 2018.

34
35 Q. All right. I might ask you to take up your statement
36 then so that I can put paragraph 29 in context for you.

37 A. Paragraph?

38
39 Q. 29, please. It's on page 5.

40 A. Yes. Yes, I have that.

41
42 Q. There you say, "One of the key issues identified
43 during internal stakeholder engagement associated with
44 assessing the QPS DFV capability was the lack of a
45 consistent approach taken across the 15 districts that make
46 up the QPS." So, whilst there may have been some
47 acknowledgment or assessment of a lack of consistency back

1 in 2018, I think you might be referring there to some
2 engagements that you've been party to since 2021; am
3 I right about that?

4 A. That's correct, and even predating that, as the
5 Assistant Commissioner previously from 2015 to 2018 for
6 south-east region, I was responsible for Gold Coast
7 district and Logan district, and we had made an investment
8 as a district into creating a capability that was built on.
9 But it wasn't then until after that that the rollout of
10 similar types of units across the state was considered.
11 But even as they evolved they evolved in a slightly
12 different tempo and a different structure, so there was
13 inconsistencies with those.

14
15 Q. Okay. Now, is it the case that the different
16 structures adopted or developed by each of the districts
17 resulted in a different level of service being offered to
18 members of the community across the districts, and that was
19 something noticed by the police service?

20 A. I think a different level of service is accurate.
21 Sometimes the different level of service was because of the
22 different nature of the domestic violence environment in
23 those areas. By that I mean in the Gold Coast after 2015
24 we took a very investigative approach. We applied
25 detectives into the unit that otherwise had not been picked
26 up before. The rationale of that was that there were a
27 high number of domestic violence, particularly high-harm
28 high-threat incidents that were interwoven with other
29 criminality, particularly organised criminality. So we
30 found there that a good response to high-harm high-risk was
31 very well supported by having investigators/detectives
32 embedded in them. In other jurisdictions the - in other
33 areas of the state that level of interaction with organised
34 crime or high-level crime is not as strong, so there wasn't
35 investigator investment in those in a full-time capacity.
36 So that gives you a slight example of why there was a
37 different structure.

38
39 The other is on demand. There are some districts in
40 the state - like Logan may well have as many as between 25
41 and 30,000 DV incidents in a year. You might have
42 somewhere like south-west district, which is sort of based
43 on Dalby, Roma, Charleville, that might have less than
44 4,000. So how it's structured and also the geography that
45 impacts on how you deliver your service as opposed to
46 centralised and not centralised also impacts on why there's
47 inconsistencies.

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Q. All right. And in some cases was it found to be that some of the districts were wanting in terms of their ability to respond appropriately to domestic and family violence on a consistent level?

A. Think they were wanting in two ways, if you want to use that word: wanting in perhaps not delivering a level of service that was being delivered in other areas, but they were also wanting that support and resources to enable them to do that.

Q. All right. Now, as a result of acknowledging or observing that to be the case, you developed, that is you and/or the command developed, a district domestic and family violence capability model in September of last year?

A. That's correct.

Q. I might have that document placed up on the visualiser, please. It's [BJC.003.0003]. This is attachment B to your statement, Assistant Commissioner.

A. Yes.

Q. So I think you would be familiar with it.

A. I am.

Q. If we could go back one page, please. That there sets out four levels of maturity that could be applied to each of the 15 districts across the state; correct?

A. That's correct.

Q. So when the districts undertake their assessment of their own maturity or the level of sophistication with which they can respond to domestic and family violence in their areas they use the table sitting behind this page to assess themselves against a number of different criteria; correct?

A. It's correct. Could I use the word, though, it's meant to be "diagnostic" rather than "compliance".

Q. Sure.

A. It was certainly to measure their maturity towards a desired end game so that we could identify then where the investment needed to be and where across the state.

Q. I understand that. Having used that criteria in a diagnostic way for the districts to assess where they stood, they would then have come out with a ranking

1 essentially between 1 and 4 in terms of their levels of
2 maturity?

3 A. That's correct.

4

5 Q. Now, can I ask you this: how many of the districts
6 have undertaken that diagnostic self-assessment of their
7 level of maturity to respond to domestic and family
8 violence?

9 A. I don't have the data to tell you the outcome of that,
10 principally because the project coordinator has actually
11 been seconded elsewhere. What I can tell you is that the
12 tool was intended to be a diagnostic tool to inform
13 resource planning over the next three to five years. There
14 has been a return from all of the districts. My
15 understanding is there are at least two districts that
16 identified themselves as being operational and integrated,
17 but the majority were in the developing stage. I don't
18 have that material with me to be able to expand on that
19 further.

20

21 Q. All right. So - and, you know, if I'm asking you
22 questions and you don't have the answers to hand, please
23 just say so.

24 A. Thank you.

25

26 Q. But, as I understand it, of the 15 districts, to your
27 understanding, two of them assessed themselves at level 4;
28 that is, the highest level of operational and integrated?

29 A. That's correct.

30

31 Q. And your understanding is that the remaining perhaps
32 13 assess themselves as being a level 3, developing?

33 A. I'm not certain how many did, so I best not answer
34 that until I can get that data.

35

36 Q. All right. We might take that question on notice as
37 well --

38 A. Thank you.

39

40 Q. For you to have a look at when convenient. How was it
41 that the districts undertook that diagnostics
42 self-assessment? Do you know what process was undertaken?

43 A. It was referred to the districts to manage themselves.
44 The intent then was, once they self-diagnosed, that we
45 would use somebody from our command to now go through with
46 them and to give a level of validation to that. That is
47 still part of our planning in the continued rolling out of

1 this capability framework and the maturity assessment. It
2 may very well be that the districts themselves rate
3 themselves at a certain area, but an independent entity
4 might see it as different, particularly one that has - say,
5 aware of other districts that have got greater capability.
6

7 Q. All right.

8 A. So it's a process we're undertaking - partway through
9 now.

10

11 Q. Can I just check that I understand what you're saying.
12 As you understand it, the districts have undertaken that
13 process themselves to date?

14 A. That's correct.

15

16 Q. And, as you understand it, the command will or is
17 undergoing an evaluation of that assessment essentially to
18 see if it agrees with the assessment, if there's some
19 standardisation across the districts; is that right?

20 A. Yes, that's correct, and, as I mentioned before, the
21 use of the tool wasn't meant to be some sort of a
22 compliance tool. It was meant to be an honest assessment
23 of where each district was in its evolution against the
24 capability, the district capability that's described in
25 another document.

26

27 Q. Yes.

28 A. And then to flesh out what gaps needed to be filled
29 and how we would do that over time. For instance, there
30 are some elements of the capability that talks about its
31 integration with HRTs or other service providers. Well, in
32 some districts there are no service providers and HRTs. So
33 it's not - the reason we never came up with one standard,
34 consistent model for every district is every district is
35 different and we needed to tailor it to meet those nuances,
36 whether it was demand, whether it was complexity, whether
37 it was geographic dispersal. It was a capability rather
38 than saying, "All 15 districts, you will now have this
39 tailor-made exactly-the-same system."

40

41 Q. All right. I do understand what you're saying about
42 the intention of it being diagnostic, not compliance?

43 A. Thank you.

44

45 Q. What I'm interested in understanding is now that the
46 districts have completed that process at what stage the
47 command is at in terms of auditing the assessment?

1 A. It's not an audit process at this stage. The
2 intention of that was now to work with the districts to
3 help formulate their resource allocation plans and
4 submissions over the next three to five years, the life of
5 a growth phase that's been allocated by government. You
6 might have heard the 2,025 by 2025. So there was 2,025
7 extra FTE that's being applied to the service up until
8 2025.

9

10 Q. Yes.

11 A. Fourteen hundred of that are police officers,
12 I believe. It's to help those districts now formulate
13 their plans over the yearly allocation of growth, so it
14 will be informed by this plan.

15

16 Q. Okay. That being the case, at what stage is the
17 command at in terms of checking in with each of the
18 districts about the resources that they need for future
19 growth?

20 A. It's in progress, and it's different depending on each
21 district. I know that there are - it's a liaison role
22 between a person from within our command and those
23 districts to help them formulate their plans. I know
24 there's at least three districts at present that have got
25 submissions before our workplace force allocation committee
26 for allocation of extra growth. But all the districts are
27 working towards building their capability against that
28 capability framework and this tool.

29

30 Q. All right. You mentioned one of the command positions
31 is engaged in liaising with the districts. Which of the
32 positions on that chart that we were looking at earlier is
33 engaged in that process?

34 A. It happens to be the inspector who's the strategy and
35 performance officer for my command office. So you won't
36 see it on that - remember I said there's myself, an
37 inspector and an EA. It's the inspector there who has been
38 the project lead on that body of work, and she's currently
39 seconded to the commission of inquiry.

40

41 Q. All right. So, when you say she's the project lead on
42 the work, does she have someone else engaged in that
43 process of liaising with the districts in respect of that
44 capability framework while she's seconded to us?

45 A. Any assistance is done through the superintendent of
46 the vulnerable persons group, and that work will be
47 allocated within the team.

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Q. Is that ongoing while the Commission is underway, or is that work paused?

A. No, that - I think that will be - that will be a continual process as part of our liaison and support to districts in an ongoing capacity, formal and informal. Part of the responsibility of the command in owning the capability is to help build and support the districts and building their individual capability. This is one tool to help start that process, but I envisage that that's an ongoing capability within our command, is to support districts doing that. At the moment we're limited in our capacity to do that, and those are some of the areas that going forward I would be advocating that we need to invest in. The research area we fleshed out a little bit before. We need a significant investment in our research, analytical and perhaps intelligence capability to meaningfully deal with the data that we were seeing and then feedback to operational responses. This is another, which is the liaison with the districts themselves.

Q. Yes, sure, I understand that. And of course given that the command has strategic responsibility and isn't in a direct line control way in control of the districts it's very important that that partnership not only exist but continue to mature and develop so that the command can advocate before the resource is allocated to the districts; is that right?

A. Absolutely. It's an example where so much of the responsibility towards - for the delivery of operational police responses across a broad range of functions rests with our regional assistant commissioners and the district officers and then the officers in charge of the police stations.

Q. All right.

A. The establishment of the command is to sort of build specialist advice and guidance to them to help them do that.

Q. I understand. So before we move on from this document can I just see if I understand that essentially it's, as you've described, one tool and a starting point for conversations between each of the districts and liaison people within the command to develop their resources over time?

A. That's correct.

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Q. All right. So it's not intended to have been a one-off study or self-assessment by the districts that's then completed, audited by you and put away?

A. No. But, given that this was the first time we've done this, this was establishing the baseline for that process.

Q. All right. Just in terms of that ongoing work that you've said will have to be done, you mentioned that the person who would otherwise be essentially tasked to be the liaison between the command and the districts that have done that self-assessment, that person is presently seconded to the Commission?

A. For that part of the project. Once we embed that within the command as then a normal ongoing role I see that as resting with the inspector in charge of the domestic - the state unit within the command.

Q. All right. So you're talking now about a future stage --

A. That's right.

Q. Of that discussion and the relationship building. Can we talk about the time before you get to the embedding. At the moment there was a person within the command whose job it was to liaise with each of the districts to discuss their resourcing needs and their maturity status?

A. For the purpose of this capability framework project, yes.

Q. Yes. And that task has been interrupted because that person has been seconded to the Commission?

A. Yes, certainly from the command's perspective, but I know a number of the districts have been using those tools to help guide their work in an ongoing capacity. But, yes, that's correct.

Q. All right. I'm just wanting to ascertain that, whilst that person is at the Commission engaged in assisting the Commission, ongoing discussion between the command and the districts in respect of their maturity level and what resources are needed has essentially been paused?

A. For that project, yes.

Q. Okay.

A. But ongoing dialogue happens all the time between

1 myself and my executive leadership colleagues about issues
2 impacting on their regions, and the district officers and
3 officers in charge have ongoing liaison directly into our
4 command through the superintendent and the inspector and
5 other officers on an ongoing basis. But for that
6 particular project, yes, there's a pause in that at least
7 for the next few months.

8
9 Q. I see. Now, just finally in respect of that document
10 or that project that's been undertaken, is it presently
11 envisaged that that will be undertaken on an ongoing
12 regular basis by the districts in order to assess their
13 growing maturity?

14 A. Yes, it is. One of the things we have again for a
15 future state is the need to establish a quality assurance
16 and risk management framework and approach. It's one of
17 the areas of the command that we believe is necessary to
18 support the districts, and we will see this tool as being
19 sort of establishing a baseline. There was a quality
20 assurance framework that was developed that looked at a
21 tiered approach of responsibility centrally from us as the
22 command and the districts, and I see this folding into
23 that. At present there is limited quality assurance and
24 risk management capability on a strategic basis within the
25 command.

26
27 Q. And that really comes down to at essence the limited
28 number of positions within the command resulting in a
29 limited ability of the command to undertake quality
30 assurance of each of the districts?

31 A. That's correct. When the command was created it was
32 never created as the starting point would be the end point.
33 Part of the responsibility I had was to assess the
34 environment that we were dealing with and now build the
35 case to try and build that capacity across the state. It's
36 been 16 months, and whilst we've made some incredible
37 changes and improvements there is still a long way to go
38 until I think we get to the point - I'm not sure we'll ever
39 get finally to the point - that the capability is built to
40 where we want it to be.

41
42 Q. Can we move now to the domestic and family violence
43 advisory group?

44 A. Yes.

45
46 Q. You refer to that in your statement in a number of
47 paragraphs, I think commencing at about paragraph 41. Now,

1 as I understand it, and I might be unduly crediting you for
2 this, but the command did establish that domestic and
3 family violence advisory group in July of last year, and
4 I understood it to have been essentially your initiative?
5 A. That's correct.

6
7 Q. All right. Now, that's a group that you have
8 established to consult with representatives of leading
9 sector agencies so that the command is hearing the voices
10 of people who are active in the domestic and
11 family violence area in the community; is that right?

12 A. Yes, that's correct. It grew out of - I don't profess
13 to be a DV expert. I took over the responsibility for the
14 command in March, having been a regional
15 Assistant Commissioner for both Brisbane region and
16 south-east, and my background is also as the AC for state
17 crime command, which is now in the major and organised
18 crime area, which is now called CIC. I was very mindful
19 that, while I'm a quick learner, there were a lot of people
20 I had to listen to to understand the context strategically
21 of what we were dealing with and the issues impacting on
22 domestic and family violence.

23
24 I started to establish some linkages to stakeholders,
25 including then - the then CEO of the Women's Legal Service
26 and also the Deputy CEO of DV Connect were people that
27 I was engaging with, and it was through those discussions
28 that it became apparent that we all thought we would
29 benefit by having some form of a stakeholder engagement at
30 strategic level. From that, I conceptualised the notion of
31 bringing together an advisory group who could then give us
32 a perspective coming from other lenses about opportunities
33 and I guess strategic direction in the DV space, and that
34 was approved by the Commissioner, we established some terms
35 of reference and it meets quarterly.

36
37 Q. All right. So you've said you meet quarterly. As
38 I understand it there's been three meetings since the group
39 was established?

40 A. There may - there was a fourth that I wasn't at.

41
42 Q. I see.

43 A. Yes.

44
45 Q. All right. A number of meetings, three of which you
46 were present for?

47 A. But, yes, only a small number, that's correct.

1
2 Q. All right. Can I ask this: how is it, other than
3 helping you to develop a broader understanding of some of
4 the issues surrounding domestic and family violence within
5 the community - and not for one moment am I discounting the
6 importance of that, but how is it that other than assisting
7 you in that regard the board is able to - sorry, the body,
8 the advisory body, is able to impact on the strategy
9 developed by the command? Is there a nexus between that
10 body and command strategy?

11 A. Yes, there is. It's an advisory group. So in essence
12 it's not a decision-making group. It is specifically there
13 to enable - and, whilst I chair it, there are a number of
14 other members of our command that participate in that, and
15 it's meant to be a two-way - a multi-way exchange of
16 information. It allows, and in the terms of reference, an
17 opportunity for us to promote and communicate some of the
18 initiatives that we were dealing with to key stakeholders
19 in this sector, but most importantly it allows those key
20 stakeholders to be used as a sounding board for initiatives
21 but also bringing to our attention things that they either
22 through their work believe that there's an area for
23 improvement for us as a police department or generally. We
24 take that information and that minuted information, and it
25 will influence then the discussions we have when we are
26 developing process, practice and strategy for the service.

27
28 To give you but one example, a very active member of
29 the group is Betty Taylor from the Red Rose Foundation,
30 who's been of extremely useful assistance in guiding us
31 with her expertise around strangulation and the nexus
32 between non-lethal strangulation and domestic violence and
33 threat, et cetera. That's filtered its way then to
34 priorities we have used in development of training courses
35 and us monitoring data around strangulations. That's but
36 one example, and each of the members of the advisory group
37 bring a different lens and a different level. We have
38 somebody who is an expert in perpetrator programs, we also
39 have the Family and Child Commissioner, we have a
40 representative of DV Connect and Women's Legal Service, and
41 all bring a different lens and challenge us.

42
43 Q. Who is it that sets the agenda for the meetings? Who
44 is it that decides what's going to be discussed?

45 A. That rests with me as the chair, but an invitation
46 goes out to the other members of any issues they would like
47 to raise and add to the agenda, and if that's not

1 forthcoming there will be agenda items that we'll put up,
2 particularly ones where we might be seeking their wisdom
3 and advice. For instance, when we developed the strategic
4 plan a draft was then exchanged with them. Sorry, I saw
5 some security officers coming into your court.
6 I'd wondered whether there was an issue.

7

8 Q. Might be a button being pressed.

9

10 COMMISSIONER: Yes, there might have been an accidental
11 press. You'll have to disengage it.

12

13 MS O'GORMAN: Is it the case that all of the issues raised
14 by the sector representatives at these meetings get
15 translated into action by the command or might some be
16 considered but not be actioned?

17 A. I think that's fair, the latter part. As I said, it's
18 an advisory group rather than an action-oriented or
19 approval area. It's really a strategic level group of
20 people who can guide discussion around areas. However,
21 I find it incredibly useful. But it's still in its infancy
22 in terms of us growing its maturity, and we changed over a
23 couple of members because they left us.

24

25 But one example, for instance, that I think is really
26 substantial advice was that I don't think in our strategy
27 which we developed over the - for 20 to 23, but essentially
28 didn't get approved until the beginning of this year, so it
29 goes out a bit longer - I don't think adequately captures
30 some of the closing the gaps recommendation into it, and
31 that was identified by one of the members of the advisory
32 group. Now, there's a very strong example of where I think
33 we will be responding to either in our action plan or
34 adjusting the next iteration of the strategic plan.

35

36 So there are - if the discussions are such that they
37 highlight areas - another area, for instance, is
38 Betty Taylor highlighting that we're all using the term
39 victim-centric and trauma-informed practice, which is
40 certainly something that now we've got in our strategy that
41 we want to translate, and Betty made the very strong
42 observation that there's also something which is
43 DV-informed, which is different to trauma-informed, and she
44 was able to articulate that on the basis of her experience,
45 and it might sound just like words, but I think it actually
46 has meaning. So we are now looking at how we integrate the
47 understanding of not only trauma-informed but greater

1 learnings about what's DV-informed where there might not be
2 obvious trauma, et cetera. So the value of it for us
3 I think is enormous and has potential to be more. But it's
4 not an action group per se.

5

6 Q. All right. Thank you. Can I turn now to the
7 development of the DV manual which is underway?

8 A. Yes.

9

10 Q. You talk about that at paragraph 46 of your statement,
11 and, as I understand it from your statement, that manual is
12 nearing completion?

13 A. That's correct.

14

15 Q. You attached a draft copy of it to your statement.
16 I understand it's not yet a finalised document, but I might
17 take you to a couple of passages in respect of it shortly.
18 Firstly, can I ask you some questions about how that manual
19 came about. What was the genesis of it? Whose idea was it
20 to create the manual?

21 A. It predated the commencement of the command. The work
22 on the manual was commenced whilst - I think within the
23 state unit when it was in its previous - part of the
24 previous structure. I'm not sure who was the one who
25 initiated it, but the intent for it was again recognised as
26 something useful when the command occurred because when we
27 were looking to establish our strategy in that the service
28 until the command was created did not necessarily have a
29 robust doctrine or strategy specifically around domestic
30 and family violence and vulnerable people - it had pockets
31 of it - and part of our role was to establish that.

32

33 I looked to other jurisdictions for guidance about
34 how we might come up with that, and the strategies used by
35 New South Wales and Victoria, and Victoria, for instance,
36 I noticed in their documents - and in some respects
37 Victoria is seen as a very high standard of investment in
38 terms of how they have gone around responding to the Batty
39 royal commission on DV, and they had a - they didn't use
40 the "DV manual" term; they used a code of --

41

42 Q. Practice?

43 A. Practice or something along those lines, and we saw
44 and recognised the value of having a document that was able
45 to translate between service policy and then into the
46 practical application of that in terms of their practice.
47 So that was the intent of the DV manual, but it had been

1 commenced before the command and we're nearing completion.

2

3 Q. So who is it within the command or elsewhere who has
4 had primary responsibility for developing the manual?

5 A. I would suggest that Chief Superintendent Martain
6 would be able to be more specific about its origins,
7 because he had been relieving as the superintendent in that
8 area and even predating the creation of the command and has
9 been one of the main drivers in those initiatives.

10

11 Q. But what about now? As I said, I understand that the
12 document is not completed but it's nearing completion.
13 I understand it's being worked on. Who is it who's working
14 on that?

15 A. The - it's currently been submitted to our
16 operational - policy area, and it's being looked at - the
17 content is all but done.

18

19 Q. I see.

20 A. The bulk of it now is just some feedback from key
21 stakeholders. But it's more now getting - it's being
22 edited and then likely to be distributed in a way that's
23 easy to access for our officers electronically as well as a
24 volume - that's how close we are to the end. It's more
25 editorial than content.

26

27 Q. I understand. Was it developed in conjunction with
28 any legal experts? Was there any consultation with legal
29 experts in relation to it?

30 A. Again, that's not something I can answer specifically.
31 I would expect that it has. Our normal process in
32 establishing anything like this is to have our legal area
33 review that. But it may well be that another witness might
34 be able to confirm that for you, or I can drill into that
35 and can give you some advice out of session.

36

37 Q. All right. Now, I understand from your statement that
38 the manual is intended to be used as a standalone reference
39 for police personnel to guide their response to incidents
40 of domestic and family violence. Does that mean that it's
41 really to be used as a manual by police officers out in the
42 field responding to DFV?

43 A. It will have multiple purposes, but that would be the
44 critical one.

45

46 Q. Okay. And critical because the police service
47 recognises that it is complex for particularly junior

1 officers to be out in the community responding to calls for
2 service for domestic and family violence?

3 A. Absolutely. It's not only complex, it's always
4 evolving, and whilst it will be a standalone document it
5 would be one that I'd imagine that will remain organic. As
6 new learnings come through and new procedures and practices
7 are identified it would be the manual by which - within
8 which we would make those amendments.

9

10 For instance, in recent years we've had a heavier
11 focus on understanding the complexity of coercive
12 controlling behaviour in the context of DV, and
13 understanding the need to shift, as ANROWS research has
14 sort of indicated to us, away from seeing domestic and
15 family violence as an incident response to a more holistic
16 approach to DV because of the nature of it.

17

18 So the manual will be the means by which for us to
19 translate some of the research, the knowledge, the policies
20 and procedures into practical application for our officers
21 to refer to, and I would envisage as we learn more and the
22 findings of this Commission and inquests, et cetera,
23 happen, where that translates to a need or an opportunity
24 for us to enhance practice, that will be a primary tool to
25 support our officers.

26

27 Q. In recent years or months have you personally heard
28 calls from frontline officers for greater clarity, greater
29 assistance, for them from the organisation in terms of
30 understanding what it is that they should be doing when
31 they're called to a DV incident in the community?

32 A. Yes, I have.

33

34 Q. Is this manual intended to be a simple tool to assist
35 those frontline officers to understand what the
36 organisation expects them to do?

37 A. It's meant to be a tool. How simple it is will be in
38 the proof of the pudding, because it's a complex area.
39 But, yes, it is meant to try and cut through some of that
40 complexity that is in respect of our frontline officers'
41 responsibilities, and others'. I think there will be
42 benefits from others working in the service who can draw
43 learnings from the manual. But, yes, that's part of the
44 role, coupled with other tools that obviously our frontline
45 have, other learning tools, et cetera.

46

47 Q. All right. Can we go to the manual, and it's, in

1 terms of its document identification number,
2 [BJC.004.0001], and could we go to pinpoint reference 0013,
3 please. When we have a look at the document,
4 Assistant Commissioner, and in particular the paragraph
5 under the heading "About this document", we can see that
6 the manual is said to complement current legislation and
7 policy that govern the investigation and response to
8 domestic and family violence, and says, "The manual should
9 be read and used in conjunction and in compliance with the
10 relevant legislation, operational procedures manual, QPS
11 policies and district directives and instructions. If any
12 content in this manual conflict with the relevant
13 legislation, the OPM or Commissioner directives, QPS
14 members are to comply with the legislation, OPM or
15 Commissioner directive and seek immediate advice from their
16 officer in charge."
17

18 My question is this: notwithstanding the aim being
19 that this manual provide a simplification for frontline
20 officers responding to complex DV matters, does a statement
21 and the direction like that at the front of the document
22 not tend to add to the burden of frontline officers rather
23 than simplify what they must do out in the field?

24 A. It's a relatively standard statement that's used in
25 any such manuals. I've seen it several times that's how
26 it's written. A lot of our manuals or our instructions, it
27 will often say - rather than repeating the legislation or
28 repeating the policy, will say, "Read this in conjunction
29 with". I think the intent is where you want to know more
30 about the background as to why this manual suggests X, Y
31 and Z then you go back to that.
32

33 Q. Does it not also place a positive obligation on
34 frontline officers who would otherwise be trying to comply
35 with this manual to ascertain for themselves whether or not
36 anything within the manual is in conflict with relevant
37 legislation, operational procedures manual or Commissioner
38 directives, and does that positive obligation not make
39 things more difficult for your officers?

40 A. Yes. No, I accept that. I don't think that's a very
41 healthy or helpful statement. I don't know the rationale
42 for it. We shouldn't be putting out a manual that's in
43 conflict with legislation, policies or procedures. The
44 point of it is to actually delineate - sort of bring down
45 and make it simpler for our officers. Yes, I don't see
46 that as a healthy statement, and it is open to confusion.
47 I'm going to take the opportunity to revisit that certainly

1 before we finalise this draft. As I said, we are getting
2 close to finalising it, but that doesn't mean there can't
3 be changes made to it.

4
5 Q. Certainly. And to the extent that you, that is as the
6 Assistant Commissioner of the command, and the QPS more
7 generally is hearing, as I understand you are, that
8 frontline officers are feeling fatigued, are feeling
9 stressed, is it not very important that a command or
10 whoever has responsibility for developing this manual
11 attempt to make it as simple as possible for those
12 officers?

13 A. I agree. Simple but - yes, I guess "simple" is a word
14 that we can use. It's got to be effective. It's got to
15 meet their needs in a really time-critical way, and
16 I accept that that's part of the role of our command, is to
17 develop and be part of developing the tools and processes
18 that aids our frontline.

19
20 Q. Is one of the challenges facing the command in terms
21 of developing a tool which is both simple and clear for
22 your officers not twofold, that, firstly, domestic and
23 family violence is by any measure becoming much more
24 complex in our community, but, secondly, the command is
25 simply not equipped with sufficient capability to be able
26 to put enough energy and effort into developing a document
27 which will be in a quick way clear and simple for officers
28 to follow?

29 A. It is accurate to say that we de-prioritised the
30 finalisation of this particular manual because of higher
31 priorities that our scarce resources were faced with. But
32 what I need to highlight there is that some of those
33 priorities were actually intended to achieve precisely or
34 at least complement precisely what the manual is doing that
35 we saw as a higher priority.

36
37 For instance, one of the areas that we threw our
38 weight behind and was prioritised above finalising this was
39 working with our IT people on our Qlites, that is the iPad
40 equivalence that all our officers have, to come up with
41 methodologies on that tool that informed our officers in
42 much simpler ways that could aid their decision making in
43 the workplace, and that came directly out of some of the
44 learnings from the inquest relating to Doreen Langham and
45 the scenario there, which was trying to get better
46 information into their hands.

47

1 Another area that we've been throwing a lot of our
2 time and energy of the finite resources we have is to come
3 up with high-harm high-risk and analytical tools to help us
4 zero in or pick up on those areas where we could prevent
5 lethality and homicides, and I know we've developed in that
6 area.

7
8 So, yes, this is the whole challenge of the competing
9 demands. We have an action plan that's tied to our
10 strategy over three years to complete. We're partway
11 through that. We've achieved, or the small group of people
12 we've got, I think incredible initiatives, 21 of the 39,
13 but we've still got a long way to go.

14
15 Q. And it's nearly an inevitable consequence of the
16 finite resources that you have, the small number of
17 positions that you have, within the command that at any one
18 time you have to prioritise where your efforts are going to
19 lie, whether it be the Qlite or the development of the
20 manual, and at times, indeed as I understood your answer,
21 almost always it's impossible to be putting effort into all
22 of the initiatives that you would like to at any one time?

23 A. And I think my experience in establishing the command
24 has been that I think we have tried to achieve too many
25 things at once because of a whole range of external
26 pressures on us to do that, and then balancing the notion
27 of getting achievements that made a real difference to our
28 frontline in the short term as opposed to investment in
29 strategy and processes and procedures that we know will
30 help us in the longer term, and constantly having to play
31 with that dynamic.

32
33 Q. Is that in part because at least in recent years there
34 have been so many matters that the police service and now
35 the command in particular is having to respond to on a very
36 frequent basis, starting perhaps with the "Not Now, Not
37 Ever" report, continuing with some of the very high-profile
38 and very sad homicides that have occurred sometimes in the
39 context of police efforts in the lead-up to those homicides
40 which were wanting, inquests themselves into those
41 homicides, the Women's Safety and Justice Taskforce - is it
42 difficult for the command to be single-focused on future
43 initiatives when it's also having to respond to so many
44 different crises in the community?

45 A. Very much so. As you mentioned, the "Not Now, Not
46 Ever" report translated into the Queensland
47 domestic violence prevention strategy. Out of that came a

1 number of action plans. The entity responsible within the
2 QPS to monitor and implement the recommendations coming out
3 of each of those four rests with the command, the small
4 resources that the command has. Similarly, we've had the
5 taskforce reports. We have had a number of inquests which
6 have highlighted deficiencies in some instances but also
7 areas of good practice that we want to build on. We've had
8 QAO reports, et cetera. It's a huge burden --

9
10 COMMISSIONER: What's QAO?

11 A. Sorry, the Queensland Audit Office. So we've had
12 enormous sort of impact aligning ourselves with those
13 reports, externally driven, and then of course you've got
14 the aligning to national priorities as well through the
15 various summits, et cetera. So it's that walking the line
16 of trying to engage strategically with those very important
17 recommendations and then translating that to operational
18 benefits when it is the case that as of 30 June just
19 passed, and I've got sort of data that can update what was
20 in my statement, the QPS was dealing with 138,551
21 DV-related occurrences for the past year. It's a huge
22 demand on us as an organisation.

23
24 MS O'GORMAN: All right. I have a couple more questions
25 about the DFV manual before we move onto another topic and
26 perhaps take the morning break. But the questions I have
27 are these. Firstly, is it your position as the
28 Assistant Commissioner of the command that domestic and
29 family violence is a gendered issue?

30 A. There is significant research that informs me that a
31 large cohort of DV issues is a gendered - gendered violence
32 and a power imbalance issue that is created broadly in our
33 community and our society. It's very much so to the point
34 that what we can do as a police organisation to adapt, to
35 change/learn our processes and policies and approach simply
36 can't address on its own the sociological, the judicial,
37 the gendered-based nature of these things that - I must say
38 we struggle to see how we could do that alone, and we're
39 not doing it alone.

40
41 Q. All right. I'm just going to bring you back to the
42 manual, because my question was, firstly, whether or not
43 you accept that DV is a gendered issue, and your answer
44 quite simply is yes; am I right?

45 A. It's substantially, and I say that because the bulk of
46 DV - and this is - I'm not trying to hide away from
47 this - very much is in that gendered role. It's to do with

1 males and females. It's predominantly female victims, male
2 offenders. But under the banner of domestic
3 family violence as it exists in Queensland there are other
4 relevant relationships that DV applies to, including family
5 and including informal carers, and in the data from the
6 death review board, for instance, which I'm a member of,
7 will show that there's very different stats when you're
8 talking about family-related domestic violence, but in
9 intimate partner arrangements it's very, very highly skewed
10 in a gender-based way.

11
12 Q. All right. My question in relation to the DV manual
13 is, to the extent that it doesn't talk about domestic and
14 family violence as being a gendered issue, is that a
15 problem with the manual? Should it acknowledge it to be a
16 gendered issue?

17 A. It should, and I'm not familiar with every page of
18 this manual, and knowing that it was in a latter form of
19 draft, but our doctrine and our strategy certainly outlines
20 that.

21
22 Q. All right.

23 A. But right up front in the introductory to our doctrine
24 it's recognising the gender-based imbalance.

25
26 Q. Given that this manual is intended to be of
27 assistance, a simple tool for frontline officers to
28 use - and I recognise you've said it will have other use
29 for specialist officers and the like, but given that it is
30 intended to be used in that way would you think it to be
31 important that the fact that domestic and family violence
32 is a gendered issue be highlighted in this manual so that
33 police officers can be taking that into account when
34 they're investigating domestic and family violence?

35 A. I certainly think that's an important enough issue
36 that it should find its way into this tool. What I need
37 to - and I take that on notice because I think that is
38 spoken about through other ways that we're interacting with
39 our people. The training courses, the strategy, the
40 doctrine, how we interact, posts that we put out on our
41 workplace - communication strategy with the officers all
42 refers to that. I guess it's one of those things, and for
43 me that's an important enough issue. It shouldn't have
44 been missed. But the manual is not meant to replicate now
45 everything that we deliver in different ways.

46
47 Q. No, but the manual does identify or purports to

1 identify particular characteristics of vulnerability that
2 ought to be taken into account by officers?

3 A. Yes, it does.

4

5 Q. And isn't one of those the gender of the people
6 involved, given that we know women are so
7 disproportionately the victims of domestic and
8 family violence?

9 A. Yes. Yes, that's correct.

10

11 Q. All right. Can I just ask you another couple of
12 questions about the manual, and then we can move on from
13 it. Could we go, please, to pinpoint reference 0013.
14 Sorry, 43. I seem to have a different page in front of me.
15 It's page 25 of 177. Thank you. Could we please zoom in
16 towards the bottom of that page where the heading commences
17 "Initial investigating action". One of the issues that
18 the Commission has become aware of in its work to date, and
19 I understand the police service is becoming aware of, is a
20 level of confusion amongst frontline officers as to whether
21 or not there's a requirement that upon attending a domestic
22 and family violence incident in the community they must
23 interview the would-be respondent before they decide
24 whether or not to take action. If we have a look at this
25 part of the document which sets out the initial
26 investigating action to be taken by a police officer, we
27 can see, can't we, a number of steps that an investigating
28 officer should undertake when a reported domestic and
29 family violence has been reviewed - sorry, has been
30 received?

31

A. Yes.

32

33 Q. That's what those bullet points set out. Essentially,
34 the investigating officer should commence the investigation
35 and determine if there are any current DVOs or release
36 conditions; interview any witnesses to the incident;
37 conduct an electronically recorded interview with
38 the respondent; not stopping action or delaying it because
39 of inability to locate or interview that person; if
40 justified, take the respondent into custody; and then,
41 where there is sufficient evidence, issue a PPN and make
42 application for protection order or apply for a temporary
43 protection order?

44

A. Yes.

45

46 Q. Now, is it the case that the QPS requires officers to
47 conduct a record of interview with respondents before

1 determining whether there is sufficient evidence?

2 A. I'd have to go to the operation procedures manual to
3 know the exact words it uses, but I do know that it exists
4 that, where practical, it is intended that officers seek a
5 version from the respondent in relation to DV matters, and
6 I know it's been an issue that has been raised with me,
7 even recently, the notion to what extent if people are
8 unable to get that other version should they not be
9 pursuing a PPN, and I say that I accept that that's an area
10 of confusion among our officers when you take a literal
11 interpretation of a set of dot points. It's up to us then
12 to make sure that that's clarified. The reality of it is
13 there very well could be circumstances that do necessitate
14 a PPN to be taken where there is no opportunity to get a
15 version from a respondent.

16
17 Q. All right. And I accept that you're not a frontline
18 officer responding to domestic and family violence in the
19 community yourself, but to the extent that this manual does
20 not set out what those practical considerations might be as
21 to when an interview should be conducted and when it
22 shouldn't would that be of assistance to be in the manual?

23 A. I think anything that officers are telling us that
24 they need clarification on should be an important focus of
25 the manual. I'm just glad that we're in a draft, because
26 it's not finished.

27
28 Q. Yes.

29 A. It's also trying to get it to be forward focused.
30 There will be references, for instance, to hopefully the
31 outcomes of the video-recorded evidence trial that we're
32 about to start which will also impact on some of these
33 procedures.

34
35 Q. Okay. Now, neither this page - and, again, we're
36 talking about the initial investigation - nor the next
37 page, if we could just go to it, mentions investigating
38 related criminal offences, and if you'll take it from me
39 for present purposes that in fact investigation of criminal
40 offences isn't mentioned until page 54, and perhaps if we
41 could move to that, can I ask you whether or not there
42 ought to be a greater emphasis on consideration at an
43 initial stage of an investigation given to whether criminal
44 offences should be charged?

45 A. We spent a great deal of time grappling with this
46 particular issue, and we've made some changes even as
47 recently as the middle of last year about the

1 obligations - and in fact back from my time in south-east
2 region in 2015, about the notion of adequately, one,
3 capturing unidentified criminal offences and then, two,
4 proceeding with respect to them. It has been I think a
5 traditional part or a historical part of practice that many
6 officers have thought that pursuing a matter through the
7 PPN process was enough and that that took care of then
8 I guess holding offenders accountable for their actions by
9 way of the PPN and the DVO. That's clearly not consistent
10 with what our practices and policies articulate, but it was
11 something that seemed to be the case.
12

13 In 2015 and early 2016 and in the short period of time
14 after the tragic homicide of Tara Brown and others we
15 examined this and found that in only 28 per cent of the
16 attendance of our officers on the Gold Coast to domestic
17 and family violence were they adequately recording the
18 obvious or suspected criminal offences that were present by
19 their own narrative as well, and put a lot of time and
20 energy to saying, "No, we've got to turn that around," and
21 we did. We got it to 94 per cent, and the other
22 six per cent was picked up by audit. Now, what it meant
23 was that there was a 48 per cent increase in assaults on
24 the Gold Coast for that year, and I can tell you in a
25 media-rich environment as it is down there that was brought
26 up fairly seriously. But the point was that it wasn't in
27 my view --
28

29 COMMISSIONER: That was through the taskforce, was it not?
30 That was through the domestic violence taskforce that you
31 established down there?

32 A. Yes, the unit - the establishment of our unit down
33 there, the taskforce, was part of, yes, following up,
34 Your Honour, that criminality.
35

36 COMMISSIONER: Yes, but detectives involved --

37 A. That's correct.
38

39 COMMISSIONER: -- in auditing whether criminal charges
40 should have been laid.

41 A. That's it. Detectives and other DV specialists, and
42 they followed that up, and it was a fairly significant
43 cultural shift because historically that level of follow-up
44 hadn't been pursued, and there's still officers I think and
45 still some parts of people scratching their head about why,
46 particularly when you might have reluctant victims or
47 victims who don't want to pursue criminal charges, and the

1 greater understanding that comes is that often victim
2 survivors will not want to pursue those criminal matters
3 because they're under control, they're fearful, et cetera,
4 and it's the notion of us recognising that.

5
6 So that was changed back then. In the middle of last
7 year it became apparent that that wasn't consistently being
8 applied across the state, and the executive leadership team
9 made the determination to reinforce that all criminal
10 offences associated with domestic and family violence
11 incidents were to be recorded and investigated where that
12 was appropriate, and I think you'll see part of the
13 downside to that is there has been significant increases in
14 reported offence rates across the state particularly for
15 person-related offences. I guess the point we're trying to
16 make there it's not necessarily the case that there's more;
17 it's just that we've been starting to properly account for
18 the level of violence and offences that perhaps have always
19 been there but just haven't been reported properly.

20
21 COMMISSIONER: Possibly most people in the community
22 wouldn't call that a downside, if you're actually charging
23 the offences that should have been charged.

24 A. Yes, Your Honour, not all of them are charged, though.
25 I think in the first instance is to capture the fact that
26 the offences occurred.

27
28 COMMISSIONER: Yes.

29 A. Then there's the sufficiency of evidence and other
30 elements as to whether we pursue that. Can I say a
31 complication not as an operational officer but somebody who
32 is trying to learn as much as possible what's impacting,
33 trying to balance up now what we're hearing more and more
34 about victim agency and respecting the wishes of victim
35 survivors, and balancing that up with our statutory
36 obligations about investigating criminal matters and also
37 our statutory obligations to investigate DV, sometimes
38 there's a friction there, and we're trying to work through
39 that as best we can. Even the notion - forgive me going
40 down this path, but even the notion of our relationship
41 with some NGOs have to be created in such a way that almost
42 triages away from the police until the wishes of the victim
43 are actually sorted out. I've learnt from a number of the
44 NGOs who tell us that people will go to them for help and
45 the last thing they want to do is come near the judicial
46 system or police.

47

1 So when we're looking at, say, multi-disciplinary
2 centres into the future, if we're going to cater for victim
3 agency - victim survivor agency and choice, that's going to
4 be something that we're going to have to sort out as a
5 system, otherwise we'll have police sitting in one room who
6 won't be called out until it's been assessed by somebody
7 who's a non-police officer to get involved.

8
9 MS O'GORMAN: I'm going to come back after the break with
10 some further questions for you about the command strategy
11 or position with respect to the charging of criminal
12 offences. But just in relation to the manual, once it is
13 finalised and once it is available for publication to your
14 officers, will it be the responsibility of the command or
15 someone within the command to be ensuring that it's kept up
16 to date and reflective of contemporary practice?

17 A. Yes.

18
19 Q. And who will that be or what position will be
20 allocated the responsibility of ensuring that that's kept
21 up to date?

22 A. I don't know yet.

23
24 Q. Okay.

25 A. But the notion of us doing some future planning have
26 recognised the notion of a communications and stakeholder
27 engagement, that's internal comms as well as external
28 comms, as a capability that we need to build. Similarly,
29 the research area would be an input to that because you'll
30 have a research component looking at external learnings and
31 opportunities that are outside our normal practice, and of
32 course we will also establish a feedback loop through our
33 performance reviews that is done statewide where we're
34 identifying issues of concern that can be improved by
35 updating the manual.

36
37 MS O'GORMAN: Commissioner, I'm going to move onto another
38 topic. Is it a convenient time to take the break?

39
40 COMMISSIONER: Yes, certainly. We'll just break for
41 15 minutes.

42
43 MS O'GORMAN: Thank you.

44
45 **SHORT ADJOURNMENT**

46
47 MS O'GORMAN: Assistant Commissioner, there's a number of

1 initiatives that either have been undertaken recently or
2 are soon to be rolled out which I understand are not under
3 the direct purview of the command. Can I check that to be
4 the case with you, in which case I can move on and deal
5 with those matters with another witness. So, firstly, the
6 co-responder model trials that have already happened and
7 are being contemplated for the future, that's not directly
8 controlled by the command; is that right?

9 A. It's in transition. Initially some of them were.
10 Some of them were done in conjunction with districts. But
11 the new ones that are being rolled out from the Women's
12 Safety and Justice Taskforce are led by DJAG.

13
14 Q. All right. And what about the embedding of police
15 officers in domestic and family violence service providers;
16 is that something that the command has direct control over?

17 A. The command established those, established the
18 connection with the legal service over MOUs for their
19 placement there. So we're doing that in partnership with
20 the relevant district.

21
22 Q. All right. Now, that being the case, is it the
23 command that will evaluate those trials and decide whether
24 or not they're worth rolling out in other parts of the
25 state?

26 A. Yes. Again in partnership with our partners, there
27 will be joint evaluations done, and that's part of the
28 memorandum of understanding I think we've established.

29
30 Q. All right. Now, one of the initiatives that you spoke
31 of in your statement is the co-location pilot that occurred
32 at the Toowoomba Police Station last year. In your
33 statement you enumerate a number of benefits that were
34 clearly identifiable as a result of that pilot. That being
35 the case, is it the command's intention to establish
36 further similar pilots in different parts of the state?

37 A. Yes, it is. The notion of having co-responder models
38 has been identified as part of the district capability
39 where it's available, where the resources enable it to
40 occur, and where the demand is. So, yes, it is for us to
41 establish where those might be.

42
43 Q. And has the command decided where that pilot is going
44 to be trialled also in the state yet?

45 A. In terms of the embedding of officers?

46
47 Q. The co-location type model that was undertaken at the

1 Toowoomba Police Station.

2 A. Okay. So Toowoomba was an example of embedding a
3 social worker in a police station.

4
5 Q. Sorry.

6 A. There are other things that we're trying, including
7 recognising that a police station is not necessarily the
8 best and most-welcoming environment anyway for a number of
9 victim survivors, understandably. So we are also looking
10 at establishing relationships where we embed our officers
11 in - with NGOs where victim survivors might go and that
12 might assist. So there's a range of those that we are
13 looking as options to deliver across the state.
14 I shouldn't say across the state. I wouldn't suggest we're
15 going to have that in all 15 districts. We're not. Where
16 it's appropriate and where it can assist.

17
18 Q. Okay. And are there yet any concrete plans for when
19 any of those models or trials will be undertaken?

20 A. No, they'll be substantially informed by the
21 evaluation of how they go but also further consideration of
22 recommendations that have come out of the Women's
23 Safety and Justice Taskforce and also out of this
24 commission of inquiry.

25
26 Q. All right. Now, you mention in your statement the VRE
27 as evidence-in-chief pilot or trial that will be undertaken
28 soon.

29 A. Yes.

30
31 Q. In relation to the training of the officers who will
32 be required to undertake that trial, who is it that has
33 taken control of the trial - the training? Is it the
34 command or is it someone else?

35 A. It's the command in conjunction with our people
36 capability command, so essentially the people responsible
37 for education and training. The experts in the
38 investigative interviewing from our detective training
39 area, the specialist investigation training area, are
40 contributing to that, with some people from our command.

41
42 Q. All right. And training generally, that is domestic
43 and family violence training generally, is that owned by
44 the command?

45 A. The responsibility for education and training per se
46 is owned by PCAP, People Capability Command, but they are
47 the owners of the systems, the processes. Depending on

1 what the content is of the course that they're developing,
2 they will develop partnerships with the subject matter
3 experts. So in the case of DV that will come from our
4 command and/or some of the frontline experts in our VPUs.

5

6 Q. All right. Can I take you now, please, to the police
7 referral network that you speak of at paragraph 67 of your
8 statement, and I might ask you to go to that statement,
9 please, just so that you can see the table that I'm looking
10 at?

11 A. Yes.

12

13 Q. In paragraphs 67 and 68 you say that the police
14 referral system has over 530 service providers, some of
15 which are domestic and family violence providers, and then
16 paragraph 68 contains that table we can see breaking down
17 the various providers in the DV space?

18 A. Yes.

19

20 Q. Because there's no totals at the bottom of that table,
21 I just want to see if I can understand how those numbers
22 play out. Could you have a look for me, please, at the
23 first two rows on the table?

24 A. Yes.

25

26 Q. Is the second row a subset of the first?

27 A. That's correct. That's as I understand it.

28

29 Q. All right. So to work out how many service providers
30 there are in respect of domestic and family violence the
31 total number is the number of rows not including the ones
32 that are underlined with "non-consent", which are subsets
33 of the row above?

34 A. That's correct. The three columns to the right are a
35 subset of the one under the title "Providers" for each one
36 of the categories, as I understand it.

37

38 Q. All right. Does the command keep a record of how many
39 of those service providers that are in the DV space are
40 open 24 hours a day?

41 A. Yes, they would. We have a section specifically for
42 coordinating the referrals and, yes, they would.

43

44 Q. And is that something that you can give us a sense of
45 now, or is it a question you would like to take on notice?

46 A. I can partially answer it now, but I would like to
47 clarify my understanding is that there's only one 24-hour

1 service in the referrals area, which is DV Connect, the
2 phone service.

3

4 Q. All right. Does the command, given that it is the
5 strategic capability owner, take control of ensuring that
6 each station and district partners with the relevant
7 service provider in that area, or is that something that
8 must be done at the district level?

9 A. No, that's something very much that's established at
10 district level. There are some bigger entities that cross
11 over districts so that that relationship can be, say, at
12 regional level. Brisbane, for instance, has both
13 North Brisbane and South Brisbane district and BDVS, which
14 is a service through Micah Projects that they have a
15 relationship with, for instance, in co-responder, applies
16 to both sides, so that would - at a regional level and also
17 a district level that that can be done, but not at the
18 command. The command is responsible, though, for the
19 system, the management of the system, that enables the
20 referrals process to occur.

21

22 Q. The Commission has heard that in some cases some
23 police officers were not aware of the domestic violence
24 agencies or support agencies that operated in their area.
25 Would there be merit - if the command was or had
26 appropriate capacity to do so, would there be merit in the
27 command taking charge in the sense of helping to establish
28 relationships between individual police stations and the
29 support agencies that operate in their area?

30 A. I think there could be some merit, but it is very much
31 the VPU's establish good working relationships with
32 the relevant providers in their district at operational
33 level. They're the ones that are going to have daily
34 interaction with them. It will be often that we will hear
35 about those relationships from the districts itself rather
36 than the other way around. So you've got the referral
37 system, which is those formal agencies that have entered
38 into the arrangement for that referral process, but there's
39 also engagement and relationships established with NGOs and
40 other service providers outside the normal referrals
41 process.

42

43 Q. Yes, okay. I want to ask you now if I can about the
44 police desensitisation study that you refer to in your
45 statement, and here it might be useful if we go to
46 paragraph 62. You mention that the command engaged
47 Griffith University to better understand the psychological

1 impact of responding to domestic and family violence for
2 frontline officers and that a survey was conducted. Can
3 I confirm that that's the survey conducted by Maple and
4 Kebbell in 2021?

5 A. That's correct. I'm just getting it right. There are
6 three phases to that project, and it certainly is the two
7 persons that you're speaking to from Griffith University.
8 I'm just trying to recall the survey you're talking about
9 is the second one or the first one. But they were both
10 done by those entities.

11
12 Q. I'm talking now about phase 2, the second survey?

13 A. Yes.

14
15 Q. Could we go to the top of the next page, please,
16 Mr Operator. You've indicated in your statement there,
17 Assistant Commissioner, that that survey found that a high
18 portion of officers, one, expressed distrust towards the
19 QPS and cynicism towards some aggrieved persons; two,
20 experienced a great deal of stress from attending domestic
21 and family violence, particularly relating to paperwork,
22 red tape pressure and criticism; and, three, had poor job
23 satisfaction and wished to transfer out of general duties.

24
25 In addition to that - and you might have to take my
26 word for it at the moment; I can provide you with a copy of
27 it soon, but I'm reading from the phase 2 preliminary
28 report itself - that report tells you that in terms of
29 mental health 14.5 per cent of officers scored abnormally
30 high in burnout compared to their peers, 30 per cent scored
31 high or very high on a measure of psychological distress,
32 and 21.4 per cent of officers surveyed met or exceeded the
33 threshold for probable PTSD; and in terms of job
34 satisfaction 23 per cent did not feel satisfied in their
35 job and 46 per cent indicated they were somewhat or very
36 likely to request transfer out of general duties over the
37 next year. Can I ask you were these findings surprising to
38 you?

39 A. Not to me. I've been involved in advocating and
40 championing issues to do with the mental health and
41 psychological wellbeing of our officers for many years, and
42 one of the executive champions in this space, doing a lot
43 of work with Beyond Blue, Black Dog Institute and other
44 entities about understanding that. Beyond Blue itself did
45 a fairly significant examination of impact of work on first
46 responders. I'm aware generally across the board, not just
47 in the domestic and family violence space, that something

1 in the order of 2 per cent or less than 2 per cent of our
2 officers with two years service or less demonstrate PTS
3 symptomology, but once you get to 10 years it's over
4 12 per cent, which tells us about the cumulative effects of
5 exposure to the nature of the work they're dealing with.
6 So that did not surprise me, that data, because of my
7 previous experience more broadly about mental health of
8 first responders.

9

10 Q. Now, you're aware from one of the reports of the
11 Women's Safety and Justice Taskforce that there is a
12 proportion of the community which has expressed
13 dissatisfaction in the way the police service has responded
14 to them in times of crisis in relation to a domestic and
15 family violence incident?

16 A. Yes.

17

18 Q. First of all, you accept that to be so from the
19 report?

20 A. Yes.

21

22 Q. And it's also something that the Commission is hearing
23 about as it's conducting its investigations and
24 consultations with police officers?

25 A. Yes.

26

27 Q. My question is whether or not you think it's likely
28 that there would be a link between those police officers
29 who fall into the category set out by those three bullet
30 points in your statement and the portion of the community
31 that are dissatisfied with the way police officers have
32 responded to them? Is there a nexus between a distrust in
33 the organisation and a cynicism towards some aggrieved on
34 the one hand, and that level of discontent that you're
35 hearing about?

36 A. I think that that's not a very long bow to draw, and
37 I would advocate that there is a connection. This is the
38 whole discussion around culture and assumptions about what
39 might be informing that culture. There's various things
40 that I think are impacting on perhaps attitudes and beliefs
41 and in some instances performance, a whole range of
42 different dynamics, and one of those, for instance, in my
43 view is the sheer demand, but a critical part is the impact
44 it's having on our officers psychologically, physically and
45 emotionally. They tell me that - nearly every time I speak
46 to them about feeling so fatigued and to the point that
47 even last week I was speaking to a senior constable from

1 Logan who explained that, you know, per shift can involve
2 going to five different domestic violence incidents and at
3 the end of the shift she will go home at night and cannot
4 sleep for worrying about whether she was able to provide as
5 good a service as she wanted to and whether she missed
6 something. So I think there's a very real connection that
7 needs to be examined and fleshed out some more.
8

9 Q. Academia will tell us that trauma responses in the
10 personnel in large organisations such as police officers
11 within a service are impacted not only by what they're
12 seeing in terms of the crisis or the trauma that they're
13 witnessing in their job but also the way in which the
14 organisation responds to that; that is, the way in which
15 the organisation supports them or does not support them.
16 To the extent that there are officers who are reporting
17 feeling burnt out or suffering the symptoms of PTSD, in
18 your view is there something more the Queensland Police
19 Service needs to be doing to support your frontline
20 officers?

21 A. Yes, there is, very definitely, and I'm aware of
22 Canadian research that suggests that organisational factors
23 may actually be twice as impactful as the actual trauma
24 that some of our officers are exposed to, including DV. We
25 do need to do more in understanding this impact, and,
26 again, I don't think there's one answer. One of it's got
27 to be grappling with the sheer demand, but, two, then it's
28 about our understanding of the impacts on our officers.
29 I don't believe we've even got good enough systems yet to
30 understand and measure and record when our officers are
31 being exposed to traumatic incidents or tasks in a way that
32 then allows us to determine whether we should be giving
33 somebody a break.
34

35 I was speaking to the district officer for Logan
36 district just last week, though. There is one body of work
37 that's underway which is called our service delivery review
38 project, and one of those things is trying to separate how
39 we deliver our service from frontline responders to those
40 who will then do the background follow-up work, and it may
41 well be things like rotating people in and out to give them
42 a break can be one step in the right direction. But
43 there's much that we have to do in that space.
44

45 Q. If resourcing of the DFVP Command permitted, that is
46 if your capability was beefed up sufficiently, is that kind
47 of research something that the command would or should be

1 undertaking in order to assist your officers?

2 A. I would be very keen on examining it. But can I say
3 I think the issue here is in the DV context, I think there
4 are similar impacts on the psychological wellbeing of our
5 officers for demand on a range of policing services. So it
6 might need to sort of extend beyond -- I mean, DV
7 particularly because there's perhaps some unique elements
8 of how that impacts on people emotionally. But other quite
9 traumatic exposures - you know, the child abuse world,
10 sexual violence world, and then the physical trauma of
11 suicides and road trauma - there has been some work done in
12 that, but translating our knowledge to actually adjusting
13 our practice I think is an area that needs a lot of focus.

14

15 Q. All right. If I can just go back. My question was
16 whether if you had sufficient capability to do so would or
17 should the command be investing some time and effort into
18 research into how better to support your frontline officers
19 dealing specifically with DV?

20 A. Yes.

21

22 Q. All right. Could we go now to some of the results of
23 that preliminary report. They're not set out in your
24 statement, but, again, they were in the document provided
25 to you by the report writers. One of the results that
26 police officers reported back was that frontline police
27 were suggesting that paperwork should be streamlined to
28 ensure police resources are used efficiently. One of
29 the things that the Commission is looking at is an app
30 being used in New Zealand which appears to be yielding some
31 good results in terms of streamlining resources. Is the
32 command looking into the use of that app and whether it
33 could be similarly used in Queensland?

34 A. I'm not familiar with that specific app, but we are
35 very, very keen on examining all measures that can
36 streamline or make more efficient some of the incredibly
37 burdensome administrative components of responding to DFV
38 that our officers tell us impacts on their time to do as
39 good a job as they want to.

40

41 Q. All right. Another suggestion from the police
42 completing that survey was that there should be an increase
43 in senior management open support for frontline police
44 dealing with domestic and family violence. Can I ask how
45 is that done at command level, if at all? How is it that
46 the command openly supports frontline police officers or
47 recognises excellence in dealing with domestic and

1 family violence?

2 A. We do it and it evolved in that partnership way
3 firstly through the linkages to the VPU's and the districts
4 themselves. We have a very strong presence on an internal
5 communication mode called Workplace - it's sort of an
6 equivalent of an internal Facebook - that allows us to post
7 a lot of information about new developments, updates, et
8 cetera, and it also allows engagement and comments to be
9 made, which is rigorously done from our area.

10

11 We attend as many opportunities as we can to go to
12 districts and engage with local delivered programs, and we
13 also have - many of our officers will go and be part of the
14 performance reviews that happen in districts and regions
15 across the state.

16

17 Q. Does the command have any awards for police officers
18 who demonstrate excellence in the area of responding to
19 domestic and family violence, and, if it doesn't, is that
20 something which might help with supporting frontline police
21 officers?

22 A. I think recognising good work is a very worthwhile
23 thing to do, and in fact we had them in the past, and I'm
24 not sure where our DV awards went to. It may well be they
25 have been amalgamated into broader awards, medals,
26 citations, et cetera. There used to be DV awards. I know
27 my district won one of them one year. But, yes, I accept
28 that the command could play a role in seeing how we could
29 recognise good performance better than I think is happening
30 at present.

31

32 COMMISSIONER: You used to have them. That means they're
33 no longer?

34 A. I'm not sure, Your Honour, where they have gone, but
35 I recall that we had state awards and local based awards
36 for local district based winners who worked in the DV space
37 and then it went actually to a state - state awards.
38 I remember attending the functions for them, and I don't
39 know where they have gone.

40

41 MS O'GORMAN: In your statement where you talk about the
42 police desensitisation study you mention the participation
43 rate in that study and in fact 218 police officers of the
44 1,500 who were invited to participate actually completed
45 it?

46 A. That's correct.

47

1 Q. Now, if my maths is correct, that's something less
2 than 15 per cent of those who were invited to participate
3 actually did engage in the process?

4 A. That's correct.

5

6 Q. In your view, does that suggest anything to you about
7 a culture of fear amongst police officers to speak out for
8 fear of damaging their career, whether or not that fear is
9 well founded or simply a perception which is not founded in
10 fact?

11 A. I wouldn't characterise it in that way, although I'm
12 sure that there are some of our officers that do have some
13 fear of speaking up in a hierarchical organisation. I say
14 that because they routinely will respond lowly to a broad
15 range of surveys that we do about a bunch of things, and we
16 go to great lengths to de-identify those. We're about to
17 enter into the whole of state government working for
18 Queensland survey regime again. So there's a fair bit of
19 survey fatigue, if you don't mind me saying so, because
20 we're surveyed quite regularly and often. I can't dismiss
21 the notion that there would be some people fearful of
22 communicating that way. But they're usually de-identified.
23 So any reason for doing so would be diminished.

24

25 Q. All right. In paragraph 81 of your statement you say
26 that, "Police officers know and accept that we are held to
27 a higher standard of conduct within our community," and you
28 talk about the higher standard of conduct to which officers
29 are held in that paragraph. In relation to that, can I ask
30 you this: in your view, is it acceptable for police
31 officers who are on domestic violence orders to continue to
32 work whilst they are on those orders?

33 A. No, I don't. The sweeping generalisation is what I'm
34 trying to sort of be cautious about here. We know that
35 there are various categories, I guess, of domestic violence
36 orders, but I think the notion of having a domestic
37 violence order raises the question about whether that's
38 consistent with your statutory ability to fulfil your
39 duties.

40

41 Can I suggest, however, that there are some levels of
42 orders that are approved without - with consent but without
43 admission. It makes it extraordinarily difficult for us
44 then to determine whether the behaviours, the actions and
45 the attitudes of the individual officer are such that
46 warrant making significant impacts on their employment.
47 But I mean clearly where there's proven orders of domestic

1 and family violence where we can then examine the
2 circumstances of that occurring, and whether that's
3 physical violence or the broader, more subtle control
4 issues, there is an inconsistency with the role of police
5 officers. But there are some categories of those orders
6 that do not have those admissions or accept that level of
7 evidence before making the order.
8

9 Q. If police officers have been the subject of an order,
10 the order has expired and they're potentially coming back
11 to the workplace, in your view is there merit in those
12 police officers being required to undertake some
13 counselling and an assessment of their fitness to continue
14 to resume their duties?

15 A. Yes, I do.
16

17 Q. All right.

18 A. Again, that's a generalised statement to a generalised
19 question. There may be unique exceptions that would need
20 to be considered on their merits. Some perhaps should be
21 considered not remaining with the service.
22

23 Q. Does command have any concern about whether or not
24 there might be an underreporting of police officers as
25 respondents or potential respondents to domestic and
26 family violence issues?

27 A. Sorry, could I clarify by who? Underreporting by
28 the --
29

30 Q. Well, either their partner or the person with whom
31 they're in a relationship such that it's not
32 necessarily - such that the authorities do not necessarily
33 know the full extent to which police officers are
34 perpetrating domestic and family violence?

35 A. I would envisage that it would be very hard at times
36 for victim survivors of domestic violence with a police
37 partner to at some stage feel the strength to report. So
38 I do accept that there could be a level of underreporting
39 for those reasons.
40

41 Q. And what, if anything, is the command doing about that
42 or should the command be doing about that?

43 A. The responsibility specifically relating to DV
44 perpetrated by our officers or for that matter - or
45 members, or our members or officers failing in their duties
46 with respect to their DV obligations rests with our Ethical
47 Standards Command. We're engaged with Ethical Standards

1 Command about that, providing them with some expertise when
2 they need it to determine issues around their behaviour,
3 from people who understand DV. But that is - and I believe
4 Assistant Commissioner Scanlon way well be a witness or
5 have provided a statement in that regard for
6 the Commission. But that's her area of responsibility.

7
8 Q. All right. Thank you.

9
10 COMMISSIONER: Can I just ask something arising out of
11 this particular area. Even where there are orders made by
12 consent, so without admission, would it not be advisable to
13 at least have that officer assessed in relation to their
14 attitude towards perhaps the allegations before they resume
15 duties or before they continue with duties, because they
16 may then have an attitude about them and making up
17 complaints or that type of thing, which may infect the rest
18 of the unit they work in?

19 A. Yes, Your Honour, my understanding is that anybody who
20 has a protection notice taken against them that then leads
21 to an order, that matter is reported through to our Ethical
22 Standards Command. So the matter is assessed in overview,
23 and there is something called a professional development
24 strategy document that puts in place localised management
25 arrangements where there's a risk identified associated
26 with that person staying in duty. So that's regardless of
27 whether the order is made with no admissions. There is
28 still an assessment made of what circumstances might need
29 to be responded to, and what you're suggesting may well be
30 part of that intervention.

31
32 COMMISSIONER: Well, we'll hear more about that as time
33 goes on, but my understanding is there is no counselling?

34 A. Counselling?

35
36 Q. Yes. And no assessment by a psychologist or someone
37 of that nature?

38 A. No, I'm not aware of that, Your Honour. So apologies
39 if I've sort of gone down the wrong track. But there is a
40 level of management strategies and arrangements put in
41 place around the risk associated with that person, but
42 I don't have any information about whether that involves
43 counsellors.

44
45 MS O'GORMAN: Assistant Commissioner, your domestic and
46 family violence strategy for 2021 to 2023 states that
47 influencing a contemporary policing response to domestic

1 and family violence is heavily dependent upon
2 identification of current and emerging risk coupled with
3 the application of effective and efficient mitigation
4 strategies. I want to take you now - it will be to four
5 discrete areas of your statement which might arguably give
6 rise to some current or emerging risks that might require
7 some mitigation. Can I start with paragraph 14 of your
8 statement. It might be useful for you to go to it.

9 A. Yes.

10

11 Q. This series of questions that I have will relate to
12 the proportion of domestic violence applications which are
13 brought by police as opposed to private applications. So
14 in paragraph 14 we can see you say that in the 2021
15 calendar year there were 22,085 police domestic and
16 family violence applications made, and 6,025 private
17 domestic and family violence applications made; do you see
18 those numbers there?

19 A. Yes.

20

21 Q. Do you agree that the ratio or the proportion of
22 applications brought by police versus private is a data
23 trend which is worthy of review by the command over time,
24 because it might say something about police identification
25 of risk or sufficiency of evidence in respect of domestic
26 and family violence?

27 A. Yes, very much so. It's been a focus of the work.
28 We've been looking over the trends over the last six years.

29

30 Q. All right. I'm just going to ask if some data which
31 has been obtained from the Department of Justice and
32 Attorney-General could be placed on the visualiser. This
33 document is item 6 in tender bundle A, Commissioner, and
34 I think Mr Operator is going to be able to bring it up
35 soon. I don't have a doc ID number for it, but it was
36 uploaded on Friday.

37

38 (To witness) What I might do is just provide a hard
39 copy of it to you, Assistant Commissioner. We might just
40 need to take a moment because I think the parties will
41 obviously need to locate it as well. If I can have a
42 moment, I'll find the name of it and provide the doc ID
43 number.

44

45 OPERATOR: I do have that one. It's just not on the
46 on-line review book because the copy that was provided had
47 some issues. But I can provide it on screen now.

1
2 MS O'GORMAN: That would be helpful. Thank you.

3
4 OPERATOR: Is that the one you're after?

5
6 MS O'GORMAN: That's it, and if it hasn't been provided
7 we'll arrange for it to be emailed to the parties
8 afterwards.

9
10 (To witness) So, Assistant Commissioner, this document
11 is some data that's been provided by the Department of
12 Justice and Attorney-General. It's headed "The number of
13 domestic and family violence applications lodged in all
14 Queensland courts by calendar year and lodging authority
15 for the period 1 January 2012 to 31 December 2021". I'm
16 not going to be asking you to tell me which of the data is
17 correct, but I just want to bring to your attention DJAG's
18 data in relation to the lodging of DV applications and to
19 compare it to your data. We're looking at the year 2021,
20 which was the calendar year. We can see according to the
21 Department of Justice and Attorney-General that there were
22 27,493 police-lodged applications and 13,009 private
23 applications. Does the fact that there appears to be a
24 discrepancy between the data retained by the Department of
25 Justice and Attorney-General on the one hand and Queensland
26 Police Service on the other about the number of private
27 applications something which is worthy of review by the
28 command?

29 A. Definitely, that there is a discrepancy between the
30 data that I'm provided which comes from our QPRIME system
31 and that data. But could I suggest that there may be some
32 rationale for it. What I would need to know is the 27,000,
33 for instance, do they include temporary protection orders
34 and variations, because our data doesn't, and I noticed
35 that sometimes DJAG will separate - will include, when
36 they're talking about applications, temporaries and
37 variations as well, and that could happen in the private
38 space. So I think we'll just need to clarify just exactly
39 what's in that data because that's out on the data that
40 I have by something in the order of 6,000, five or 6,000,
41 applications in both private and the police space.

42
43 Q. Yes. All right. So it may be that there's a very
44 easy explanation for it, that they're counting different
45 things?

46 A. Potentially, yes.

47

1 Q. Yes. In any event, it's something that's worthy of
2 some review by the command?

3 A. Very definitely.
4

5 Q. Okay. Because, if it's the case that there were in
6 fact 13,000 private applications rather than 6,000, that
7 might have something to tell you about how police are
8 investigating or not investigating domestic and
9 family violence, mightn't it?

10 A. Yes, it does, and its relationship with the police
11 applications. It's one we've been tracking ourselves. On
12 the data I had for the financial year that's just finished
13 it was actually - we're seeing a demonstrable down trend in
14 private applications and a still - a steady but increasing
15 number of police applications. The down trend we've been
16 seeing in private is quite considerable. So if there's an
17 anomaly there that's a really important piece of
18 information for my command to have a look at, because it's
19 been indicative to us that - in the context of the question
20 that we are seeing a reduction in private applications and
21 we're trying to determine why that is, and it could be an
22 indicator of perhaps better service being done by the
23 police or greater confidence in the system or - there's
24 lots of assumptions we could make, but I need to clarify
25 that first.
26

27 Q. All right. Now, just according to the DJAG data,
28 having a look up that row - that, sorry, column that
29 relates to private applications, the variance only appears
30 to be between 11,000 and 15,000, where 11,000 is the
31 smallest number of applications that was taken out in 2012,
32 15,000 being the highest in 2016, and 13,000 being the most
33 current one, sitting somewhere between the two?

34 A. That's right.
35

36 Q. It would appear on the face of the DJAG data at least
37 that there's not a huge variance or decrease over time in
38 terms of the number of private applications being brought?

39 A. On the basis of that, though, I take your point;
40 there's been a level of decrease since 2016-ish down from
41 nearly 15,500 down to 13,000. But on the data that I have
42 from QPRIME it's actually more considerable than that, and
43 I'd need to flesh out why there's a discrepancy and make
44 sure we're measuring the same thing.
45

46 Q. All right. Can we move to another area of data
47 keeping --

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COMMISSIONER: Can I just ask one question arising from that. Has your command looked into how many of those private applications - in how many of those private applications the aggrieved initially went to the police?

A. I don't have that data, Your Honour --

Q. Have you looked into it?

A. Yes. Yes, we have, and further to that we've been trying to - there was a body of work done by Ethical Standards Command on this very issue, but it primarily focused on victim survivors going to our police counters and what referrals they might have been given at police counters, and there was some research that the AC for ethical standards may well be able to provide that did some follow-on about within three months of going to a counter and perhaps not an order being made did that individual then subsequently go to a court to seek out a private order. So it is something that we've looked at, and they hold that data that will have told us.

MS O'GORMAN: Can I return briefly now to some questions about the rate at which police officers are charging associated criminal offences when domestic and family violence applications are considered warranted by police. I won't necessarily take you to this document now, but for the parties' reference the document I'm referring to is [COI.003.0001]. This again is a series of data obtained from the Queensland Courts website in relation to the lodging of domestic and family violence applications but also the lodging of flagged offences defined for the court's purposes as being associated with criminal offences with respect to DV but not including contraventions.

If you can take it from me for present purposes that that data shows that in the 2021 to 2022 year there were 50,704 lodgments by police of applications for contraventions on the one hand, so about 50,000 on the one hand, and on the other hand 9,347 DFV-related offences lodged by police. On that basis, and on my calculations, it would appear that in that year at least less than 20 per cent of occasions when the police either lodged an application or a contravention proceeding were there associated criminal charges lodged. Is that a figure which is significant in your mind in terms of tracking police trends about the reluctance or otherwise to investigate associated criminal offences when they're investigating

1 applications and breaches?

2 A. It's certainly a trend that I would be interested in
3 examining as to what it might tell us, particularly with
4 establishing a baseline and then being able to track that
5 over time, and I don't try and sort of defend that that
6 might not be of utility. I'm mindful then of the types of
7 contraventions and how many of them then also relate to
8 other criminal offences. Certainly on the - some of
9 the more seriously violent episodes of domestic violence
10 that's really quite clear and apparent. I think what we're
11 learning is that our ability to recognise some of those
12 more subtle controlling behaviours, which might also relate
13 to a criminal offence if it's recognised for what it is, is
14 an area that we've got to improve on. But we're also
15 mindful that a number of the applications, for instance,
16 may well be for behaviours that don't meet a criminal
17 threshold.

18
19 Q. I acknowledge what you said earlier about the need for
20 the command to prioritise, given the limited extent of your
21 capacity at this time. But, if you had the capacity, is
22 monitoring trends in relation to the charging of criminal
23 offences something that the command would or should do?

24 A. Yes, very definitely. A capability that I would like
25 command to be able to evolve to having is a risk assessment
26 and a quality assurance process but also recognising
27 trends, analysing trends with a good research, analytical
28 intelligence component, very much so.

29
30 Q. All right. Can I move to another area of potential
31 identification of emerging risk then and it's flagged in
32 paragraph 28 of your statement, if you wouldn't mind going
33 to that paragraph. There in the second sentence of that
34 paragraph you inform us that, "It is estimated that
35 district DFVCs audit between 100 and 250 domestic and
36 family violence occurrences a week, depending on demand and
37 available resources." Firstly, how is it that you have
38 estimated that the coordinators are auditing that number?

39 A. That came specifically from an acting inspector that
40 we have in the command at present, in fact he was relieving
41 with us until last week, who's the officer in charge of the
42 Logan VPU, Detective Senior Sergeant Paul Fletcher.
43 I asked in preparation for today, "Could you give me a
44 ballpark figure of" what his experience is about the number
45 per week in his area, and that's the data that he was able
46 to provide me.

47

1 We don't have the maturity yet of our systems for us
2 to be able to pick that up readily and easily, but it is
3 certainly an area that I think the command should be able
4 to assess. There are different approaches at times that
5 I'm understanding that the VPU's currently will use to
6 determine the case management load that it takes on. They
7 can differ from district to district. So that clarifies
8 that came specifically from the Logan area.

9
10 Q. All right. And again recognising what you said about
11 the need to prioritise what it is that the command does
12 given your limited resources, if your resources were
13 sufficient to permit it, is monitoring and auditing the
14 assessments done by the district coordinators in this
15 regard something that the command would and should do?

16 A. Yes, very much so and I think it should be a joined up
17 effort with the district specialisation because there may
18 well be some trend analysis that's important to respond to
19 very quickly and then there's the strategic issues that are
20 coming out of it that the command might need to know about
21 to sort of influence resourcing, policy, procedures
22 et cetera.

23
24 Q. All right. I want to turn now to something that
25 Ben Martain tells us about in his statement and ask your
26 view about it. Chief Superintendent Martain says that
27 where there are three or more domestic and family violence
28 related calls for service within a six-month period
29 officers are required to create a repeat calls for service
30 case management file in QPRIME and as part of the case
31 management approach officers in charge and DFVCs must
32 coordinate and implement strategies to prevent and disrupt
33 further occurrences. Now, the significant parts of that
34 are of course that there's meant to be a monitoring of
35 repeat calls for service within a six-month period, that is
36 three or more, and then a case management file that's
37 undertaken at that district level. My question for you is
38 whether or not the command's current resources permit you
39 to be monitoring or assessing those particular assessments
40 being done at the district level.

41 A. No, our capacity to monitor that at district level is
42 minimal at our current status.

43
44 Q. And if your resources were increased is that something
45 that would be important for the command to monitor and
46 assess over time because it might be viewed important
47 information about domestic and family violence trends?

1 A. Very much so. Again part of the plans for the future
2 of the command is to build a more robust quality assurance
3 and risk management framework that surround those very
4 things you're speaking of.

5

6 Q. All right. The last of the four topics that I wanted
7 to take you to arise out of paragraph 78 of your statement.
8 There you say that analysis of domestic and family violence
9 homicide data indicates that almost 70 per cent of domestic
10 and family violence homicides in recent years were
11 committed by offenders who were not previously known to
12 police in a domestic and family violence context. To
13 preface my question I've had regard to the domestic and
14 Family Violence Death Review and Advisory Board annual
15 report for 2021/22. I might have to check that year.

16

17 COMMISSIONER: 2020/2021.

18

19 MS O'GORMAN: Thank you, Commissioner, which seems to
20 suggest that that number or at least the number that they
21 have arrived at is quite at odds with the data that you
22 seem to have access to. Their data seems to suggest that
23 in more cases than not both the victim and perpetrator had
24 had contact with services and notably with police prior to
25 a homicide. To the extent that there's any discrepancy
26 between the data relied upon and the conclusions made by
27 the Advisory Board and by the QPS is that something that
28 the command should be looking into?

29

30 A. It is and we have, and in fact there is a major
31 discrepancy, with respect. I think it's been
32 misunderstood. The reality of it is that we raised these
33 issues with the submissions to the Women's Safety and
34 Justice Taskforce as well and raised the issue that they
35 were comparing apples with oranges. The --

36

37 Q. Can I just stop you there because I suspect you might
38 be referring to conclusions reached, mathematical
39 conclusions reached by the safety taskforce that I'm not
40 necessarily reaching myself?

41

42 A. Sure.

43

44 Q. However, when one goes through the assessment
45 undertaken by the death review board completely separately
46 to how the Women's Safety and Justice Taskforce might have
47 interpreted it, do you agree that it nonetheless suggests
that there is a difference between the data that you're
relying upon and the data being relied upon by the death

1 review board?

2 A. No.

3

4 Q. Okay.

5 A. The data in the death review board, and I'm a member
6 of the board, if interpreted correctly, is talking about a
7 subset of a subset of a subset of a subset, and I literally
8 mean that. The data we're talking about is according to our
9 homicide victim figures specifically where there's evidence
10 to show that we were aware of or there was a DV-related
11 contact prior to a homicide. The data that's in the death
12 review board which was cited by the taskforce relates to
13 353 homicides over a particular period of time and then
14 that breaks it down and then it says of the 218 for which
15 the coronial investigation found that there was DV
16 established, whether police knew about it or not, of those,
17 then a subset of numbers that had a prior contact with a
18 service provider, of those a subset the service provider
19 was police, and that's where you get the high percentage of
20 those are in the 80s and 80 per cent mark. They're
21 measuring a different thing.

22

23 Q. I read the data the way that you've just explained it
24 as well, with respect, and the figure that I come to - and
25 maths is not my strong suit - is that it would appear that
26 in some 65 per cent of cases rather than the 88 or
27 84 per cent cited elsewhere, in 65 per cent of cases the
28 Review Board was able to determine that either the victim
29 or the perpetrator had had contact with police in a DV
30 setting even if it wasn't flagged as being a DV offence?

31 A. Yes.

32

33 Q. It might have been written off as a street check or
34 whatever. But I come back to the figure. My conclusion is
35 that there might be some 65 per cent of cases where the
36 contact has been made by the victim or the perpetrator with
37 police. Do you accept that that figure is about right?

38 A. Yes, I take the point you're making because I have
39 been in dialogue with the coroner's office about this very
40 data as well. So looking backwards from the point of a
41 homicide and then drilling through the inquests et cetera
42 there's been identified contact points which aren't
43 recorded as a DV contact but the point being made is there
44 is if we were better able to identify them for their
45 potentiality they may have been points of intervention.

46

47 Q. Particularly if they've been identified as having been

1 incidents that occurred in a DV setting rather than an
2 isolated incident; correct?

3 A. That's correct.

4

5 Q. All right.

6 A. So, yes, I accept that point. But that was different
7 data to what we were talking about the 70 per cent being
8 recorded as having a DV order or DV contact.

9

10 Q. All right. If it's the case, though, that what the
11 Death Review Advisory Board's review demonstrated was that
12 over the period between about 2006/2007 through to 2020/21
13 or thereabouts 65 per cent of victims or perpetrators of a
14 DFV homicide had had prior contact with police in truth in
15 a domestic and family violence context, is that figure
16 itself significant?

17 A. It's significant in terms of if that had been
18 recognised - potentially recognised as being an indicator
19 of being within a DV setting by our officers it raises the
20 notion that there might have been an opportunity to
21 intervene and therefore play some part in preventing
22 ultimately the homicide. I'm in furious agreement with
23 that.

24

25 The only reason that we have been raising the issue of
26 the 70 per cent notion is not to dismiss that at all and
27 not to even be at odds with that. It's trying to
28 communicate to our community that there is still a large
29 number of DV homicides that are perpetuated by people for
30 which there is no formal record with police. So we as
31 police have to work out on our own systems what we can do
32 to better identify indicators because surely somebody knew.
33 So the point of actually raising that data was a call to
34 arms by the whole community that we all have to play a part
35 in identifying these early indicators because there's a
36 large number of them aren't on our radar or, if they are on
37 our radar, we're not picking them up like we should do.

38

39 Q. And if we can come back to the notion of the command
40 being better resourced in terms of both its capability and
41 its capacity if there was a beefing up strengthening of
42 that capacity and capability is monitoring those sorts of
43 trends something that the command would like to be able to
44 do?

45 A. I think that is spot on for what a strategic
46 capability should be, and we're not there yet.

47

1 Q. All right. Now, to date or so far we've talked about
2 a number of issues related to the limited resources at the
3 command's hands. We've already talked about some of the
4 increasing complexities and demands being imposed on
5 frontline police officers dealing with domestic and
6 family violence. But can I mention a couple more. We know
7 from data that you've provided both to the Women's Safety
8 and Justice Taskforce and also to the Commission that in
9 the last financial year there were 120,000-odd DFV
10 occurrences within Queensland?

11 A. Yes.

12
13 Q. And we know from data that you've drawn our attention
14 to in the course of giving your evidence today that that's
15 increased to some 138 or thereabouts

16 A. That's correct.

17
18 Q. A significant increase in just one financial year.

19 A. Yes.

20
21 Q. All right. That underscores, doesn't it, the
22 ever-increasing numbers of reporting by those in the
23 community to police about domestic and family violence?

24 A. Yes.

25
26 Q. We also know from data that you've provided by way of
27 your submission to the Women's Safety and Justice Taskforce
28 that in the 2018/2019 year approximately 18 per cent of
29 police time was spent responding to calls for service and
30 that that's now somewhere up around 40 per cent of police
31 time?

32 A. I think there's - we've identified already that some
33 of the data sources that we're relying on are inconsistent.
34 The point is a significant part of our time and an
35 increasing part of our time is very much devoted to DV.
36 The measures of 18 per cent back in 2018/19 were of a
37 specific measure, and more recent measures are related to
38 CAD time, which is the time that we report taskings for our
39 officers. But, rather than get sort of caught up in
40 measuring slightly different things, very much so the
41 notion of the proportion of our time is something that our
42 command is looking towards with our analytic partners in
43 the service.

44
45 Q. The point I was really getting at,
46 Assistant Commissioner, is allowing for some of those
47 discrepancies it's entirely uncontroversial, isn't it, that

1 police time is being taken up more and more responding to
2 domestic and family violence?

3 A. Without doubt.

4

5 Q. It's also entirely uncontroversial from the police
6 point of view, isn't it, that there are growing calls from
7 members of the community to treat not just the police but
8 all of us to treat domestic violence as a very serious
9 threat to our community?

10 A. Absolutely, and I think that may well be a
11 contributing factor to some of the increased reporting.
12 I'd like to think it's a level of confidence or people
13 understanding more what their rights are and engaging with
14 us.

15

16 Q. It also appears, doesn't it, that there's an
17 increasing awareness that domestic and family violence is
18 often accompanied by very serious criminal offences such as
19 strangulation as I mentioned earlier?

20 A. That's correct, and also recognising that there are
21 some things that they don't recognise as being serious are
22 also domestic violence as we learnt with the Clarkes.

23

24 Q. And we know, don't we, that there is a likelihood at
25 least of an increased demand on police service time and
26 resources moving forward if more and more people continue
27 to report the domestic and family violence they're
28 suffering in their private lives?

29 A. And particularly around the growing knowledge of
30 coercive control and particularly leading into the
31 potentiality of that being a criminal offence, without
32 doubt that will mean pressures on finite police resources
33 to adequately provide the service we're tasked to do.

34

35 Q. We started your evidence by identifying the numbers of
36 people that are in actuality tasked to determine the QPS
37 strategy in relation to domestic and family violence and it
38 became apparent that we're really talking about a very
39 small - no doubt very committed but very small cohort of
40 people. We've moved through a number of different areas,
41 including areas of emerging risks that would be worthy of
42 monitoring trends in respect of, that the command simply is
43 not able to do because of its lack of resources. Can I ask
44 you this: what further resources do you need from the
45 government in order to be properly equipped to deal with
46 this emerging and continuing problem of domestic and
47 family violence?

1 A. There's probably two approaches to that. The
2 traditional approach has been to say we need more. You
3 know, you could double or command's membership and it will
4 increase the amount of work and output that it's doing, but
5 it's not necessarily going to approach the problem in a way
6 that may well be sustainable for us in terms of resource
7 allocation. So one answer is to invest more.

8
9 The other is to invest differently. It still remains
10 the case in my view in Queensland that the bulk of the
11 heavy lifting in domestic and family violence rests with
12 the police department. The police department is the only
13 entity that can serve the documents other than at a court.
14 The police department is the only entity that can
15 investigate or take out the orders if they're not taken out
16 privately by court.

17
18 I think what we need to do is realise the sheer volume
19 of this is too big for any one agency to be able to sustain
20 the level of service we want to do, and that means I think
21 joining up different departments and different arrangements
22 and actually having a look systemically at the problem to
23 see how we can sustain it, because I just do not see how
24 the current trends and expectations can be sustained just
25 purely on the police department.

26
27 Q. Can I just test with you how that second model might
28 look because, whilst no doubt there is a significant role
29 to be played by DV support agencies in the community were
30 they properly funded to be able to put wrap-around services
31 around aggrieved, it remains the case, doesn't it, that
32 it's really solely the remit of the QPS to investigate and
33 to investigate serious criminal offences related to
34 domestic and family violence and there's simply no
35 replacement for you?

36 A. No, that's absolutely correct. There will be no
37 replacement that I can see for the critical response by our
38 frontline officers to points of crisis that may well be in
39 a DV setting. They're trained, they're mobile enough, and
40 there's power and use of force options that might need to
41 be considered in those really critical points of crisis.

42
43 I think there is possibly, though, avenues in the
44 follow-up and I think there's some recommendations already
45 before DJAG about examining multi-disciplinary centres or
46 different interventions involving other entities post a
47 point of crisis and that that might be able to be more

1 sustainable with sort of other agencies involved. That's
2 the two parts I'm saying is we can go the traditional way
3 and say "more", but I can't see that as sustainable. So
4 I'm just challenging a different way we can approach the
5 system.
6

7 Q. I understand. Can I ask you about a potential other
8 solution or something at least to be considered, and it
9 relates to your identification right back at the beginning
10 about some of the resources that the Crime and Intelligence
11 Command has at its fingertips, in particular its research
12 and its intelligence capability that the DFV command simply
13 doesn't have. Is there any merit in considering moving the
14 DFV command from a stand-alone command or at least the DFV
15 portfolio within the command that otherwise embraces things
16 like police referrals, mental health, elder abuse into the
17 Crime and Intelligence Command where it would sit alongside
18 some of those commands that you mentioned dealing with
19 serious offences such as child abuse, drugs and serious
20 crime, homicide group, organised crime?

21 A. I think we're moving the deck chairs. I think all
22 you're really doing is moving one set of resources from
23 under one command to another and by doing that there's not
24 necessarily without an investment of other resources or
25 changing the system, there's not really any change there.
26 If the unit was actually embedded in CIC we're still going
27 to have to compete against the existing resources and their
28 tasking on other serious and organised crime issues, which
29 is the mandate of our Crime and Intelligence Command. So
30 we're still going to be competing for that.
31

32 Q. Can I just ask, though, if you were brought under the
33 tent, as it were, does it not place you in a position of a
34 little bit more power in terms of asking for that
35 assistance than being placed outside the tent and coming
36 and asking for that assistance from them?

37 A. Possibly. There's a third way. Victoria, the
38 Victoria Police some time ago in its evolution recognised
39 the cross-over of victim centric and trauma informed
40 practice that applies to sexual offences and child abuse
41 offences, and I think there may be some learnings coming
42 out of the second report of the taskforce about that which
43 has a commonality with domestic and family violence,
44 particularly given I believe the AIC have now indicated
45 that the majority of sexual offences that are reported are
46 within a DV context. It may well be Victoria have a model
47 where their sexual violence and child abuse areas are

1 actually amalgamated under the family violence command and
2 they have an operational arm. So these are all options
3 that are worth considering.
4

5 The difference between CIC and our command at the
6 moment is they're still very much an operational command
7 whereas we're meant to be a strategic capability command.
8 But I think these are all options we've got to put on the
9 table because I don't think our current model is
10 sustainable with the growth we're seeing and demand that
11 we're seeing and we anticipate continuing.
12

13 Q. And some change will be needed somewhere to enable the
14 QPS to respond appropriately to domestic and
15 family violence, won't it?

16 A. I agree. I agree.
17

18 MS O'GORMAN: All right. Those are the questions that
19 I have, Commissioner, at this time, thank you.
20

21 COMMISSIONER: Let's eat, shall we? Just adjourn until
22 two.
23

24 LUNCHEON ADJOURNMENT

25

26 COMMISSIONER: Ms Hillard, we might start with you,
27 I think.
28

29 MS HILLARD: Yes, thank you, Commissioner.
30

31 <EXAMINATION BY MS HILLARD:

32

33 Q. Assistant Commissioner, if we could just have pulled
34 up on the screen exhibit [BJC.003.0001]. So this is your
35 capability maturity model that was exhibited or annexed to
36 your statement, attachment B. Just while that's coming up,
37 I appreciate what you said that it was designed to do and
38 it's really just something that had been worked on in the
39 past. If we just turn over, for example, you were taken to
40 page 2 of this document by Counsel Assisting. But if we
41 turn over to page 3, thank you, and we focus in on the
42 right-hand column, under the "Integrated" column, from what
43 I apprehend your evidence to be, this is the ideal that is
44 intended to be achieved at all of the districts, the
45 individual 15 districts; is that right?

46 A. That's correct.
47

1 Q. And I just want to go through a couple of points and a
2 couple of things. The first point that we see there,
3 annual training is planned and delivered by internal and
4 external specialists, can I just clarify are you talking
5 about annual training at a district level unique to each
6 individual district level or annual training for police
7 overall?

8 A. It could be both, but I think at the bare minimum
9 there needs to be an across-the-board whole-of-service
10 annual update, and I think that could be complemented by
11 any district-based nuances specific to that district.
12

13 Q. When you make the comment about annual holistic
14 training, you are no doubt aware of one of the
15 recommendations that arose out of the Hannah Clarke inquest
16 about annual training and forming part of the annual
17 operations proficiency that the police officers have to do
18 every single year?

19 A. Yes.
20

21 Q. And you can see perhaps that there would be some
22 benefit to doing that?

23 A. Yes, I can. It was certainly part of our program and
24 plan of work going forward that after we make the
25 intervention of the three-day face-to-face program, which
26 is starting next month and will happen through to July for
27 all officers, there will be a need thereafter to have
28 annual update training. The notion of whether it sits best
29 within the OST training or not is still one we would have
30 to flesh out. But at least that's an occasion where we are
31 bringing officers already into a central location for a
32 level of training.
33

34 Q. And you say whether it would be that fleshing out
35 would take place. As I understand it, the proficiency
36 training at the moment for officers is two or two and a
37 half days a week - a year; is that right?

38 A. Yes, I think there's a slight difference depending on
39 whether you're a frontline officer or an alternate officer
40 that's just been brought in. But that's about ballpark.
41

42 Q. And if annual training is something that's able to be
43 achieved, do you recognise there's a benefit to delivering
44 that to all of the first responder police officers, for
45 example, and up?

46 A. Yes.
47

1 Q. And so it would canvass everybody who's having to
2 attend at any kind of level to any kind of
3 domestic violence incident; you said there's 138,000 a
4 year?

5 A. That's correct.

6
7 Q. Now, in respect of the table that we have here in
8 front of us, the bottom points there, the last two,
9 "Domestic and family violence related criminal offences to
10 be recorded in QPRIME". If I might just touch on one of
11 the matters that Counsel Assisting asked you about some of
12 the statistics. It's the case, isn't it, that when someone
13 attends at a police station there is meant to be a
14 domestic violence incident report; isn't that correct?

15 A. That's correct.

16
17 Q. And in certain circumstances that might simply be,
18 "Person attended. No further action or referral happened"?

19 A. That can happen, yes.

20
21 Q. One of the information areas of concern involving some
22 of the clients affected or who see Women's Legal Service
23 has been attending police stations and being referred
24 straightaway without even being given information or
25 details over at the counter. Is that something that is
26 going to be addressed or that can be addressed?

27 A. Yes, it's something that concerned us, that was about
28 the quality of the engagement particularly at counters for
29 people coming to seek our assistance. It's why last year
30 we brought in the requirement for all such interaction to
31 be captured on our body-worn cameras, and the notion then
32 is to audit sections of those to ensure that we're getting
33 the right quality of service delivery.

34
35 Q. When we're talking, though, about auditing body-worn
36 cameras, typically a police officer in a police station at
37 a front counter doesn't have a camera on them, do they?

38 A. They haven't in the past, but part of this direction
39 that was given last year was at any stage that any of our
40 officers are now approached by somebody who wished to make
41 a complaint with respect to a DV matter or enquire about it
42 or about a potential breach, that that fell into the policy
43 requirement to capture it on body-worn video.

44
45 Q. Is that something that's already in place or
46 something --

47 A. Yes. Yes, it was something that was brought in - we

1 recognised after - and I know that this is a matter still
2 before the courts, but relating to Kelly Wilkinson. There
3 was references to the interaction at a police counter and
4 capturing that interaction properly. So we thought that
5 that was a good risk management strategy to ensure that
6 that was captured on the body-worn camera as one
7 mitigation.

8

9 Q. And one of the areas that Counsel Assisting took you
10 to was about the referral processes and the referral
11 pathways, and you spoke about referring people to
12 domestic violence support centres and the like; do you
13 recall those questions?

14 A. Yes, I do.

15

16 Q. In particular concerning those referral pathways, this
17 model that we're looking at here, this training at a
18 district level, how is it going to be addressed when you're
19 talking about that district level engagement about referral
20 pathways when it's left to the districts to identify who
21 the referrals are going to?

22 A. So there's service policy that applies to everybody
23 about the referral process being an option. It can happen
24 whether a matter is determined to be no DV, DV other or
25 there is an application, a referral can be offered at any
26 point in any of those. That's the current arrangement
27 being done by districts. Even though it's being delivered
28 in districts, it's a requirement to do it as per
29 whole-of-service policy. I guess if you're getting to the
30 point - and forgive me - about ensuring that's done
31 properly, I think that's a valid point in terms of the
32 quality assurance and the mitigation strategies that we've
33 got to ensure there is compliance with the right directions
34 there.

35

36 Q. And if we deal with the last dot point in column 4,
37 the one on the right-hand side, the investigators are being
38 embedded, you've already spoken about the desirability and
39 the benefits of having detectives connected with units;
40 isn't that correct?

41 A. That's correct.

42

43 Q. And you spoke I think about in the Gold Coast and how
44 you specifically had detectives connected to the groups
45 there arising out of an identification of organised crime;
46 that's correct?

47 A. That's correct.

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Q. And the VPU, the vulnerable persons unit, is going through this transition period, and it's trending towards the inclusion, is it, of an investigative police officer in addition to the vulnerable persons unit police officer; is that correct?

A. That's correct. We've now rolled out investigators being based and embedded in the VPUs at the Gold Coast, Logan, Brisbane North, Brisbane South, and where they're not fully embedded the capability model that you're referring to requires an integration with an investigative capability. It may not be achievable in a decentralised district to have the investigators actually embedded in situ geographically with the VPUs. Where that can't be done, the flexibility we're looking at is to at least have a commitment that CPIU officers, our child protection, or CIB officers can be accessed and tasked to support that work with investigative capability.

Q. Is there any movement towards training specifically domestic violence responder officers like you do for CPIU or the CIB so that they are equipped and trained to specifically take those statements for that family violence situation?

A. In some respects all our frontline are DV response officers. So we have to train all officers up to a point of their capability. There are then DVOs and DFVCs - sorry about all the acronyms, but domestic violence officers and domestic and family violence coordinators - who are trained to a higher level. We're also introducing training around the video-recorded evidence trials to upskill all of the frontline about how to interview better so that it can be captured on these - the cameras to give evidence-in-chief. But at this stage the notion of having a cohort of specific DV officers who go and respond is not part of the current planning. But, my goodness, the way we are going towards in some districts over 50 per cent of our time, maybe the longer term future is we do have an entity that's working on that specifically.

Q. And no doubt you would appreciate that the police service perhaps if they had more resources to be able to provide those specialist investigators, whatever you want to call them - CPI, CIB or something else - would be beneficial to delivery of the services?

A. I think it would be beneficial when recognising the complexity of some of the criminal matters associated with

1 DV. It also brings to it an extra level of skills in being
2 able to interview particularly vulnerable victims,
3 children, et cetera. They're skilled in doing it, and they
4 do that on a regular basis. Some of our - when I started
5 this job nearly 39 years ago, uniformed officers would do a
6 lot of work on preparing of criminal briefs and
7 investigation that they don't do now. So much of
8 their - not entirely. So much of their time is responding
9 to calls for service that it's the investigators that
10 develop that skill. So having that interinfluence in that
11 space I think is a very worthwhile thing to look for.
12

13 Q. If we can just turn over onto page 4 of the document
14 that we have on the screen in front of us, still focusing
15 on the right-hand column, so we have the second dot point
16 down there, specialist prosecutors with a higher level of
17 understanding of dynamics. Can I just ask you this: one of
18 the things that has been raised by women who engage with
19 Women's Legal Service and their pathway when they go
20 through the police protection notice proceedings is that if
21 they have been misidentified as a respondent and they
22 shouldn't be, they are in fact the aggrieved, it is very
23 difficult to get things discontinued. Can you just explain
24 what's meant here and what's intended at a district level
25 for specialist prosecutors?

26 A. We recognise, just like across the board, that there
27 needs to be a better understanding from a victim-centric,
28 trauma informed process that some people might appear at
29 one level, a superficial level, to present in a certain
30 way, but better understanding why a person might be
31 behaving that way. Why somebody's memory of certain
32 circumstances might not be what they should be/people
33 avoiding some questions may not of themselves be an example
34 of being evasive but it may well be indicators that they're
35 under some trauma and control. So we think that's
36 necessary and as important to be available to our
37 prosecutors as well as the frontline officers and all our
38 specialists. That's what we're hoping - that's
39 aspirational. I am not even pretending for a moment to say
40 that is standard - of that standard across the state. Yes,
41 I think we've got pockets of outstanding work, but we've
42 also got some other areas that we've got to work well at.
43

44 I do know in terms of the point made about the perhaps
45 misidentifying and not withdrawing we do have examples in
46 some parts of the state where that actually happens on a
47 regular occasion, and I think - I was talking to one of my

1 colleagues from the Townsville VPU who I think may well be
2 giving evidence later, raised the issue about they liaise
3 with the prosecutors regularly to withdraw matters if
4 they've identified them as possibly not the right victim.

5
6 Q. Can I ask you then, you talked and used words like
7 "pockets do particularly well", and I think in your answer
8 you recognised that the different districts have different
9 responses. Some of the experiences have been - from
10 women's perspective has been that there is an inconsistency
11 in dealing with individual districts and individual
12 prosecutions in withdrawing matters where they have been
13 misidentified. Can I ask you this then. Is there any
14 particular reason why there wouldn't be a statewide
15 prosecutions training around those issues that you've
16 spoken about rather than district to district and leaving
17 the districts to sort it out themselves?

18 A. No, there very definitely would be room in my view for
19 a bigger standard statewide prosecution training. There
20 is. For all prosecutors, they go through a standard
21 program. So when we say "leaving that to the districts"
22 we're saying in that district that is being achieved and
23 that's the capability we want. That doesn't
24 necessarily - it's only the district that will provide for
25 that. I think the point is well made, and we think it can
26 be improved.

27
28 I know that the prosecutors course does involve a
29 great deal of discussion around domestic and
30 family violence, and I know in the past we've even had
31 prosecutors who availed themselves of the graduate
32 certificate in domestic and family violence. But I am
33 aware that there's been a break of two or three years in
34 some of that specialist training.

35
36 Q. When you say the graduate certificate in
37 domestic violence, that's a TAFE course?

38 A. No, it was at - I believe it was at QUT.

39
40 Q. University?

41 A. Yes, yes.

42
43 Q. Postgraduate?

44 A. Yes, postgraduate.

45
46 Q. Okay. And in respect of page 5, if we can just turn
47 over to the next page, you've got the second dot point

1 down, which speaks about the high-harm dashboard and the
2 high-risk dashboard. So you speak about that in your
3 statement. Counsel Assisting has asked you a few questions
4 about that. If I can just focus in on that for a moment?

5 A. Sure.

6
7 Q. I think that what you're referring to is the updates
8 to the Qlite system where that's on the Qlite system, or is
9 this a separate --

10 A. This is a separate thing.

11
12 Q. And when we talk about this harm dashboard is it
13 district to district or statewide?

14 A. It's statewide. It gives all the data statewide, but
15 you can use filters then to zero in on who the identified
16 high-risk high-harm perpetrators are in your relevant area.
17 So I can look at it and get a sense of the whole state, and
18 in a particular district can zero in and see who's in their
19 patch that needs intervention or case management.

20
21 Q. It goes some way perhaps to one of the other taskforce
22 recommendations, is it right, than about there being a
23 database to track DV offenders?

24 A. It's a slightly different purpose and a different
25 tool, but I do know that there has been discussion and
26 there were recommendations to do with the equivalent of a
27 register, if that's what you're referring to.

28
29 Q. Yes.

30 A. Like the child protection, or CPOR, register. I have
31 seen those. This would inform that partially but it's not
32 instead of that.

33
34 Q. And related to that you also have given some
35 information in your statement about the THReT - the
36 T-H-R-e-T - assessment, and both of those draw on data
37 that's collected by the police?

38 A. At present, yes. I think it's one of the areas that
39 we're hoping to evolve, is that the datasets that inform
40 any of the future iterations of these analytic tools not
41 just rely on police data. We think the richness about
42 being predictive could be when we're able to then access
43 data from perhaps health or education or other areas. But
44 we're a long way to go before we've got that level of
45 integration yet.

46
47 Q. So this THReT system, that is about phase 3, it's

1 about ready to be trialled, that didn't have that
2 integrative involvement that you've just spoken about?
3 A. No, it relates to data that specifically comes from
4 our systems at the moment, and I should point out again -
5 I just want to do this for thoroughness - it's based on
6 learnings from the THReT model, which is specifically
7 designed for sex offence and child sex offenders rather
8 than being - sorry, and that's our mistake because we've
9 referred to it in our statements, but I want to make the
10 point it is drawn from it, it is not exactly the same.

11
12 Q. And once again we have here the dot point under -
13 sorry, third from the bottom, the "relevant and
14 legislatively supported ... shared and received across
15 agencies", that information sharing is really quite
16 significant?

17 A. Yes.

18
19 Q. In respect of that can I ask these questions.
20 Counsel Assisting took you to the high-risk team table
21 earlier on, the organisational structure?

22 A. Yes.

23
24 Q. The high-risk team is a trigger or viewed as a trigger
25 in a lot of ways for information sharing; is that right?

26 A. Yes.

27
28 Q. The reality is information sharing can take place
29 without having to go through the high-risk team; isn't that
30 correct?

31 A. It can happen under the Act in certain circumstances,
32 yes.

33
34 Q. And information sharing is important in identifying
35 risk and providing a strategy that best assists those who
36 experience domestic violence; isn't that right?

37 A. Very much so, because what we're hearing more and more
38 is the notion of - well, traditionally police are incident
39 response based, and what we want is to shift to being more
40 holistic in understanding what we're dealing with so that
41 we can identify what domestic and family violence might be
42 occurring. That means sometimes accessing information that
43 we're not privy to on our normal systems. That can only
44 come with information sharing.

45
46 Q. When we talk about information sharing - you mentioned
47 that you've been involved with the death review board.

1 That's something that they recommend fairly regularly;
2 isn't that right?

3 A. Yes.

4

5 Q. And you're aware of the Doreen Langham inquest and the
6 Hannah Clarke inquest, where they also spoke about
7 information sharing?

8 A. Yes.

9

10 Q. In respect of information sharing and some of the
11 recommendations that arose out of both of those inquests
12 I've just mentioned, they identify and speak about a
13 multi-disciplinary station. Are you aware of that
14 recommendation?

15 A. Yes, I am.

16

17 Q. Given all of the matters that we've just been through
18 and the integrated nature that you've spoken of, can I ask
19 you this. A recommendation made in both of those inquests
20 by Deputy Coroner Bentley was for stations that had a
21 specialist domestic violence police officer, a specialist
22 DV support worker, child safety - department of child
23 safety to assess harm, Department of Housing,
24 Queensland Health and a lawyer as a one-stop shop kind of
25 thing co-located at a place as a multi-disciplinary team.
26 Do you have a view about that?

27 A. Yes, I think the way of the future has got to be
28 towards a more integrated multi-disciplinary entity.
29 I don't think at this stage that actually calling it a
30 police station or basing it at a police station is
31 necessarily the most desirable way of doing it. But
32 I think a co-location where you can do that physically is
33 helpful. I know we've taken a lot of time to examine the
34 Victorian model, and they have multi-disciplinary centres,
35 which are actually primarily focused at sex offence
36 reporting but more recently have brought in domestic and
37 family violence support. I mean, it's about supporting
38 victims survivors as best we can in a way that does not
39 unnecessarily re-traumatise them and also has the services
40 they need to holistically respond to their needs. The
41 police obviously is the investigative component where
42 there's a doorway into the judicial system, but there's
43 also other health needs, home needs and understanding by
44 social workers of the deep trauma that perhaps we're not
45 trained and skilled to that level. So I'm a strong
46 advocate of us exploring multi-disciplinary centres and
47 approaches as our future.

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Q. It perhaps flows on from your answer and something that Counsel Assisting spoke to you about, the idea that obviously police have an important role in policing and protecting, but the police - perhaps in that multi-disciplinary scenario, it's not a station in your mind?

A. No.

Q. It is a multi-disciplinary centre?

A. I think if you start - I think people who might not understand it imagines - if a station gets established, it's a formal statutory establishment. What comes with it then is obligations for people coming to a police station - sorry, you're probably aware - there's other things about the notion of having cells and, you know, all those other things that a police station might attract, I don't think is where we want to go. I think we want to improve - certainly improve the service we deliver to victim survivors when they approach us at police stations, but I'd rather us be going down a path to divert them to places that are more conducive to their needs.

Q. Just while we've got this document here on the screen, you were talking about it on a district-to-district level, but what I've really been speaking about is a statewide response, multi-disciplinary at different locations everywhere basically?

A. I think you're right because I think the physical - the decentralised nature of the state is that you may well be able to have a physical location in some of the highly urbanised parts of the state, but we're going to have to think through a different approach for some of our regional and remote locations to be able to access that same level of service. So there necessarily will need to be different models that we can apply across the state. I think your point about having a whole-of-state perspective is a good one at least in establishing the framework that they operate within, the policies and procedures that they might adopt, so that it is standard across the state so you don't have differences, and we are going to have to overcome some of the legislative impediments about separating the police from other entities where someone doesn't want to engage in investigation, which is still a confusing one for me to get my head around.

1 Q. I'm sure brains bigger than ours can sort that --

2 A. Well, certainly bigger than mine.

3

4 Q. We're just the ideas people.

5 A. Okay.

6

7 Q. So in respect then of the other recommendation or one
8 of the recommendations in the Doreen Langham - in
9 particular they spoke about - sorry, Deputy State
10 Coroner Bentley spoke about an embedded social worker on
11 the front line at a police station, and she specifically
12 identified Logan because that was where this incident
13 happened involving Ms Langham. In respect of embedded
14 workers on the front line, you would agree that that's an
15 important thing to have?

16 A. I think it's laudable. We've introduced that already
17 in informal settings in some locations in the state, but
18 it's not an adopted practice across the state yet. There
19 will be some practical realities that we will have to
20 consider. The notion of having one - and just use Logan as
21 an example. There's 20-plus stations in Logan. Logan goes
22 right down to Rathdowney, Beaudesert and up to Canungra and
23 Mount - North Tamborine in addition to Logan Central,
24 Beenleigh and some of those really busy places.

25

26 In some of those stations they might not have a
27 domestic or family violence interaction more than one a
28 week, sometimes even more. So I think the notion of having
29 an embedded social worker at those stations is not
30 necessarily the best use of resources, but I do think
31 there's probably busier areas that there is a higher volume
32 of that level of service that it could work. I know we've
33 been doing it at Mt Isa for a while now, having some social
34 workers that are there available to come and assist, and
35 it's been very beneficial.

36

37 Q. It's really the 24/7 availability that's the issue,
38 isn't it?

39 A. Yes, well, it's not too often that from a 24/7 point
40 of view that you've got a counter open or that somebody
41 comes to a counter. Normally if they come to the counter
42 of a police station it's usually within working hours.
43 There are some large police stations that have counters
44 open into the evening. The 24/7 nature of the access to
45 the social worker, I'm just trying to - I mean, we've got
46 access at times to things like DV Connect and other - who
47 are a 24/7 phone service, and we've got 24/7 access now

1 to - or almost 24/7 access to domestic and family violence
2 coordinators police specialists based at Comms in Brisbane,
3 which can be accessed in the state. But I'm not sure
4 whether a 24/7 social worker available at police station
5 necessarily is the model that's going to be sustainable or
6 workable.

7
8 Q. You spoke about earlier on as well in some your
9 evidence and you about it in your statement about the need
10 to identify risk, and in the taskforce report they speak
11 about tiered responses to risk assessments. If I can just
12 focus on the police response and the risk assessment, the
13 PAF - P-A-F?

14 A. Yes.

15
16 Q. The protective assessment framework that it's referred
17 to?

18 A. That's right.

19
20 Q. It's a tool and it exists and it's there for now, but
21 it hasn't changed for almost a decade now; is that correct?

22 A. I'm just trying to remember when it was developed.
23 I'll take your word for it. It's been in existence for a
24 while. I don't know exactly when it was created, yes.

25
26 Q. And there was a review some time - yes, is that the
27 little pocket ready reckoner?

28 A. Yes, that's what we give our officers to help and
29 guide them now, yes.

30
31 Q. In respect of that, though, the pocket document that
32 you've just pulled out - and that's exhibited to
33 Mr Martain's statement as well.

34 A. Good. Okay.

35
36 Q. But, in respect of that, it doesn't actually require
37 police officers to physically have to ask those questions
38 of a victim, though; isn't that right?

39 A. Maybe not the asking, but they are required now to use
40 the risk assessment framework and record their application
41 of the risk assessment framework on their report, and now
42 that can be done on their Qlites. So whether it means in
43 some instances they're sitting down and asking or whether
44 they're making observations themselves from other
45 situational circumstances, they are required to use the
46 DV-PAF and record it on our system.

47

1 Q. If I can suggest to you that in the Hannah Clarke
2 inquest the officers involved in that case - none of them
3 physically asked the questions but they went back to the
4 station or wherever it was and they filled in based on the
5 self-reported information from Hannah. So can I suggest to
6 you that that is a little bit problematic because it's a
7 perception and it becomes about training of the officer,
8 (a), and (b) what do you say to this idea that women don't
9 often disclose domestic violence unless they're directly
10 asked about particular things?

11 A. I think they're really valid points, they're very good
12 points. We made some changes just over a year ago to
13 address some of those, that the Qlites now have a
14 functionality where the DV-PAF assessments can be entered
15 straightaway in situ. The other thing is the officers
16 should be applying the PAF, or even in the past even before
17 the Qlites, at the scene and recording them in their
18 notebook or in some other way.

19
20 But this is not of itself a guide to an interview. As
21 I mentioned, it may assist in the types of questions that
22 could be asked in certain circumstances. Other times it
23 may well be that they're not able to achieve that by
24 speaking to the officer particularly if we're talking about
25 culturally and linguistically diverse communities where
26 there's communication issues, and of course then
27 interpreters become a part. So there might be other
28 indicators, even talking to neighbours or other witnesses,
29 that help them with that. But I do take your point in
30 learning things more about reluctance of some vulnerable
31 victims unless prodded and guided in the right way to feel
32 comfortable to share some of those pieces of information,
33 which sometimes can be quite intimate.

34
35 Q. Yes. To be provided in a stressful situation --

36 A. Very much so.

37
38 Q. In many cases. And this perhaps is supportive of the
39 concept that the taskforce talked about about tiered
40 responses to risk assessments? You're nodding your head.
41 Is that correct?

42 A. Yes, very much so. The PAF itself is - it is but one
43 tool. It was a tool designed really for lower-trained,
44 inexperienced officers to make a point-in-time risk
45 assessment when they attended an incident. Then you add
46 the PAF in the hands of an experienced officer, like a
47 DVU - a VPU specialist. They will be able to apply the

1 same criteria but in addition to that recognise the nuances
2 behind some of the risk indicators are co-apparent. So
3 they'll know that that's actually even heightened risk that
4 a lower-trained person might have. Then you go to
5 something that might be referred to the HRTs, the high-risk
6 teams, and they use the CRASF model, a far more thorough
7 multi-question risk assessment.

8
9 Q. In fact - if I can interrupt you there - I believe
10 they take around about 90 minutes or so to complete?

11 A. That's it, and I think that's one of the issues that
12 the taskforce - sorry - recognised, and DJAG have been
13 tasked with this, I see is one of the recommendations, is
14 to come up with a common risk assessment framework that all
15 agencies in the sector can then draw from.

16
17 Q. In respect of one of the documents not attached to
18 your statement but to Mr Martain's statement he speaks
19 about the CRASF training. Your police officers aren't
20 actually trained in CRASF, though, are they?

21 A. Not frontline. There is HRT members who are -
22 employees of the QPS will be aware of it, and also our VPU's
23 are very much aware of it. We don't use it in practice,
24 but they do - experienced officers who are liaising with
25 those other agencies and the HRTs have an awareness of
26 where that fits in.

27
28 Q. When we come back to the risk assessment, putting
29 aside the tiered approach and what the task force has
30 spoken about, you accept, though, that every time a police
31 officer has a contact about domestic violence they are
32 required to do a PAF or complete it on the QPRIME or Qlite;
33 isn't that correct? Let me be more specific because you're
34 pausing and looking up. So if there's a complaint of a
35 breach, there's complaint of a contravention, there's a
36 complaint of domestic violence having occurred, they're
37 required to make a PAF entry; is that correct?

38 A. They are - forgive me, I know they are required to do
39 it at point of initial assessment about whether a PPN is
40 required; I'm not sure whether it's required in policy
41 without checking for when they attend a breach or a reason
42 for a variation. I think at a point of considering whether
43 they're going to - whether it's necessary or desirable for
44 a PPN to be taken and in making their assessment, that's
45 when they're required to do it. I'd have to check as to
46 whether they're required to do it. I think it's a good
47 tool to be using all the way through. But whether they're

1 required to do it, no, I'd have to check the policy.

2

3 Q. What about preparedness and adaptability to provide
4 training to officers on an annual basis in the face to face
5 of the use of that risk assessment and availability of
6 social workers who can do more complex risk assessments,
7 have you got a view about that?

8 A. Yes. It's the three-day program that we're developing
9 now.

10

11 Q. That's a one-off program, though, isn't it?

12 A. And then it will be annually updated, and there's also
13 online products that we use that give reference to how to
14 do it, how to do the PAF, and the necessity for it. So it
15 is something we're building into our training, and
16 recognising that other entities may use other frameworks.
17 I'd imagine we'll have to revisit some of this training
18 content in response to perhaps the evolution of the
19 recommendations that DJAG have got for establishing the
20 whole framework, both the training framework and a risk
21 assessment framework, and I would not be surprised if that
22 results in us revisiting the DV-PAF.

23

24 Q. In any case - if I can just tie it off, and then I'll
25 be finished very shortly - in respect of the three-day
26 training that you've got coming up and then you say the
27 annual, is the annual going to be face to face or is it
28 going to be the online? I raise that because, as you might
29 be aware, some of the statements which the Commission is
30 about to hear during the course of the week talk about
31 the pressures of doing the online and at times the
32 ineffectiveness of the online?

33 A. Yes, I take that and I accept that. I have a
34 background as an educationalist, having worked at the
35 academy in charge there for about eight years with
36 postgraduate qualifications in education and training.
37 I think there's a couple of things that need to be built
38 into here. It is incredibly resource intensive for us to
39 bring every member of the service to a central location for
40 training. So when we're looking at it we've got to build
41 that in. There are some parts of training which may well
42 be more about knowledge, just about knowledge and knowing,
43 and compliance, which can most capably be delivered in an
44 online setting. But I think there are other domains of
45 outcomes, effective domain, so hearts and minds, empathy,
46 compassion, holistic sort of approaches that we want to
47 pivot towards that are very much best achieved through a

1 face-to-face learning encounter with other officers or
2 people with lived experience or experts in that field.

3

4 So the annual training will be influenced by what the
5 content is at the time, and I envisage that where it is
6 that experiential effective domain learning that we want
7 them to achieve, if you like the - there's the be, know,
8 do. It's the "be" bit that we would have to influence.
9 I would prefer it to be face to face.

10

11 Q. Yes. Doesn't all of that just feed into the
12 desirability and the ability, because you have officers
13 coming in for the annual proficiency --

14

A. Yes.

15

16 Q. To do it as a tag-on perhaps to that of an extra day
17 every year?

18

19 A. Can I say, yes, it does. There's some elements of it,
20 without getting complicated, that I just want to get my
21 head around and talk to some of the experts around, is
22 complying - applying concept around the DV intervention at
23 the same time we're doing use of force, firearms, taser,
24 tyre-deflation device training. There's some psychological
25 elements of that I just want to get my head around about
26 whether that sits - it might pragmatically suit us, but it
27 may well be as we go down the path where we're looking for
28 more holistic interventions that aren't all about our
29 incident response mode that we might want to separate those
30 from them.

30

31 Q. I won't make any comment about those. If we just move
32 on to just the last couple of points. In respect of police
33 competency and testing, there is an online vulnerable
34 persons unit training program that a person can do, there
35 is a specialist domestic violence that domestic violence
36 liaison officers, or whatever they're called at that
37 particular time, that they can do?

38

A. Yes.

39

40 Q. But there is no competency testing of those except
41 that on the online you can keep on doing it until you
42 eventually pass?

43

A. Yes.

44

45 Q. In respect of competency testing, is that something
46 that the police force will be looking at doing?

47

A. This is where you start now crossing over between

1 learning and then applying that learning and then
2 performance management. So some of it might be delivered
3 in competency testing, but it may well be that if we're now
4 integrating into individual performance assessment,
5 competency around their DV practice, and that there's a
6 level of interaction with their supervisor to see that's
7 done, that that might be one way of achieving that. We --
8

9 Q. Competency assessment, though, is part of the annual
10 weapons training, though, isn't it?

11 A. It is, it is, and for - but I guess in some respects
12 my experience has been competency testing like that is
13 very, very applicable to physical activities and approaches
14 rather than understanding, awareness, synthesis, et cetera.
15 They're usually drawn out in different ways. So maybe some
16 of the practice - the real practice checklisting procedural
17 things that are done in the DV space can be delivered that
18 way. But a more holistic understanding of the track of
19 vulnerable victim experiences, it might well be delivered
20 better in a different way.

21
22 Q. Of course, the difficulty with the subject, if testing
23 is that, it depends on the tester also knowing and being
24 trained properly?

25 A. It does, absolutely.

26
27 Q. Just excuse me for a moment.

28
29 COMMISSIONER: Assistant Commissioner, can I just ask in
30 relation to - you said DJAG was examining the risk
31 assessment?

32 A. Yes, that's correct, Your Honour.

33
34 COMMISSIONER: So what are they doing? Can you just tell
35 me about that?

36 A. So among the recommendations - there's 89
37 recommendations, I'm sure you're aware, and actually only
38 seven of them have been directed to the police service to
39 take lead on, and DJAG have been identified as the lead on
40 a number of high-end recommendations. One of those is to
41 develop a whole-of-system training framework that then the
42 competencies or the other outcomes will inform what all the
43 sectors and all the agencies are supposed to build into
44 their training. That's under development. I don't know
45 what stage it's at. But, similarly, they have been tasked
46 with developing a whole-of-sector risk assessment framework
47 that we can all operate within, and I'd envisage then some

1 of the difficulties that we've got with CRASF being used by
2 high-risk teams, DV-PAF being used by us, you've got other
3 NGOs who won't use either of them either because
4 philosophically they think there's a better one. There's
5 some that are specific to strangulation. And then of
6 course you've got the coroner's office and the death review
7 board that it's involved by the Ontario lethality measures.
8 They are all different, and every jurisdiction in Australia
9 seems to use different ones. I know that this is even - on
10 the national agenda is a desire to have a common
11 nomenclature and also tools set up. But we have a
12 federation, and it seems that people have got different
13 perspectives, so it's --

14
15 COMMISSIONER: Well, if we just worry about Queensland.
16 A. Just Queensland, yes.

17
18 COMMISSIONER: Yes. But DJAG is supposedly going to
19 develop a tool --
20 A. That's right.

21
22 COMMISSIONER: That everybody is going to like. Is that
23 what they're doing?
24 A. Well, they're going to - good luck to them. It will
25 be like herding cats, but I'm looking forward to having a
26 common framework.

27
28 COMMISSIONER: All right. Okay. Is there a timeframe on
29 that?
30 A. Not to my knowledge. They do have a timeframe of
31 three phases to be rolled - three or four phases to be
32 rolled out the next few years. They have got a template of
33 which one falls into them, but I can't recall which ones
34 they fit into.

35
36 COMMISSIONER: All right. Thank you.

37
38 MS HILLARD: Sorry, Commissioner, just one last question
39 I should have asked just around the competency. The use of
40 the body-worn camera footage as training tools; that's
41 something that would be supported and useful as well?
42 A. I think very much so. Of course, the body-worn camera
43 again is about what's our risk appetite and how many of
44 them are we going to review. If you have somebody review
45 100 per cent of everybody's body-worn camera intervention
46 we just doubled our requirement. So we're trying to come
47 up with more sophisticated ways of zeroing us in on the

1 best scrutiny and compliance. Now, whether that's done by
2 a numerical figure, whether it's being informed by an area
3 that's maybe identified as having complaints, or there's an
4 issue identified, maybe it's all of those, but a review of
5 the body-worn camera, and we're building even more
6 capability in that space that there is a possibility into
7 the future that that can be done real-time.

8

9 Q. In fact, when the officer takes off their body-worn
10 camera footage, docks it --

11 A. That's right.

12

13 Q. It uploads to evidence.com. That's a statewide
14 database. There could be audits done just randomly?

15 A. And you could have, therefore, the - one of our DFVCs
16 based in police comms in Brisbane who is now reviewing a
17 body-worn camera intervention that's happening in North
18 Queensland and then be able to give them either real-time
19 or shortly thereafter advice, that's some of the technology
20 we're trying to use to streamline and strengthen our
21 service delivery

22

23 MS HILLARD: Thank you, Commissioner.

24

25 COMMISSIONER: Thank you. Mr McCafferty?

26

27 MR McCAFFERTY: Nothing from me, Commissioner.

28

29 COMMISSIONER: Mr Hunter?

30

31 **<EXAMINATION BY MR HUNTER:**

32

33 Q. Very briefly, Assistant Commissioner. You were asked
34 a moment ago about DJAG. Have there been attempts by the
35 service to obtain legislative reform in this area that
36 might improve service delivery or perhaps eliminate some of
37 the more time-consuming and frustrating - or what are seen
38 by officers to be frustrating aspects of working in this
39 field?

40 A. Yes, there have been --

41

42 Q. Can you tell us about that, please?

43 A. For a few years now. There was a process improvement
44 plan that was developed predating certainly the command,
45 and I know my colleague Mr Martain is very familiar, being
46 one of the drivers behind it, where we were looking for the
47 consideration of legislative reform that would help

1 streamline some of the administrative aspects of our
2 service delivery so that we could improve service. Some of
3 those seem to us to be relatively simple, such as allowing
4 electronic signatures to be used on some of the documents,
5 allow electronic service of some of these documents, to
6 consider the use of PPNs in their own right as being the
7 application for a DVO. There's a whole suite of
8 administrative burdens, is what officers describe them to
9 me as, that have to be done because - to comply with
10 legislative requirements but don't seem to be adding very
11 much value to police time to help them do a better job in
12 better identifying those most in need of protection, and
13 I know that that whole aversion to what in the minds of
14 many of our frontline officers are burdensome
15 administrative arrangements that don't seem to add much
16 value I think is contributing to some of the negative
17 attitudes in this space.

18
19 Q. So can you explain the process to me? If you want to
20 achieve legislative reform to have some of the sorts of
21 measures you've just mentioned introduced, how do you go
22 about doing that?

23 A. Well, we do engage with our performance and planning
24 section, who then liaise with ministerial liaison officers
25 and with relevant government departments to try and then
26 consider legislative reform. In this space it seems to be
27 simpler at times to get legislative reform when you own or
28 you are responsible for that piece of legislation. It's a
29 little more difficult when another agency, minister or
30 entity owns the legislation. The legislation and
31 responsibility for domestic and family violence in
32 Queensland is owned by the Attorney-General and DJAG. So
33 we have to engage with them, get on their agenda in terms
34 of timeframes for legislative reform. For some reason, and
35 it may well be quite valid reasons that I don't have
36 visibility on, we've not been able to get some of these
37 things over the line. There's been a reluctance.

38
39 The voluntary - sorry, the video-recorded evidence
40 trial itself is an example where we've been lobbying and
41 lobbying and lobbying for this to occur. I think we're one
42 of the few jurisdictions in Australia still not to have a
43 form of that for now since the "Not Now, Not Ever" report
44 and - but we finally got there. So I'm seeing green shoots
45 of perhaps an openness to engage in amending the system.

46
47 Q. You say "we got there". To what extent did you get

1 there?

2 A. We got there to a minimised extent, in my view, and,
3 again, there's no doubt reasons and rationale for it. We
4 don't own the legislation. But the rollout of the
5 video-recorded evidence, for instance, which is to allow us
6 to use a statement we take from a victim in close proximity
7 to the incident as evidence-in-chief, is limited to the
8 Magistrates' Court in two districts, and that's it.

9

10 Q. And it's a pilot?

11 A. Yes, and it's a pilot, and where we have sought for it
12 to be statewide and to be useful in the higher courts,
13 where some of the more serious offences obviously are
14 heard.

15

16 Q. Perhaps others might be able to help us more
17 specifically about that, but in practice what sort of
18 difference would it make to a first responder if they were
19 able to take a statement from a victim using a body-worn
20 camera?

21 A. I think in terms of the VRE experience not all
22 the advantage is to our officers. The primary advantage is
23 to seek not to re-traumatise victims by the repeated going
24 back and forward to get statements done and then amended,
25 et cetera, and then being bound to give that evidence
26 through various court processes. That's its primary
27 purpose. But we also think that there would be savings in
28 terms of time and energy for the police officers not to
29 re-prosecute that engagement.

30

31 Q. Yes, and I suppose that's - I was asking you that
32 question with reference to the negative perceptions of
33 working in this area --

34 A. Yes.

35

36 Q. Amongst officers. So, if I was overlooking the
37 victims, my questioning was really directed towards
38 exploring why there is this negative attitude to this sort
39 of work in some cases?

40 A. Well, in some cases it's other administrative
41 components of the whole system. I think there was - one
42 year that I looked at there's something like 55,000
43 documents service tasks that our officers undertake. Not
44 all of those, in my humble view, require the fully trained
45 and equipped police officer to do. But, unfortunately, the
46 way the current system is, it is left to police officers.
47 Now, there will be times where it's highly appropriate as

1 police officers because there's risk associated with it.
2 But the back and forward - and particularly let's get out
3 of Brisbane for a moment and go to rural and regional
4 Queensland. Just going and serving a document on somebody
5 might be a couple of hours drive away, and if you go there
6 and they're not there - so there's a lot of this that
7 I don't see necessarily is adding value to victim
8 protection and perpetrator accountability in the system,
9 and I just - in this day and age I'm just hoping that we'll
10 be able to look for better ways of achieving that.

11
12 MR HUNTER: Those are the only questions I have. Thank
13 you.

14
15 COMMISSIONER: Are the two districts for the body-worn
16 camera Ipswich and Logan? Is that right?

17 A. I think there's - the second one - yes, they are,
18 Ipswich and Gold Coast is for the VRE, and we've commenced
19 the training for that, Your Honour.

20
21 COMMISSIONER: Sorry, you've commenced the training, which
22 means it hasn't started?

23 A. No. There is some procedural elements with the
24 legislative reform through DJAG that has to be signed off
25 on. I think it's August that we're expecting that to
26 finally be put in place. There are implications for the
27 courts as well, and we're waiting for that.

28
29 COMMISSIONER: I imagine there's very large implications
30 with courts, actually?

31 A. I think that there is. So I do understand some of the
32 reluctance.

33
34 COMMISSIONER: All right.

35
36 MS O'GORMAN: I don't have any further questions at this
37 time, but I wonder if the Assistant Commissioner might be
38 stood down in case he needs to be recalled at a later time?

39
40 COMMISSIONER: Yes. (To witness) Yes, you'll be pleased
41 to know we probably haven't finished with you yet, but you
42 are free to leave right now. Thank you,
43 Assistant Commissioner.

44 A. Thank you, Your Honour. Cheers.

45
46 <THE WITNESS WITHDREW
47

1 MS O'GORMAN: Commissioner, I note that updated
2 organisational chart dated 8 July was referred to by the
3 Assistant Commissioner. Can that be added as item 12 to
4 today's tender bundle A for the purpose of uploading later
5 on?
6

7 COMMISSIONER: So what are we making it?
8

9 MS O'GORMAN: It should be item 12.
10

11 COMMISSIONER: I just made it exhibit 3. Do you want me
12 to call it something else?
13

14 MS O'GORMAN: No, I think that will be fine.
15

16 COMMISSIONER: Okay. Is that fine?
17

18 MS O'GORMAN: I think it will.
19

20 COMMISSIONER: Yes.
21

22 MS O'GORMAN: Commissioner, if it's convenient, I now call
23 Chief Superintendent Ben Martain.
24

25 COMMISSIONER: Thank you.
26

27 <BEN MARTAIN, sworn:
28

29 <EXAMINATION BY MS O'GORMAN:
30

31 Q. Chief Superintendent, your statement, the statement
32 that you've provided to the Commission, was tendered
33 earlier this morning. If you need to go to it in the
34 course of answering any of your questions, by all means let
35 me know and we can provide it to you. But I'm going to
36 focus really on just a handful of the structures relevant
37 to DFV and it may be that you don't need to go to it.
38 We'll just see how you go?

39 A. Certainly.
40

41 Q. You were until about April of this year in a position
42 of inspector within the state DFV and VP Command; is that
43 right?

44 A. I took a short period of leave at the end of March.
45 But, for all intents and purposes, April. I think 4 April,
46 from memory.
47

1 Q. All right. Now, I want to ask you firstly about two
2 structures that fall within the control of the command,
3 firstly the DFVCs, the state DFVCs, and then the HRTs?

4 A. Certainly.

5

6 Q. So dealing firstly with the DFVCs, we can see from
7 your statement that at the time the command was stood up
8 six DFVC positions within Brisbane police prosecutions were
9 established?

10 A. That's correct. They were established at an
11 extraordinary executive leadership team meeting where
12 I sought further staff from the Commissioner, and the
13 Commissioner acceded to that request and we went from two
14 DFVCs within our police communications centre to six.

15

16 Q. All right. And we heard a little earlier from
17 Assistant Commissioner Brian Codd that those positions are
18 filled by people who physically sit in police headquarters
19 answering the phone to assist frontline officers when they
20 have questions in relation to their investigations in
21 relation to DFV?

22 A. That's part of their responsibilities, yes.

23

24 Q. All right. And what else do they do?

25 A. They proactively examine police calls for service that
26 relate to domestic and family violence as they come in to
27 try and identify potential situations where they can be of
28 assistance to providing timely information to frontline
29 police to better inform their decision making at the scene
30 of a domestic and family violence incident.

31

32 Q. Okay. So in addition so receiving the calls they
33 might be on the computers having a look at the database so
34 they can make the call to the frontline officers?

35 A. Well, potentially they could make a call. They could
36 disseminate information via Qlite devices using what's
37 known as the local computer-aided dispatch system. They
38 could even email those officers who have Qlite devices. So
39 it's a range of mediums which those DFVCs can communicate
40 with frontline officers.

41

42 Q. Now, what are the mandatory criteria which must be met
43 for an applicant seeking appointment to that role? Are
44 there any minimum qualifications or mandatory criteria?

45 A. So what we sought through our expression of interest
46 process was to have previous experience either as a
47 domestic or family violence liaison officer - officer or

1 coordinator. But not in every instance were we able to
2 fulfil that criteria, and what those officers went through
3 was a training program, some mentoring with some of the
4 more experienced domestic and family violence coordinators
5 within that centre.
6

7 Q. And on an ongoing basis once someone has been
8 appointed to that position is there any mandatory training?

9 A. There's no mandatory training as such. But ideally we
10 would want those officers to have completed the domestic
11 and family violence specialist course. But our ability to
12 roll out that course is dependent on a range of factors,
13 none the least of which is we're outside of this COVID-19
14 environment for an extended period of time, and there was a
15 training moratorium that was operational. But also the
16 capacity within the domestic and family violence command to
17 offer those training - that specialist domestic and
18 family violence training to officers that were recruited
19 into that domestic and family violence coordinator role.
20

21 Q. Okay. Can we turn then to HRTs --

22 A. Certainly.
23

24 Q. Which is another structure functionally aligned with
25 the command, as we heard earlier today?

26 A. Correct.
27

28 Q. Firstly, as I understand it from your statement,
29 high-risk teams are in essence led by the Department of
30 Justice and Attorney-General, and are supported by
31 coordinators who may be drawn from local DFV support
32 agencies and have attached to them a representative from
33 the QPS. Is that an accurate summary of how they work?

34 A. Broadly, yes.
35

36 Q. All right. Now, in essence, they are constituted by
37 agencies and organisations then who work together with
38 police to share information between the agencies about the
39 victim and perpetrator of any of the cases that have been
40 referred to the HRT?

41 A. Share information and jointly assess risk, yes.
42

43 Q. All right. And that's done, as I understand it, in
44 most cases by meetings typically held on about a weekly
45 basis between the QPS and the various other agencies who
46 form part of that team?

47 A. Correct.

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Q. Okay. They also identify appropriate specialist service providers that might be able to assist that couple or the individuals?

A. That's so.

Q. And coordinate services and provide supports to improve safety to those people and their families?

A. Correct.

Q. Okay. Now, in terms of capacity, am I right to understand that there are currently eight high-risk teams around Queensland?

A. There's eight locations throughout the state, yes.

Q. Okay. And that within each of those high-risk teams there is a limit to the referrals which can be accepted into any one team?

A. You're talking about a limit in terms of the overall quantum?

Q. Yes.

A. Yes.

Q. Now, how many police officers are there in each high-risk team, just the one or are there more?

A. So there are no police officers that fulfil a position in a high-risk team in a district. Within the state, our Domestic, Family Violence and Vulnerable Persons Unit, there is a senior sergeant coordinating, which on the organisational chart is referred to as - I think it's the MHIP project officer.

Q. Sorry, I might have misheard what you said. Within the teams themselves, the eight teams located throughout the state, there are police officers who are actually --

A. No, there isn't. There's a total of 20 staff members, staff members being civilian members of the Queensland Police Service.

Q. All right.

COMMISSIONER: Do they have training?

A. Yes. The project officers have completed the kind of risk and safety framework tool that was spoken about before, and as part of the State Domestic, Family Violence and Vulnerable Persons Unit they have attended a series of

1 training days during both my time and prior to my
2 appointment.

3

4 MS O'GORMAN: Are there any mandatory qualifications or
5 training prerequisites required for applicants applying to
6 one of those positions?

7 A. Not applying. But in terms of once they are appointed
8 they have to have completed the CRASF tool training.

9

10 Q. All right. And anything else separate to the CRASF
11 tool training?

12 A. Apart from the normal induction training process that
13 all staff members go through when they enter the Queensland
14 Police Service, no.

15

16 Q. All right. Now, one of the difficulties or challenges
17 that the Commission has had some --

18

19 COMMISSIONER: Sorry, can I just stop you there. The
20 induction training they go through? All people go through?

21 A. So staff members when they enter the Queensland Police
22 Service go through a basic induction training, everything
23 in terms of how they will receive their salary and
24 allowances to the organisational values. So just a
25 generalist training that any member of the public service,
26 whether that be state or federal government, would be
27 expected to go through.

28

29 MS O'GORMAN: I think I was starting to explain that one
30 of the difficulties or challenges that the Commission has
31 heard of in relation to the operation of the high-risk
32 teams is in relation to the rate of turnover of the police
33 officers who are functionally aligned or involved in that
34 information-sharing process. Is that a concern that the
35 command holds?

36 A. I think it's certainly a concern right across the
37 organisation, the ability to attract and retain members to
38 work within the domestic and family violence and vulnerable
39 persons space. So I would suggest it's not simply
40 restricted to high-risk teams. As I said before, there
41 aren't police officers that hold appointed positions within
42 high-risk teams. But there have been police officers who
43 have performed duties as a staff member in those roles. In
44 some instances that's been because we haven't been able to
45 attract staff members to fulfil that function.

46

47 Q. All right. Can I move now to some of the district

1 level structures that you speak about in your statement?

2 A. Yes.

3

4 Q. And can I ask firstly about DFVCs. As I understand
5 it, this is a position title which is the same as the DFVCs
6 in Brisbane police communications centre, but we're talking
7 about an entirely different role at the district level?

8 A. In large, yes.

9

10 Q. Okay. Now, do DFVCs replace DVLOs?

11 A. No. So DVLOs, domestic violence liaison officers, are
12 station-based officers that are typically general duties
13 officers that have been delegated by the officer in charge
14 of that police station what's commonly described as the
15 portfolio responsibility for that station in terms of
16 domestic and family violence.

17

18 Q. All right. I'll come to DVLOs then, but knowing
19 they're separate from DFVCs can we start with
20 the coordinators. Now, as I understand it from your
21 statement, the DFVCs are responsible for coordinating and
22 monitoring the policing response to domestic and
23 family violence within their district?

24 A. Correct.

25

26 Q. And they are at the rank of sergeant or above?

27 A. Yes.

28

29 Q. And they're assisted in fulfilling their duties by
30 DFVOs, domestic and family violence officers?

31 A. Yes.

32

33 Q. At the rank of senior constable or constable?

34 A. Correct.

35

36 Q. All right. Could we go to attachment H of your
37 statement, and it might require providing it to you or we
38 could bring it up on the screen if that's sufficient. The
39 document is [BRM.011.0001].

40 A. If I could have recourse to my laptop, Your Honour,
41 and I can see that. I can see that, yes.

42

43 COMMISSIONER: You should be able to see it there?

44 A. Okay. Yes.

45

46 MS O'GORMAN: Does that document there describe the
47 position that we've just been speaking about; that is, the

1 DFVC?

2 A. Correct.

3

4 Q. All right. Now, is it right that there's no
5 role-specific criteria for applying for that position?

6 A. Correct.

7

8 Q. Okay. And no specific training required to fulfil
9 that position?

10 A. There's no training to actually apply for the
11 position.

12

13 Q. Okay. So it's not a requirement that one has
14 completed the five-day specialist course, for example?

15 A. No.

16

17 Q. And what about once someone is appointed to that role,
18 is there any requirement that they complete any mandatory
19 training from that point?

20 A. There's no mandatory requirement, but what is common
21 practice within districts is that a domestic and
22 family violence coordinator will receive typically
23 district-based training in terms of the operation of that
24 domestic and family violence and vulnerable persons unit,
25 interaction with local non-government organisations, and
26 then outside of COVID the aspirational goal was for those
27 officers to have completed the domestic and family violence
28 specialist course.

29

30 Q. Okay. And so whether or not any particular DFVC does
31 that is determined at a district level rather than a
32 command level?

33 A. Certainly there is a recognition of those officers who
34 have recently been appointed to those roles, and it is the
35 case that they would be effectively sought after to be
36 placed on those domestic and family violence specialist
37 courses.

38

39 Q. All right. Now, is the role a full-time role?

40 A. It is.

41

42 Q. And what does it mean? In practice, how would a
43 DFVC's shift look?

44 A. Depending on the geographic location, it could be very
45 different.

46

47 COMMISSIONER: Sorry, can I just stop you there. Is it

1 nine to five?

2 A. Some officers do work shift work, but predominantly
3 they are nine to five.

4

5 COMMISSIONER: Is there only one per district?

6 A. No, there isn't, Your Honour. It varies. The larger
7 districts where the DFV and VPU capability is much more
8 mature - the Gold Coast, Logan, South Brisbane,
9 North Brisbane, Wide Bay district will have multiple
10 domestic and family violence coordinators and multiple
11 domestic and family violence officers.

12

13 COMMISSIONER: So those officers in those bigger stations,
14 that role would be manned 24 hours a day?

15 A. No. I would think that there wouldn't be a district
16 in the state where there isn't a 24/7 capability.

17

18 COMMISSIONER: Where there is?

19 A. Where there isn't - sorry, where there is, yes.

20

21 MS O'GORMAN: So if can you give us an idea of what
22 a shift might look like for a DFVC?

23 A. So if we take the Logan DFV and VPU, for example, what
24 that would require initially would be a daily review of the
25 domestic and family violence occurrences typically from the
26 previous 24 hours. Within that centre that would be a
27 conjoint process conducted by the domestic and
28 family violence coordinator officers, the embedded
29 non-government organisation and members of the high-risk
30 team where they will collectively talk about the previous
31 night's, the previous 24 hours' occurrences, and depending
32 on the potential risk that that domestic and
33 family violence situation provides would then largely
34 dictate what further action, if any, would be taken by that
35 domestic and family violence coordinator. It could be as
36 simple as a task back to the police station which initially
37 took the report. It could be a referralling to the
38 high-risk team in the formal sense. It could trigger a COV
39 capability whereby they would proactively go out and
40 further investigate the report of domestic and
41 family violence and any other related criminal offences.
42 So largely it varies on the particular incident and the
43 location in which that DFVC works.

44

45 Q. Okay. Now, you mentioned earlier the position DVLO,
46 and, as I understood it, you indicated that that's a
47 station-based position?

1 A. Correct.

2

3 Q. Do I interpret the OPM correctly if I understand that
4 it is the responsibility of the officer in charge to
5 appoint a DVLO if they consider that appropriate or
6 helpful?

7 A. That's correct. In the absence of a DVLO being
8 appointed the officer in charge of that station for all
9 intents and purposes is the domestic violence liaison
10 officer for that station.

11

12 Q. All right. And the OPM provides, doesn't it, that the
13 DVLO position is not a formalised position? So does that
14 mean that from station to station the time or resources
15 allocated to the DVLOs will vary?

16 A. There will be some stations that don't have a DVLO,
17 and, as I say, it will then fall back to that officer in
18 charge to fulfil that role of a DVLO.

19

20 Q. Okay. And what is the role of the DVLO intended to
21 be?

22 A. It's the first level of quality assurance in terms of
23 reviewing the initial response of typically the general
24 duties officer that investigates reported domestic and
25 family violence.

26

27 Q. So are they intended to be a point of contact for
28 frontline officers if they require assistance?

29 A. I would suggest that a shift supervisor or a district
30 duty officer would be that first line point of contact,
31 you know, close to that point of crisis. But subsequent to
32 that point of crisis the officer in charge or that DVLO is
33 a source of advice and guidance particularly around the
34 compliance aspects that relate to what's known as a
35 domestic and family violence occurrence.

36

37 Q. Can I ask you now some brief questions in relation to
38 what we've been calling by way of shorthand the VPUs?

39 A. Yes.

40

41 Q. The district level DFV and VP units. You talk about
42 those in your statement and describe there presently being
43 eight district VPUs. Is that still the right number?

44 A. As of March I think there was eight. There may in
45 fact be nine now. I understand the Morton district of
46 recent times has made overtures towards of having
47 established or near to being established a DFV and VPU.

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Q. And they're established at the district level, aren't they, not from the command more centrally?

A. They are established by the district, and they contain district-based resources, yes.

Q. Okay. In terms of what their functions are, could we please have put on the visualiser attachment J with document identification number [BRM.013.0001] but pinpoint reference 0002, please. We can see set out there a little more than two-thirds of the way down the page the functions of the DFVVPUs?

A. M'hmm.

Q. Is this an accurate description of their function, or was it at least at the time that you were last in the command, that is it's expected that VPUs will perform a number of core functions that align with and support the strategic objectives of the QPS, that is they will be focused on prevention, support existing police procedures, develop effective partnerships, identify and utilise collaborative responses and strategies, and provide case management?

A. Correct.

Q. And so are they intended to provide an investigative capacity in relation to DFV, or at least the complex cases?

A. Some of the DFV and VPUs have an investigative capability within, but certainly others that don't have an investigative capability within have that ability to link in with - whether it be a criminal investigation branch or a child protection investigation unit capability that exists within that district. That capability exists within every single district from the start.

Q. Okay. And, finally, functionally each VPU will operate according to the district level assessment of demands and requirements, and may look different to VPUs in different districts?

A. Very much so, and a lot of that is dependent not only on the internal resourcing of the QPS but on the availability of external resources as well. You know, it's that adage of local problems are best dealt with through local solutions, working in partnerships with communities and with non-government organisations that, where they do exist, work in with our DFV and VPUs.

1 Q. Thank you. A lot of or a large portion of the rest of
2 your statement deals with training issues, which
3 I understand Mark Kelly will be able to give evidence about
4 tomorrow. So I don't intend to ask you any further
5 questions about those training issues or the remainder of
6 your statement at this time, but there may be other
7 questions from parties at the table.

8 A. Thank you.

9

10 COMMISSIONER: Thank you. Ms Hillard?

11

12 MS HILLARD: Yes. Thank you.

13

14 <EXAMINATION BY MS HILLARD:

15

16 Q. Just picking up on the document that's on the screen,
17 just while it's there, in respect of - sorry, electronic
18 page No.3, which should also be page 003, it talks about
19 the domestic - "DVL0s are involved with the day-to-day
20 multi-function". So towards the bottom of the page you see
21 there the second last paragraph there where we're talking
22 about they have an involvement?

23

24 COMMISSIONER: Where are you looking at? Is that the
25 second last paragraph?

26

27 MS HILLARD: Excuse me. I might have been reading from a
28 different document. I apologise. I'll move on. It's on
29 page 2. It's under the functions, under the heading "The
30 functions of the DFVVP0". So they are required to comply
31 with the core functions that align and support the
32 strategic objectives of the Queensland Police Service. Are
33 these the command objectives or the district level
34 objectives?

35 A. So just so we're talking about - are we talking about
36 the DVL0s or are we talking about the DFVVP0s?

37

38 Q. Functions of the DFVVP0?

39

A. Yes.

40

41 Q. So that's what we've currently got here?

42

A. Sure.

43

44 Q. They have to comply with the strategic objectives; is
45 that at a district level or is that a higher level or a
46 command level? What objectives are we talking about?

47

A. So we're talking about the QPS strategic plan and the

1 QPS domestic and family violence strategy which cascades
2 down to a district-based responsibility.

3

4 Q. And in respect of the district-based responsibility
5 one of the things that is the subject of some evidence yet
6 to come is inconsistency of responses between districts;
7 because someone lives in a different postcode they get
8 different services. Is that a problem in service delivery,
9 and how is that going to be overcome?

10 A. It's a very good question. Part of it comes down to
11 resourcing, for instance if we take the Logan DFV and VPU
12 and the Gold Coast DFV and VPU, which are very mature in
13 terms of their resourcing, their capability, and a
14 significant part of that is the availability of external
15 resources that exist within south-eastern Queensland as
16 opposed to central, western and far northern Queensland.

17

18 Q. And the second part of the question is what can be
19 done to overcome those perceptions and the practical
20 realities of differences in the delivery across those
21 different districts?

22 A. Well, part of it is resourcing.

23

24 Q. So we're talking about funds and money and staff?

25 A. Yes. So the reasons are multifaceted. Training. The
26 ability to attract police. You know, resourcing is all
27 good and well, but in terms of building the specialist
28 capability within a DFV and VPU it takes a relatively
29 significant period of time. We - you know, the last thing
30 that we want to be doing is drawing police from other
31 frontline areas or other specialist areas. This will be a
32 long-term investment to increase our capability right
33 across the state. Being able to attract police to work in
34 remote parts of Queensland, Far North Queensland within
35 the domestic and family violence space is going to be
36 difficult.

37

38 Q. There is hypothetically nothing preventing the police
39 from recruiting qualified social workers or domestic
40 violence trained social workers?

41 A. If those members would apply to join the Queensland
42 Police Service, but in terms of the ability to have them
43 respond at the point of crisis, that's very limited. One
44 of the most dangerous things that a police officer will do
45 is respond to a domestic and family violence incident. So
46 I don't want to be in a position where we are putting
47 social workers that haven't been trained in the way that a

1 normal police officer has in a potentially life-threatening
2 situation.

3

4 Q. Is that not perhaps a reason for this multi-tiered
5 approach and a multi-disciplinary approach that there is a
6 first response and a frontline response and then a more
7 considered risk assessment response that can take place in
8 a much more calm manner?

9 A. And that's precisely the model that both I and the
10 Queensland Police Service have been advocating for for some
11 time.

12

13 Q. But at this point in time there is no secondary layer
14 of that assessment that takes place, is there?

15 A. Well, within some of the DFV and VPUs there are. So
16 you've got - for, again, Logan you've got an embedded
17 social worker that is part of that daily triage process
18 that is providing that external lens, linking into the
19 availability of information holdings that exist within that
20 non-government organisation.

21

22 Q. What do you say about this perception of women mostly
23 as the aggrieved attending at a station or calling out for
24 police, it doesn't matter which, of being referred to the
25 social worker rather than police doing their job or police
26 doing their policing actions? Have you got a view about
27 the likelihood or the occurrence of that happening?

28 A. Certainly I have heard reports of that occurring and
29 there have been a number of instances where that has
30 triggered certain reports in terms of the failures of those
31 police officers. Our policies are really, really clear in
32 terms of what are the expectations upon police when they
33 receive a report of domestic and family violence, and, as
34 Assistant Commissioner Codd spoke of in terms of ensuring
35 compliance around that fact, things like mandatory
36 activation of body-worn cameras has to some extent
37 ameliorated the presence of those kinds of events from
38 occurring.

39

40 Q. If we just focus for the moment on the activation of
41 body-worn camera footage or the cameras to record, in some
42 circumstances that could be used against an aggrieved
43 because, you know, they're distressed, they're upset,
44 they're not thinking calmly if they've just perhaps been
45 attacked, yet - they might even have concussion, they might
46 have an injury. How have the police been trained about the
47 use of body-worn camera footage, (a), and (b) the responses

1 in those sorts of scenarios?

2 A. That's precisely the training that's being delivered,
3 as I understand, as part of the video-recorded evidence
4 pilot now.

5
6 Q. That's the three-day training that's coming up?

7 A. I'm not precisely familiar with the duration of it,
8 but as part of the video recorded evidence pilot
9 training --

10

11 Q. Sorry, I did hear properly. The video evidence, yes.
12 Now, in respect of Counsel Assisting she asked you a couple
13 of questions about the vulnerable persons unit. It's
14 perhaps undergoing an evolution. It's no longer the model
15 that it used to be and it has more integrated responses,
16 and you were asked some questions about the high-risk team.
17 Can I just be clear in your answers. The high-risk team
18 does not actually have a policing officer who can effect
19 arrests as part of that team; is that right?

20 A. The QPS model is 20 staff members, civilian members,
21 not police officers. But many of those HRTs are embedded
22 within a DFV and VPU. So those staff members have the
23 capability to refer a situation or investigation to a
24 police officer. In some instances you have police officers
25 either part of that DFV and VPU or as part of that district
26 that will attend the HRT meetings to provide those insights
27 in terms of police policy and moreover the Domestic and
28 Family Violence Protection Act.

29

30 Q. In respect of that HRT referrals it would be fair to
31 say there's not very many that go through to that process;
32 is that right?

33 A. Well, the QPS provides more referrals than any other
34 government agency or any other participant of high-risk
35 teams. So from the QPS perspective there are significant
36 numbers of referrals that QPS makes compared to other
37 government departments.

38

39 Q. And in respect of the high-risk team and the functions
40 do you have any knowledge or any data or information on how
41 long a case may be remaining open in the high-risk team?

42 A. Not off-hand, but I would suggest that they would vary
43 greatly.

44

45 Q. And the high-risk team doesn't have, as I think has
46 already been canvassed, this ongoing involvement of case
47 management, does it?

1 A. Are you talking over several years?

2

3 Q. For example, someone has complex and/or health
4 problems. They have a disability perhaps. They have
5 homelessness as an issue. They get referred to the
6 high-risk team. As soon as one of those or whatever their
7 issue is resolved they're no longer in that team, are
8 they? They get referred back somewhere else?

9 A. That's quite possible, yes. It could be referred to a
10 government department or it could be stepped back down to
11 the case managed by the local DFVC or DFVVPVU.

12

13 Q. And in respect of the vulnerable persons unit in
14 respect of the training that's been provided, and I'm
15 talking about the model that is now the case that DFVVPVU,
16 you were asked a few questions about that training, that
17 training doesn't have an competence assessments as part of
18 that, does it?

19 A. I understand the DV specialist course does, yes.

20

21 Q. And otherwise the vulnerable persons unit training
22 doesn't have a competence assessment with it?

23 A. Well, when you talk of the vulnerable persons unit
24 training, a lot of that is linked to the DV specialist
25 course. But there is no DFV and VPU training course
26 per se.

27

28 Q. And when we look at the position descriptions, and
29 Counsel Assisting popped them up on the screen, I'm happy
30 to call them up if you want to have look at them, but in
31 respect of both of those, it's BRM.010 and BRM.011, in
32 respect of both of those neither of them have a gender
33 preferred indicator, do they?

34 A. No, they don't.

35

36 Q. You would know, for example, that if you wanted to
37 have a gendered position that you can apply for an
38 exemption and it can be advertised specifically for a
39 particular cohort of tender; isn't that right?

40 A. I've been through that process, yes.

41

42 Q. And in respect of each of these matters, for example
43 in the one at BRM.010, this is the district domestic and
44 family violence liaison officer, one of the things they're
45 required to do or their key accountabilities is
46 interpreting --

47

1 COMMISSIONER: Do you want that up, Ms Hillard?

2

3 MS HILLARD: Yes, thank you, if that's convenient. It's
4 on the second page. Thank you. It's in the middle of the
5 page, the fourth dot point, "Interpret information and
6 statistical data to identical critical issues." Is there
7 any specific training that is provided for the domestic
8 violence liaison officer to do this?

9 A. As part of the specialist domestic and family violence
10 training course I understand there is.

11

12 Q. That's provided to them in order to interpret
13 information and statistical data?

14 A. For the purposes of fulfilling their own role. They
15 certainly aren't getting into statistical regression
16 techniques or anything of the high academic learning, but
17 in terms of being able to fulfil their duties as a domestic
18 and family violence coordinator.

19

20 Q. And is this part of feeding into these district based
21 responses for individual parts of the state?

22 A. Sorry, is what part of?

23

24 Q. Is this feeding into the different responses in the
25 district specific responses of what's provided at different
26 parts of the state?

27 A. The statistical information?

28

29 Q. Don't the districts - we'll go through it one step at
30 a time. Don't the districts have individual control,
31 perhaps, so to speak, about what might be provided in their
32 particular district; what services might be provided in
33 their district?

34 A. Policing services?

35

36 Q. Yes.

37 A. Yes.

38

39 Q. All right. And that is determined on a district by
40 district basis by input of these officers, is it?

41 A. They have a say, yes.

42

43 Q. Well, the interpreting of the information of the
44 statistical data that they provide, what's done with that
45 information, do you know?

46 A. Well, a number of things. For instance, they might
47 identify three or more repeat calls for service,

1 statistical information, that would then trigger a case
2 management approach to that domestic and family violence
3 relationship. They might identify an increase in
4 strangulation occurrences within a particular cohort of a
5 particular location. That will then cause them or that it
6 should cause them to employ a whole range of evidence based
7 practices to try and prevent and disrupt that kind of
8 behaviour from occurring again.

9
10 Q. And it's based on their frontline workers providing
11 information to them or collecting information; that's all
12 that they're really looking at, is that right?

13 A. That's a part of it. The district violence
14 coordinators have recourse to statistical data that's held
15 by Queensland Courts and a whole range of other government
16 departments. They have got access to the QPS library to
17 obtain a whole range of academic journals that provide them
18 with a whole range of information in relation to domestic
19 and family violence.

20
21 Q. Would you accept as a general proposition, and you may
22 wish to comment, that if there is a deficiency perhaps in
23 the identification of risk the ability to be able to
24 provide a response in a call-out situation that, and that
25 training isn't quite up to par, that that will have a
26 flow-on effect about the effectiveness of the DVLO and this
27 reporting that they undertake?

28 A. It's a common sense risk, yes.

29
30 Q. And when we go over to the district domestic violence
31 family - sorry, the coordinator position at BRM.011 - if
32 that could be put up on the screen if you wanted to have a
33 look at that, this person on page 2 at dot point 4 is
34 required to conduct research and analysis in their
35 particular district, including environmental factors.
36 Would the same propositions apply that it's only as good as
37 the quality of the information being provided to the DVLOs?

38 A. That's part of it. But you've got to keep in mind
39 that they are just one player within the domestic and
40 family violence space within that district. You are going
41 to have intelligence officers. You are going to have crime
42 managers, officers in charge of stations, commission
43 officers, district officers. Then all of these factors and
44 all of these officers are then reviewed as part of
45 the Commissioner's performance reviews for that particular
46 region. So what I'm suggesting is that there's several
47 layers of oversight to ensure that the response is

1 contemporary and where an officer is found to be deficient
2 there's a whole performance regime that can be implemented
3 as either a supervisor or a commissioned officer of that
4 member.

5

6 Q. You talk about a response being deficient or maybe
7 requiring additional work. But am I understanding it you
8 are talking about the DVL0s doing a review or the
9 coordinators doing a review or somebody else doing a
10 review?

11 A. So there's several layers. So the domestic violence
12 liaison officer will do a first level review, and the
13 domestic and family violence coordinator will do a district
14 based review, and then sitting over that typically you have
15 a crime manager, and then as I say a broader suite of
16 performance reviews that happens at that strategic level.

17

18 Q. And that present they're really what I might use the
19 phrase as desktop reviews in that they're looking at the
20 data that frontline people - sorry, the information that
21 the frontline people have collected; they are not
22 contacting the aggrieved themselves and the like, are they?

23 A. In most instances domestic and family violence
24 coordinators will work --

25

26 Q. I'm just talking about the reviews, when they do the
27 reviews?

28 A. In many instances they will contact the aggrieved
29 either via telephone or they will attend at their
30 residence.

31

32 Q. And when you talked about them doing - when
33 Counsel Assisting was asking you questions about them doing
34 daily reviews, the daily reviews are, what, just the
35 occurrences and the reports, and then they get activated
36 and they go and do whatever they do and talk to the victims
37 or the aggrieved and the like; is that right?

38 A. That's the primary source in which the information is
39 recorded in. So, yes, that's the only record of that
40 domestic and family violence incident. So that's what they
41 review.

42

43 Q. And the domestic violence liaison officers don't have
44 access in all cases across the state, do they, to social
45 workers or the benefit of their expertise when they're
46 assessing risk?

47 A. They could contact a social worker. If there's a

1 social worker that exists within their district, absolutely
2 they can.

3

4 Q. But there's not one in every district that is
5 available to the DVLOs, is there?

6 A. No, there isn't.

7

8 Q. And in those scenarios where there isn't one who's
9 available the DVLO is left to have to try their best or
10 find someone else by other means; is that right?

11 A. In the absence of any external resourcing, it falls to
12 a police response only, yes.

13

14 Q. And in respect of the integration of services with
15 embedded - whichever words one wants to use, "embedded",
16 "co-located", "integrated", whichever way one looks at it,
17 would you agree that there is an overall benefit to having
18 social worker involvement, maybe not at the frontline as
19 you identified the risk, but certainly perhaps at a later
20 point in time?

21 A. Absolutely. There's many instances that I've become
22 aware of whereby victims for a number of good reasons feel
23 uncomfortable in speaking with police, particularly within
24 First Nations communities when we're talking about
25 intergenerational trauma. It is a significant ask of
26 frontline police to try and overcome decades of
27 intergenerational trauma and build rapport. What we're
28 seeing through the co-responder model operating at Logan is
29 disclosures of significant domestic and family violence and
30 sexual violence to social workers that most likely would
31 never have been borne out if it was solely a policing
32 response, and that's why organisationally we've been
33 advocating for co-responder models as a way of being more
34 victim-centric and trauma-informed and providing better
35 safety outcomes for victims in the long-term.

36

37 Q. You used the word "co-responder", but whether it is
38 co-located at the one location and multidisciplinary or
39 whether it's people going out in a response situation do
40 you see a difference between those two?

41 A. I think there's a place for both of those models.
42 What we see at the time of crisis is often when people need
43 the help most. Whereby victims are having support weeks,
44 months later, I see a co-responder model in terms of
45 providing that support to victims at the right time when
46 they need it the most as certainly a model that's worth
47 investment.

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Q. And in respect of the models you were one of the witnesses I believe in both of the inquests for Doreen Langham and certainly for the Hannah Clarke inquest. Are you aware of the recommendations that were made by Deputy Coroner Bentley about a multidisciplinary team?

A. I am.

Q. In fact to my recollection you had agreed that it would be beneficial generally to have these multidisciplinary locations that involved not only police, but detectives, specialist DV officers, child safety, Department of Housing, Queensland Health, and a lawyer. You would still agree with all of that?

A. The concept of multidisciplinary centres I would agree with, yes.

Q. In respect of the manual that's annexed to Assistant Commissioner Codd's statement, he said that you're the one that mostly prepared this document. You might have been in the back of the court room. [BJC.004.0001]. It's titled "The domestic and family violence manual". He spoke about that as being in a draft; is that right?

A. So the notion that I prepared the document is incorrect.

Q. You were responsible for the preparation of it or you were overseeing the preparation of it?

A. So the genesis of the concept of a DV manual came from me. It's --

Q. I should just pause. I'm not being critical at all. I'm really just interested in the idea that it is a draft and it is a work in progress with room for improvement.

A. Absolutely. I did listen to the evidence of Assistant Commissioner Codd and I can tell you that in the first draft that I saw in October there was a very clear and unequivocal statement that domestic and family violence disproportionately affects women and children.

Q. And generally speaking as well when we're talking about manuals and the like they don't replace, you would agree, value training delivered by the Queensland Police Service to the police officers about what's expected of them and how they can best respond?

A. They certainly don't replace it, but they complement

1 it. The intention of the domestic and family violence
2 manual was to make it very clear that what our officers -
3 what their obligations are and how they discharge those
4 obligations. I'm sure you've had recourse to the
5 operations procedures manual as they currently are.
6 They've already got those. In many instances they simply
7 replicate the legislation, which in my view is relatively
8 complex, and what we want to do is provide our police at
9 the point of crisis with the information that allows them
10 to make better decisions with respect to responding to
11 domestic and family violence.
12

13 Q. Isn't it better delivered by regular and annual
14 training rather than perhaps a manual that they're expected
15 in a crisis situation to read 177 pages as it presently is?

16 A. Well --

17
18 Q. Or to search 177 pages to find what they need?

19 A. It requires a suite of interventions. But in terms of
20 the manual itself the intention of the manual was it to be
21 much briefer than that. I've got no doubt that based on
22 some of the commentary here today that the manual will be
23 revised because, as I say, its overarching intention is to
24 make it very clear to frontline police what their
25 responsibilities are under the law, how to better support
26 victims and hold perpetrators to account and do that in a
27 very intuitive, simple way.
28

29 Q. Isn't it more intuitive for them to be demonstrated
30 and shown that by, for example, body worn camera footage
31 examples as part of a training exercise?

32 A. As I've already agreed to, this is a multifaceted
33 approach. Training in itself won't be enough.
34

35 COMMISSIONER: Chief Superintendent, while Ms Hillard is
36 just getting some instructions, can I just find out if I've
37 got this right. The domestic and family violence
38 coordinators are full-time in that position; is that right?

39 A. Correct. There will be some officers that are
40 part-time.
41

42 COMMISSIONER: Right.

43 A. But their responsibilities are nothing but as a
44 domestic and family violence coordinator.
45

46 COMMISSIONER: Okay. I understand that. So they work
47 part-time. But when they work they're doing that

1 full-time?

2 A. That's right.

3

4 COMMISSIONER: All right. And then the DVLOs, that is not
5 a full-time position, is it?

6 A. No, it's not.

7

8 COMMISSIONER: So that's in addition to their normal
9 duties?

10 A. They are typically general duties officers that have
11 that DVLO role as one of their portfolio responsibilities.

12

13 COMMISSIONER: Okay. Is there any check as to whether
14 they're actually allowed time to do that? Because we've
15 had some reports that it's just an add-on to all of their
16 duties. So in fact they're trying to either do it after
17 hours or squeeze it in between jobs.

18 A. Largely that's left to be managed by the officer in
19 charge of that station. But as you've already seen,
20 Your Honour, from the extraordinary amount of demand that
21 we're facing in the domestic and family violence space it's
22 an area where those officers are significantly pressured in
23 terms of the volume of matters that they deal with, but
24 also the complexity in terms of the intersectionality of
25 domestic and family violence with mental health, substance
26 abuse, a whole range of social issues.

27

28 COMMISSIONER: All right. Thank you. Sorry, Ms Hillard.

29

30 MS HILLARD: No, I'm fine. Thank you, Commissioner.

31

32 MR McCAFFERTY: No questions thank you, Commissioner.

33

34 MR HUNTER: Nor from me, Your Honour.

35

36 MS O'GORMAN: Might Chief Superintendent Martain be stood
37 down, please.

38

39 COMMISSIONER: Yes. Thank you.

40

41 WITNESS: Thank you, Your Honour.

42

43 COMMISSIONER: You're stood down.

44

45 <THE WITNESS WITHDREW

46

47 MS O'GORMAN: I'm mindful of the time.

1
2 COMMISSIONER: Yes.

3
4 MS O'GORMAN: Neil Gardner, Sergeant Neil Gardner, is here
5 and ready to give his evidence. We might call him now.

6
7 COMMISSIONER: Yes.

8
9 MS O'GORMAN: And I do so.

10
11 <NEIL GARDNER, sworn:

12
13 <EXAMINATION BY MS O'GORMAN:

14
15 Q. Sergeant, as I understand it, you fill the position of
16 the DFVC at the South Brisbane VPU located at Camp Hill; is
17 that correct?

18 A. That's correct.

19
20 Q. All right. Now, in your statement you refer to the
21 DFVC being previously known as the DVLO. Can you just
22 clarify for us what you mean in terms of the distinction
23 between those two positions as you understand them to be?

24 A. So going back in time the DFVCs didn't exist. So we
25 had DVLOs. So we had a station DVLO, which the
26 Chief Superintendent described, so somebody at the station
27 who had a district DVLO who was responsible for all of the
28 stations in that particular area. So like oversight. That
29 was a sergeant's role. Subsequently that was renamed as a
30 domestic and family violence coordinator. But we kept
31 station DVLOs, and we have the oversight of the station
32 DVLOs and the district DV responsibility as a DFVC.

33
34 Q. All right. So essentially there's been a change in
35 the way that the DVLO term is used?

36 A. Just a change in - yes, just a change in the name.

37
38 Q. All right. All right. Can I ask you, please, about
39 the structure of the VPU as it operates in South Brisbane.
40 You've indicated in your statement that there are a number
41 of permanent staff located at the VPU and we can see that
42 they are a senior sergeant, who is the officer in charge,
43 three sergeants of whom you are one?

44 A. Correct.

45
46 Q. Two senior constables, two detective senior constables
47 and an A03 administration officer?

1 A. That's correct.

2

3 Q. Do you also have embedded in or co-located at the VPU
4 any external DV support agency representatives?

5 A. Yes. So we have a worker from the Brisbane
6 Domestic Violence Service who co-locates at our office.
7 One day a week she will go out with a crew and actually
8 assist at domestic and family violence incidents. She has
9 her own workload from her service, and she also is a point
10 of reference for issues that they may have with the same
11 clients. She will ask us queries and we may have an
12 exchange of information between her if we have some
13 questions about the same clients.

14

15 Q. All right.

16

17 COMMISSIONER: Is that from the BDVS? Which group is she
18 from?

19 A. She's from the Brisbane Domestic Violence Service,
20 BDVS.

21

22 MS O'GORMAN: If we move back to the personnel who are
23 employed by the QPS we can see from your statement that
24 there's more staff who are located within your VPU who are
25 rotational staff than permanent members?

26 A. That's right. So there are four districts within our
27 South Brisbane district, or four groups, and each one of
28 those provides two people. So there are eight officers on
29 rotation that come through the VPU for a number of months,
30 depending on their availability and how they're stationed
31 or staff. Occasionally we also have some first-year
32 constables who will come out for two weeks as part of their
33 first year constable training.

34

35 Q. All right. Now, I see you nominate within your
36 statement that one of the drawbacks of that kind of
37 arrangement is a lack of development in specialist
38 knowledge within the VPU.

39 A. Yes. So over the period of time - the VPU has been
40 running since 2016 and we have a number of officers who
41 have come back a number of times. So they have actually
42 spent quite a lot of time at the VPU. So they're
43 experienced in our procedures and what we do and the way we
44 work. However, they have had no specialist training in
45 that area

46

47 Q. All right. We've heard some reports of people being

1 appointed to positions within a VPU essentially to give
2 them a break from their usual role. Is that something that
3 you've come across?

4 A. Yes, so somebody has to come to the VPU from the
5 station on that rotational basis. Sometimes the person
6 that comes wouldn't necessarily have DV as their most
7 enjoyable thing that they want to do. Other people would
8 love to come and work there. So, depending on who's
9 available and who's been before, dictates a little bit on
10 who actually comes to the unit. So some people don't want
11 to be there, really. They do their job. But they're not
12 passionate about it. And other people are incredibly
13 passionate about it and it will be nice to keep them.

14
15 Q. All right. Given that there is that rotation of
16 people who might not want to be there, people who are very
17 passionate and what to be there but get moved on, do you
18 observe over time a cultural change within the VPU where
19 you work reflective of the levels of commitment of the
20 officers who are there at any one time?

21 A. Do you mean can we change the culture of the people
22 that come there while they're there? Is that what you
23 mean?

24
25 Q. No. I'm really asking whether or not as the staff
26 rotates and turns over you can observe a cultural shift
27 within the VPU; that sometimes the culture is one that is
28 highly committed to DV and other times because of the
29 personnel that might not be so strong?

30 A. Yes, I think you'll have a variance in the response
31 depending on the officers that you have working there.
32 Some other officers that we have there were previously
33 counsellors before they joined the police. So obviously
34 they're better informed and can probably respond in a more
35 appropriate way than someone who hasn't had any of that
36 kind of experience. Some officers may be in their second
37 or third year of service compared to someone who has been
38 in a relationship themselves and has a number of children
39 and has a better insight on life in general. So policing
40 is, you know, full of a variety of officers and sometimes
41 we have a better cohort working there, I would say more
42 positive towards domestic and family violence, and other
43 times perhaps not quite so.

44
45 Q. Now, in your role as shift supervisor you say in your
46 statement that every morning you review the domestic and
47 family violence occurrences that have occurred within the

1 last 24 hours.

2 A. Yes.

3

4 Q. How long on average will that task take you?

5 A. All day.

6

7 Q. All day?

8 A. Depending on how many there are. Normally about 40.
9 Sometimes up to 60. I will work through those to the
10 exclusion of everything else, if I can possibly do so, and
11 by about half past one I'd probably get finished if I'm
12 working an eight-hour shift and that would be sitting at my
13 computer while I'm having something to eat and having the
14 occasional cup of coffee doing the same thing. So it's
15 pretty much nothing else. If I get taken away from that or
16 distracted away from that to do something else, then
17 there's an opportunity of those tasks - you wouldn't have
18 the capability to finish those tasks. I normally work a
19 10-hour shift, because I'm a flexible worker, so I've got a
20 bit of a buffer at the end of my day. But really the
21 concentration and attention that is required to do that
22 role means that by the end of the day that's me done.

23

24 Q. All right. You say as part of discharging that
25 function you assess the police response that was given to
26 each of the occurrences.

27 A. Yes.

28

29 Q. How do you go about doing that? Are you dependent on
30 the information that's being fed through to you from the
31 police officers who were responding to each incident?

32 A. Yes. We predominantly will be looking at the police
33 report and then we would also look at previous instances of
34 DV, if there are any. So I will be going through previous
35 occurrences to see whether or not they would fulfil the
36 criteria for case management, which is three DV reports in
37 the previous six months. If that was the case I would do a
38 case management file and we'd assess whether or not it is
39 going to be a VPU, it's like a high-risk matter, which
40 would be followed up by the vulnerable persons unit or it
41 would go back to the station for a case management by the
42 station DVLO who will have a look at those.

43

44 Q. You mentioned that from time to time you send tasks to
45 rectify any identified issues that you have observed in
46 respect of the police response. How often is it that you
47 have to go back and assign tasks to officers to fix up?

1 A. So QPRIME is a massive beast and it has lots of boxes
2 that need to be filled. Sometimes an officer may not tick
3 a box and that would technically mean that I would have to
4 send them off a task to say, 'Hey, you haven't ticked this
5 box.'" So on an average day I would probably maybe send
6 five or six or seven tasks like that to the station to say,
7 "Hey, you haven't done this or you haven't done that. Can
8 you rectify it." Very rarely would I find something that
9 is substantially wrong with an occurrence where I would be
10 sending a task to say, "This is a high-risk matter and
11 you've missed something that was major." If that was the
12 case then I would be on the phone. I wouldn't be sending a
13 task for that. So, yes, we do send tasks but it is more of
14 an administrative compliance kind of area as opposed to,
15 "You've failed to investigate this matter properly." It
16 does happen, but that be rare. If that was the case that's
17 why we do these checks, not to find the compliance issues
18 but to find where, "Hang on a minute, we think you haven't
19 investigated this correctly or there's something that's
20 going on here that you haven't seen," and then that would
21 initiate some further action by us by probably a phone
22 call.

23
24 Q. You say in your statement that in assessing the risk
25 you use the DV-PAF completed by the reporting officer?

26 A. Yes.

27
28 Q. Can I ask how that works in practical terms. Does it
29 mean that the reporting officer will have completed the
30 DV-PAF on-line which you can then access and review to
31 determine if you reach the same assessed level of risk as
32 the reporting officer?

33 A. Yes. So everyone has their own little way of
34 performing their role. So all QPRIME occurrences except
35 for no DV, which is a report where police go there and they
36 say, "This is not DV," all of the other reports that do any
37 occurrence will have a PAF on it. So every time I look at
38 a report it will either be in the police protection notice,
39 there's a special area, but in other occurrences it's a
40 button, it's a tab, you look on the tab and you've got the
41 ones that the officer has stated there.

42
43 For me I read the report. I'm looking for the story.
44 Then I look at the PAF afterwards to see if the officer has
45 ticked all the things that I've identified in their story.
46 If I see some things ticked on there that I haven't seen,
47 that might be me saying, "You've mentioned this in the PAF,

1 but it's not mentioned in that," or then I will be looking
2 at previous occurrences and seeing sometimes the officer's
3 put things in for the general situation that may have
4 occurred in a previous occurrence but didn't necessarily
5 occur in this. So if there was, let's say for example, a
6 strangulation in an occurrence that happened two months ago
7 and where back there for an incident which hasn't got
8 strangulation in this one, then it will have strangulation
9 on the PAF and, "Where's that come from," and then I'll go
10 and have a look to find out where it's in.

11
12 Q. How easy is it for you sitting in the office reviewing
13 the reports and the documents coming through to you to make
14 an assessment of whether or not the recording officer has
15 reached the right conclusion as to the level of risk?

16 A. It's pretty straight forward for me to make that
17 assessment on the information they have given me. It's
18 whether or not the information they have given me is all
19 the information, which we'll never know. So one of the -
20 so I'm looking for high-risk matters. If the officer has
21 stated that it's high risk, normally then we will do some
22 follow-up. Some of the questions that you might think if
23 you're reading through, "I'd like to know a little bit more
24 about that; I'd like to know a little bit more about that,"
25 then we will task to our staff members who are there on
26 rotation to go out and ask those questions so that we can
27 more fully inform the DV services and ourselves for later
28 calls about what the actual situation is for that couple or
29 those parties involved.

30
31 Q. If a couple or indeed one party to that couple has
32 previously been the subject of a number of DV-PAFs
33 completed by a reporting officer where the assessed level
34 of risk was high or extreme and then on another day a
35 completed DV-PAF comes through to you in relation to that
36 same person or couple and this risk is assessed as being
37 low or medium, does that trigger anything for you to
38 require people to go out and conduct further investigations
39 at that point?

40 A. I treat every occurrence as additional information to
41 what's gone on before. So if we've previously - if there
42 was strangulation, it was extreme risk before, then I would
43 - 99.9 times out of 100 we would have already gone out and
44 had some kind of contact with that person. So I will be
45 able to look at what we've done previously, see whether or
46 not those people accepted referral, were they referred to a
47 support service. If they had been, then I would talk to my

1 embedded worker and say, "Hey, this person was with you.
2 What's the current situation because this has just
3 happened?" Then she might say, "Hang on, I'll find out for
4 you," talk to their case worker and then would get back to
5 me and say, "This is currently the situation."
6

7 It's my intention to provide the maximum amount of
8 safety for that person. Would me going around there or
9 police officers going around there and knocking on the door
10 make that person less safe or safer? If it's going to make
11 them safer, then we'll go and do that. If it would be
12 "Well, hang on a minute, let's wait a couple of days, I'll
13 get the case worker to speak to that person, we'll find out
14 what's going on," is that a better trauma-informed practice
15 to do that rather than have them perhaps go through their
16 whole story again? So, you know, holistically approach to
17 the whole thing, trauma-informed practices, these are
18 great, but in practice it does work. "You tell me what's
19 going on. It's your client. You're the people that's
20 supporting them. Is there anything we can do to assist
21 you?" That's the way we're looking at it.
22

23 I don't like to just tick boxes and say, "It's high
24 risk. We are going to go out there. We are going to do
25 our job and say, 'Yes, we asked these questions and we did
26 this and we did that,'" when that isn't the safest thing to
27 do. The safest thing to do is to find out what the safest
28 course of action is and then follow that.
29

30 Q. Can I ask you about criminal investigations. Is it
31 the role of anyone within your VPU to conduct criminal
32 investigations when they're warranted because they have
33 been identified as - because criminal or potential criminal
34 offences have been identified as having occurred in any DFV
35 incident?

36 A. So we have currently four detectives in the
37 South Brisbane vulnerable persons unit. Two are permanent
38 and two are on rotation. So they manage our high-risk
39 high-harm offenders, so people that have been identified as
40 extreme risk and very likely of committing further serious
41 domestic and family violence offences, and they also have a
42 role to investigate complex or ongoing DV matters separate
43 from the local CIB. So quite often if the police go to an
44 incident and there is a serious criminal offence that would
45 immediately involve investigation by the local CIB, if it's
46 in the middle of the night. So those processes at that
47 stage will already be standard police practice. So we

1 don't usually come in and take over the job of the local
2 CIB.

3
4 However, if, for example, a private DV application
5 which we review came in and there was serious criminal
6 offending that came to notice in what that person was
7 saying then we would follow that up with a view to our
8 detectives going to deal with that person because it hasn't
9 been touched by any other police officers before, if you
10 know what I mean.

11
12 Q. All right. You mentioned a little earlier that with
13 viewing these occurrences or the occurrences that had
14 occurred within the previous 24 hours might take up the
15 bulk of your shift and really by the end of the time you've
16 completed that task you're essentially spent, is that a
17 sustainable way for a shift supervisor to have to operate
18 over a long period of time?

19 A. No.

20
21 Q. Is there a solution to that problem that you can see?

22 A. So one of the solutions is - so we are the vulnerable
23 persons unit. We are not the DV unit. So we also have
24 mental health to consider and other vulnerabilities, elder
25 abuse. So sometimes we do try and break up the role of
26 shift supervising with occasionally they let me out on the
27 road, and we have a mental health co-responder and I get a
28 chance to go out and do other things which breaks up that
29 other role that I have. So the worst role in the
30 vulnerable persons unit is the daily checks but it's the
31 most important one because that's where all of the other
32 work comes from.

33
34 Q. Is it not only physically exhausting but emotionally
35 exhausting for you to be fulfilling that role?

36 A. Yes.

37
38 Q. Can I ask you about calls for assistance to the VPU as
39 you've referred to in your statement. You've indicated
40 that the VPU is a point of contact for other QPS staff for
41 advice and information in relation to DFV. Who is it in
42 general that will call the VPU for advice? Is it frontline
43 officers?

44 A. It's more likely to be - so frontline officers would
45 normally get assistance from the DFVCs that are in the
46 police comms, and certainly we don't tend to get calls from
47 out west or people who are outside of Brisbane. But

1 generally it would be supervisors and above, OICs perhaps,
2 who have a complex DV matter that they're pretty sure they
3 know what they're doing and they just want some
4 confirmation, that's probably normally what I would say
5 would be most of our calls. Internally and obviously
6 externally it's just requests for information and general
7 DV enquiries.
8

9 Q. All right. Now, you mentioned in your statement that
10 there's no requirement for ongoing training of staff within
11 the VPU. In your view should there be such a requirement?

12 A. Yes.
13

14 Q. And what sort of training would be appropriate or
15 helpful?

16 A. So I completed the graduate certificate in domestic
17 and family violence from QUT, and that was very beneficial,
18 certainly when you're dealing with external agencies who
19 have had that tertiary education and social work as to
20 appreciate and broaden your perspective on domestic and
21 family violence is very beneficial. From that graduate
22 certificate, some of the content of that was transposed
23 into the training that we do do for DFVCs, because I was in
24 the office there in the state DV unit when we were putting
25 together that training package. So a lot of things that
26 are in that were actually incorporated into that training,
27 and that's very beneficial to and certainly I would say as
28 a starting point anyone who comes into the VPU should do
29 that DV training and if you're a sergeant DFVC you should
30 do the grad cert.
31

32 Q. All right. In paragraph 42 of your statement you say
33 that the VPU, that is the one where you work, is no more
34 expert in DFV now "than we were when we started, we're just
35 more experienced". Would that additional training assist
36 in terms of developing the expertise and is that in your
37 view critical to the success of the VPU?

38 A. You'd have to define what the success of the VPU looks
39 like but, yes, certainly the more training you've got and
40 the more experience and the knowledge you've got the better
41 advice you can give; yes.
42

43 Q. In respect of the question of success at paragraph 45
44 of your statement you say that expecting VPUs to provide
45 specialist support in a follow-up capacity when VPU
46 officers are not permanent and haven't received any
47 specialist training is setting up the service for failure.

1 We have seen from various documents or at least one
2 interpretation of those documents is that the QPS does
3 expect the VPU to provide specialist support in a follow-up
4 capacity. I take it from what you're saying then that
5 specialist training is necessary --

6 A. Yes.

7

8 Q. -- for the success of VPU to be able to provide that
9 follow-up capacity?

10 A. Yes.

11

12 Q. All right. Should the command be taking some central
13 control over what that training is and providing specialist
14 support guidance or training for VPU officers, in your
15 view?

16 A. Yes.

17

18 Q. Okay. Finally in respect of your statement you've
19 offered two options for improvement of the VPUs, one being
20 to disband them altogether and put the DFVCs essentially on
21 the road in a patrol capacity to be able to assist
22 frontline officers?

23 A. No, my view there is the sort of auditing and
24 identification of issues could be done by the DFVCs as it
25 was before, before the VPU was created.

26

27 Q. I see.

28 A. That's what I'm talking about. So you just go back to
29 how it was before where we had that auditing capacity. But
30 what we don't have is the follow up. If you're not going
31 to do it properly, don't bother doing it at all. That's
32 the thrust of my argument there. We can do that audit
33 stuff. If you want to go the extra mile and you want to
34 provide a trauma-informed response understanding the
35 complexities and the dynamics of DV, then you've got to
36 have the appropriately trained staff to do that. If we're
37 not going to do that, what's the point? Would it be better
38 to - you know, our DV services are fully trained and are
39 capable and understand all the dynamics of domestic and
40 family violence.

41

42 Do we have some system where the police do the
43 police-y bit and then those identified PPNs and all that
44 kind of stuff. But the follow-up visits and maybe the risk
45 assessment and a completion of the CRAF or whichever tool
46 we're going to use is done by specialists that aren't
47 police officers and then that information is put before the

1 court for an assessment of whether or not an order should
2 be made. The interim would be covered by a PPN and the DV
3 order that police took out. So that's very difficult to
4 achieve, but that's just one way of looking at it.

5
6 There's this constant training of police officers who
7 aren't necessarily specialists, didn't join the police to
8 do that in the first place, and we're asking them to become
9 social workers and a more social response. However, they
10 are not trained to do that; that's not why they joined.
11 Would it be better to have people who just do the police
12 side of it and then have people who are more specialist to
13 take over that role at a later date? It's one possible
14 solution.

15
16 Q. If your VPU continues to exist in the form that it
17 does now but isn't given increased staffing levels and if
18 there's not mandatory training for the officers who are
19 working there, is the VPU going to be able to meet an
20 increased demand from the public for a policing response to
21 DFV?

22 A. I would say it will be - we're just about keeping our
23 head above water at the moment. Sometimes we're not.
24 Capacity is a big issue. It's such a broad - and we
25 haven't even got into coercive control, which will be
26 coming in soon when that comes on top - when that comes
27 on-line. We're just about coping with the increased demand
28 that we've got now. So it's very difficult to - and then
29 I'm very quick at going through the checks because that's
30 what I do. If you had to train somebody up to perform that
31 role then that would be more difficult.

32
33 Then we're looking at, "If we couldn't get to it
34 today, when are we going to be able to get to those
35 checks?" And we wouldn't want to miss something. We want
36 to be able to say the next day that we've reviewed - by the
37 middle of the next day somebody who is an expert in DV has
38 reviewed what you did yesterday, and if there's something
39 that we've identified we've done something about it. You
40 can't wait two or three days later to get around to that.
41 That doesn't happen now. But, if we haven't got capacity,
42 we wouldn't want that to occur in the future.

43
44 Q. If demand does increase and you can't, to use your
45 words, keep your head above water what'd that going to mean
46 for the stress levels of those of you who work at the VPU?
47 A. I think it would be interesting for us to take some

1 psychological testing. I would imagine that we're all
2 pretty close to - I certainly am pretty close to burnout,
3 compassion fatigue, vicarious trauma. I'm collecting them
4 as I go along.

5

6 MS O'GORMAN: All right. Well, thank you. I don't have
7 any further questions at this time.

8

9 COMMISSIONER: I've just got one question, Sergeant.
10 What's the rotation? Is it six months, 12 months?

11 A. Three months --

12

13 COMMISSIONER: Three months.

14 A. -- is the minimum we try to get. If we can we try and
15 get six months. Some people have been there longer. It
16 depends who they are and how big their station is
17 sometimes.

18

19 COMMISSIONER: Okay. But the people on rotation don't
20 stay permanently?

21 A. No, but we tend to get - we try and get the same
22 people back a number of times. So there's a sort of core
23 of people that we try to keep.

24

25 COMMISSIONER: Yes.

26 A. But, no, you can't be guaranteed who you're going to
27 get.

28

29 <EXAMINATION BY MS HILLARD:

30

31 Q. You talked about the VPU training and the vulnerable
32 persons unit training. Counsel Assisting spoke to you
33 about that being essential; you would agree with that?

34 A. Yes.

35

36 Q. It's correct, isn't it, that you can have someone
37 rotated into your unit who hasn't done the VPU training
38 before starting there; is that right?

39 A. You mean get a job as a DFVC, you mean?

40

41 Q. Sorry, the vulnerable persons unit training isn't
42 mandatory in order to work in the vulnerable persons unit?

43 A. What do you mean by "vulnerable persons training"?

44

45 Q. Okay. There's on-line VPU that can be done or --

46 A. Yes.

47

1 Q. That's what I mean.

2 A. So you've done the DV training on-line.

3

4 Q. Yes.

5 A. Yes.

6

7 Q. So people can be working in the VPU and not actually
8 have done that because it's optional?

9 A. I wasn't aware of that, but it may happen.

10

11 Q. Now, in respect of the information sharing and just
12 the risk, you've clearly got greater level of degrees;
13 you've got a psychology degree?

14 A. I wish. No, second year I'm afraid.

15

16 Q. So completing the psychology degree at the university?

17 A. Yes.

18

19 Q. And in respect of these risk assessments you've
20 identified, the CRAFs, if we just use that?

21 A. Yes.

22

23 Q. In respect of those did the Police Service provide you
24 any specific training on how to use those or administer
25 those or perform those?

26 A. When HRT started I was the OIC of the VPU. I set it
27 up. So I was heavily involved in the setting up of HRTs.
28 So I've done the course. We always in the VPU, either
29 North Brisbane or South Brisbane VPUs, supply a police
30 officer to sit in on the HRTs every week. So there's
31 always a police officer at the HRT meetings.

32

33 Q. That's your HRT meeting in your district?

34 A. Brisbane, yes. There's only one Brisbane HRT, but
35 they cover North and South Brisbane.

36

37 Q. And I think there's eight across the state or
38 something like that?

39 A. Yes.

40

41 Q. And in respect of the CRAFs in your role as the
42 liaison officer have you ever been able to have the time to
43 administer that to an aggrieved?

44 A. No. We don't do the CRAF risk assessment. Officers
45 that go out don't do the CRAF risk assessment.

46

47 Q. And, despite being trained, if you had the luxury of

1 time would you be able to administer that and would it be
2 something that would value add to the service provided to
3 aggrieved persons, if you had the time and you were
4 resourced to be able to do that?

5 A. If I had the time I could do it, but in the same way
6 that they could do it when they spoke to them. It's when
7 you administer the CRAF that's important. I think if you
8 went out and sat down with somebody in the middle of the
9 night in a crisis situation and tried to go through the 11
10 pages of the CRAF and then you did it three days later
11 you're going to get a different response.
12

13 Q. You might have been in the back of the room when I was
14 asking the other questions about the tiered type response.
15 So there might be an immediate risk assessment followed by
16 a much calmer administration of the risk assessment later
17 on.

18 A. Yes.
19

20 Q. But hypothetically, despite your training in being
21 able to do that, you don't have any capacity to do those
22 sorts of higher level risk assessments?

23 A. I could do it, but we don't do it.
24

25 Q. You say you could do it but you don't do it. You
26 don't do it because you just don't have time in your work
27 day or --

28 A. No, we don't do it because - the purpose of the VPU,
29 apart from reviewing the police response, is to get
30 additional information about the circumstances that the
31 parties are involved, their DV circumstances, and pass that
32 information on so that then an in-depth assessment, a CRAF,
33 can be done if appropriate. It's not double-dipping, but
34 for us to go out and do a CRAF report when we do our
35 follow-up enquiries, I can't see the need for it to be done
36 there.
37

38 If we identify very high risk then we're going to be
39 taking action from the high risk point of view as soon as
40 we find out that it is high risk. So we're going to be
41 sending someone out we can refer straight into the HRT.
42 The next day when I'm reading it if I assess that something
43 needs to go to the high-risk team I'm going to do it there
44 and then. Then those processes of the CRAF will occur at
45 that stage or as quickly afterwards as it needs to be done.
46 If I deem that it's not a risk and we just need to get a
47 bit more information before we pass it on, then that's the

1 little bit more information that we get.

2

3

4 I can't see that us filling out a CRAF report and
5 training us to do all of that to then provide information
6 which may not be in the format or the style or the
7 terminology that the DV services are using, if they're the
8 ones that are going to be using it, is that the best use of
9 our resources? For me it's make sure the people are safe
10 and then at the appropriate time, which can be governed by
11 the experts, they can take the CRAF that they want.

11

12

13 Q. You would accept, though, and perhaps it may or may
14 not form part of your role that there is a value in asking
15 a person who's experienced domestic and family violence
16 certain questions because then it can prompt certain
17 responses?

17

18 A. Yes.

18

19

20 Q. And in your work and your experience, noting you've
21 talked about the workload and you've really described -
22 I use the phrase "desktop review", I'm not being
23 disrespectful, but it's essentially a computer review.

23

24 A. Yes.

24

25

26 Q. Can you recall any kind of occasions where you have
27 had the time or the opportunity to contact an aggrieved
28 directly yourself or would that just not happen? In your
29 scenario you would task it to the detectives or someone
30 else in your team?

30

31 A. I could and I have phoned up people to ask things
32 immediately if it's just something - normally that would
33 come - we only respond or go to high-risk DV matters
34 because we haven't got the capacity to do anything else.
35 So we don't review all DVs and then go and speak to all
36 aggrieveds or couples or whatever it may be. So if I see a
37 high risk it's unusual that there would only be one thing
38 that I would want to phone up and ask somebody about. If
39 we're going to go out and support that person, then I'm
40 going to create a task for our unit to go out and do the
41 job properly. So face-to-face is better than on the phone.

41

42

43 So one of the important things about our role is the
44 face-to-face side of it. If I want to speak to an
45 aggrieved I will phone them up and I can clear all our
46 tasks in a couple of days because phoning up and speaking
47 to someone is 100 per cent easier than going out and
48 speaking to them face-to-face. It's the face-to-face

1 contact with a police officer at the time to see the
2 nuances, to see the expression on their face, to see the
3 circumstances that they're living in, the fear in their
4 eyes, that is the bit that gives you the information.
5 Filling out a CRAF over the telephone, yes, great,
6 wonderful, ticking boxing again. Going out and speaking to
7 them face-to-face, that's the hard thing, the most
8 difficult thing, the most time-consuming thing, but from
9 which you get the best information.

10
11 Q. And from which you would have a more optimal response
12 to service the community if you had the capacity to do that
13 every single time?

14 A. Could you just say that again?

15
16 Q. And it would be an optimal response to service the
17 community if you had the capacity to be able to do that?

18 A. Yes. I mean, that's our role is to go out. So that
19 is our current capacity to go out and speak to all of those
20 people. Sometimes we - one of the difficult things is when
21 you're going to speak to people is they have got to be
22 there. So we'll go out and knock on their door. We don't
23 want to phone them first because that could put them in
24 more danger and they might not want to speak to us and we
25 don't want them to prepare if we want to speak to them in
26 the normal course of the day. So sometimes we can't get
27 hold of them, and then those jobs will extend as we go back
28 a number of times to try and get hold of them.

29
30 Q. You say at paragraph 17 of your statement that you get
31 roughly 40 occurrences a day, quite a number that you have
32 to clear in your eight-hour shift. Over the course of
33 maybe a fortnight or perhaps a month would you have the
34 opportunity as needed to contact people or not? Can you
35 say how frequently it would be that you would actually
36 contact the aggrieved?

37 A. Me personally?

38
39 Q. Yes.

40 A. Very rarely. I don't really do that. Normally it
41 wouldn't come into the realms where - if I want to speak to
42 someone about something specifically I'll just grab a task
43 and we'll go out and do the whole thing.

44
45 Q. And are you - just finally, the information sharing
46 and you mentioned that there's DVS with your particular
47 vulnerable persons unit.

1 A. Yes.

2

3 Q. Are you aware of any kind of any situation where
4 you've been provided a risk assessment by a
5 domestic violence service provider connected to your VPU,
6 because they do the more comprehensive, they do the more
7 involved, they get more answers?

8 A. Do you mean do they give me the piece of paper?

9

10 Q. Yes.

11 A. No, they don't give me the piece of paper. They say
12 we need to look at this person because they're high risk
13 and then we sit down and have a chat about it. We discuss
14 all of the information that we've got and we decide on a
15 course of action and then we go and do it.

16

17 Q. And it depends on that worker notifying you of that
18 information?

19 A. Yes.

20

21 MS HILLARD: Thank you, Commissioner.

22

23 COMMISSIONER: Thank you.

24

25 MR McCAFFERTY: No questions, Commissioner.

26

27 COMMISSIONER: Mr Hunter?

28

29 <EXAMINATION BY MR HUNTER:

30

31 Q. Police Sergeant, could you go back to your statement,
32 please, and paragraph 9 at the top of page 2. You say in
33 there that you've done no training on domestic and family
34 violence external to the QPS since 2010 other than your
35 graduate certificate?

36 A. Yes.

37

38 Q. You have, though, been trained on multiple occasions
39 internally?

40 A. Yes.

41

42 Q. Not only in relation to domestic and family violence
43 but also in relation to what I might call psychological
44 self-care?

45 A. Yes.

46

47 Q. That is you've been trained to recognise symptoms of

1 psychological distress in yourself?
2 A. Yes.
3
4 Q. And in your colleagues?
5 A. Yes.
6
7 Q. And also how to manage fatigue?
8 A. Yes.
9
10 Q. Can I just take you through what I'm going to suggest
11 is the training that you've done. You undertook a course
12 called domestic violence edition 5 in August of 2010?
13 A. Which course was that?
14
15 Q. Domestic violence edition 5 which was on 18 August
16 2010.
17
18 COMMISSIONER: On-line or?
19
20 MR HUNTER: Sorry?
21
22 COMMISSIONER: On-line?
23
24 MR HUNTER: It's described as being a blended course. So
25 part on-line, part face-to-face.
26 A. Yes.
27
28 Q. You did --
29 A. I can't remember what I did yesterday.
30
31 Q. Sorry?
32 A. I can't remember what I did yesterday, but --
33
34 Q. No, I understand. I'm suggesting that you undertook a
35 psychological first aid on-line program in January of 2011.
36 Does that ring any bells?
37 A. Yes, I think we've done a few of those.
38
39 Q. Then you did an on-line course in May of 2012 called
40 "Domestic and family violence protection reforms act to
41 stop DV"?
42 A. Yes, I think that's after the legislation came in, I'm
43 thinking.
44
45 Q. And then later in the same month you did a blended
46 course entitled, "Looking deeper: Domestic and family
47 violence protection reforms workshop"?

- 1 A. Yes.
2
3 Q. That in fact was run over two days, 8 and 9 August,
4 I'm suggesting, 2012. Then you did a course on fatigue in
5 the middle of 2014?
6 A. Yes.
7
8 Q. A mental health on-line learning product in January of
9 2017?
10 A. I should think so, yes.
11
12 Q. Then you did an on-line course in August of 2018
13 called, "The Domestic and Family Violence Protection and
14 Other Legislation Amendment Act 2016 OLP"?
15 A. Yes.
16
17 Q. You did further courses on fatigue management and
18 psychological first aid in September and October
19 respectively in 2020?
20 A. Yes.
21
22 Q. Psychological first aid foundations July 2021?
23 A. Yes.
24
25 Q. Then July 2021 you did domestic and family violence
26 policing enhancement training, the OLP?
27 A. Yes.
28
29 Q. The coercive control OLP in February of this year?
30 A. Yes.
31
32 Q. And then psychological first aid for leaders in
33 February of this year?
34 A. Yes.
35
36 Q. Is there further training that you would like to have,
37 that is you personally?
38 A. I personally?
39
40 Q. Yes.
41 A. No, I'm fine.
42
43 Q. So when you say in your statement that further
44 training is required you're talking about your colleagues?
45 A. Yes.
46
47 Q. Thank you.

1
2 COMMISSIONER: The people who have had no training?
3 A. The people that haven't had any training, Your Honour.
4 That would be handy.

5
6 COMMISSIONER: Some training; that's what he's after.

7
8 MR HUNTER: All right. Thank you. Yes, that's all
9 I have. Thank you.

10
11 COMMISSIONER: Ms O'Gorman?

12
13 MS O'GORMAN: I don't have any further questions, thank
14 you, Commissioner. If Sergeant Gardner might be stood down
15 or excused?

16
17 COMMISSIONER: Thanks, Sergeant.

18
19 **<THE WITNESS WITHDREW**

20
21 COMMISSIONER: I can see Sergeant Feltham here. Will we do
22 her? There's no reason why we can't, is there?

23
24 MS O'GORMAN: Yes, we can and she has arrived. So I call
25 Sergeant Elise Feltham.

26
27 **<ELISE FELTHAM, sworn:**

28
29 **<EXAMINATION BY MS O'GORMAN:**

30
31 Q. Sergeant Feltham, you're the officer in charge of the
32 Townsville district DFV and VPU in a substantive position?

33 A. Yes, that's correct.

34
35 Q. But you're presently down in Brisbane assisting with
36 the development of some further training in relation to
37 domestic and family violence?

38 A. That is correct, yes.

39
40 Q. Has your movement down to Brisbane to assist in that
41 capacity had any impact on either your rank or pay?

42 A. No.

43
44 Q. All right. How long will that secondment be for?

45 A. At this time until 31 May 2023.

46
47 Q. Thank you.

1 A. So 12 months.

2

3 Q. Thank you. Can I take you please to the part of your
4 statement where you talk about the creation of the
5 Townsville VPU. You say that that occurred in 2017. Are
6 you able to explain how it was that it came about?

7 A. So in 2017 I was appointed the domestic and family
8 violence coordinator, sergeant's position. We didn't have
9 a DFV and VPU at that time, but out of the commitment from
10 the Labor government 23 positions were added to the state
11 for DV officers and we were appointed three positions in
12 I think it was April 2020 at which time my chief super had
13 decided to announce that we're turning it into a DFV and
14 VPU with four substantive positions.

15

16 Q. All right. Now you have six substantive positions; is
17 that right?

18 A. That is correct.

19

20 Q. And there's also a further six officers who are
21 rotated through the VPU on an either three or six monthly
22 basis?

23 A. That is correct.

24

25 Q. As I understand it from your statement that rotating
26 arrangement commenced about six months ago to ensure that
27 the VPU can provide 100 per cent reviews of all DFV related
28 occurrences in that metro area?

29 A. That is correct, yes.

30

31 Q. Does that mean that prior to the inclusion of those
32 rotating officers the VPU wasn't able to review
33 100 per cent of those occurrences?

34 A. That's correct. We didn't have the capacity at that
35 time.

36

37 Q. Okay. How many were you getting through, what
38 proportion?

39 A. We were doing a percentage, mainly concentrating on
40 breaches of DV and DV applications, and then a percentage
41 of the others. But at the time it was only me initially
42 prior to that. So it was difficult to do an entire
43 district when there's only one DFVC.

44

45 Q. Is there a problem from your point of view with a loss
46 of knowledge and expertise that will come from having those
47 further six positions rotated?

1 A. I think it's going to be advantageous for the officers
2 that would be relieving. We do a thorough orientation on
3 day one when - obviously we rotate them all at the same
4 time. So I've got six new officers arriving, and they will
5 stay for either three or six months. So we will do a full
6 day's orientation with them and cover the legislation and
7 things that they need to catch themselves up on. What we
8 have also done is given them clear directions for each
9 QPRIME occurrence, so no DV other action, police
10 application and breaches on how they best go through those,
11 and if they need to they will watch body worn camera and if
12 they're still concerned they will come to me or the team
13 leader.

14
15 Q. Okay. It would seem readily apparent that there will
16 definitely be benefits to those officers who rotate through
17 because they will be able to take the experience and the
18 expertise they've developed back to their substantive
19 positions. Is there any difficulty or downside, though,
20 from the point of view of the VPU as a unit retaining
21 experience and expertise?

22 A. So the two new positions that we got were out of
23 rotations. So two female officers that really enjoyed
24 their time rotating obviously made application to our
25 inspector to say that they would like to stay, and then two
26 positions became available. So the majority of people that
27 come in the biggest difficulty for any VPU would be
28 training them to the capability of where they're picking up
29 things that they should be picking up because they're
30 coming from a general duties background. So that does take
31 time obviously and, as you stated, expertise. It's our
32 goal to train them and give them that expertise, which is
33 why the rotation area trial has commenced. But it is
34 straining on a VPU to re-educate or educate better officers
35 that will come in and specialise in that sector.

36
37 Q. Okay.

38
39 COMMISSIONER: Particularly if it's only three months,
40 I imagine.

41 A. What we've learnt, Your Honour, is actually three
42 months is too short. So we have made recommendations to
43 officers in charge when they choose or they would send out
44 an expression of interest to their station to possibly
45 think about six months. There's a lot of factors in that
46 as well because officers have to take leave. So we've
47 found that when we were having three month rotations if

1 they had two or three weeks leave it was really taking a
2 lot of time away from the unit, which then was forcing our
3 numbers down. So we made an arrangement with the OICs that
4 if they allowed them for six months we could allow them to
5 take a few weeks leave, do OST and firearms training as
6 well so that they weren't losing their skills. But six
7 months from the surveys that we did with our officers that
8 had already rotated they said six months was a perfect time
9 to really get their head around and an understanding of how
10 the VPU works and how QPS work with external agencies.

11
12 MS O'GORMAN: Do you know how many of the officers who
13 have come through to you on that rotating basis have come
14 through because they have put their hand up back at the
15 station requesting the transfer?

16 A. Ninety per cent at this time, I would say. There's
17 only one officer that was asked by her officer in charge if
18 she would mind, and she just agreed to it. But everyone
19 else has responded to an expression of interest by their
20 OIC to come and do a rotation. So they all had an interest
21 in wanting to learn.

22
23 Q. From your point of view is that beneficial? Have you
24 been able to observe that those people who have an interest
25 in being there are committed to being there?

26 A. Absolutely. There are officers that are going back to
27 their station now and singing our praises, where before -
28 if an officer doesn't come in contact with a VPU, if they
29 never reach out or need our assistance, obviously there can
30 be criticism of, "What do they do?" They have no
31 understanding of what we do. So officers that are rotating
32 through will go back with a much more positive attitude and
33 be able to share that information through in their station
34 and it's working very, very well at the moment.

35
36 COMMISSIONER: So how many rotations have you had?

37 A. Two. So we've only been asking for six months - or
38 seven, eight months now. So we've had one officer that did
39 three month - three officers that did three months, and
40 then they asked if they could stay for a further three. So
41 we've sent those three officers back, and they loved their
42 time. In fact they are coming down to be train the
43 trainers for the new course that we're putting through; and
44 I've got another officer who has just asked to extend for
45 six months as well; and the others have all gone back after
46 three so far.

47

1 COMMISSIONER: Okay. So you've had six through?

2 A. I've had --

3

4 COMMISSIONER: And then another six up there at the
5 moment; is that it?

6 A. Yes, that's correct.

7

8 MS O'GORMAN: And when you say you've heard good things in
9 terms of those officers who have gone back to their station
10 are you talking about feedback that you've heard either
11 from those officers or from people at the external station
12 talking about the fact that they have learnt more about
13 what the VPU does?

14 A. From the officers that have relieved, we've had that
15 feedback from them.

16

17 Q. All right. Great. Can we talk then about the review
18 of occurrences that's being done because now that you've
19 got that additional support you're able to review
20 100 per cent of them that are coming through?

21 A. That's correct.

22

23 Q. In your statement you say that they're reviewed to
24 ensure that there has been appropriate legislative and
25 policy compliance. Can you tell us what that means in a
26 practical sense? When you're doing a review what are you
27 looking for?

28 A. So years ago we used to be more about compliance of
29 ticking boxes and stuff. What we're trying to look for now
30 is that police have fulfilled their duties and made right
31 decisions more so than they failed to tick a box. We can
32 easily fix things like, for example, under information
33 sharing legislation we're lawfully allowed if we believe
34 that someone's health, life or safety is at risk to be able
35 to refer them without consent. So quite often --

36

37 COMMISSIONER: Sergeant, can I ask you to speak a bit
38 slower?

39 A. My apologies, sorry. Referrals, for example, if
40 officers obviously who do get busy, we will contact victims
41 and ask for consent or refer them ourselves. So in the six
42 months we have done probably an extra 350 police referrals
43 for victims in that time where we've noticed that officers
44 haven't done that when they have attended a call for
45 service. We also update the PAF. If they haven't ticked
46 the appropriate boxes from what we're reading in the
47 occurrence, we will add to their PAF as well or create a

1 new one.

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But ultimately we're looking for - if we're identifying offences that haven't been reported, for example assault, if they haven't put the statistic on then we will obviously send tasks back and get them to do that. So we're basically trying to make sure from our perspective in our district that we're fulfilling our needs not only to obviously the district but to the community as well by fully reporting.

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MS O'GORMAN: You mention in your statement that repeat extreme DV offenders who come to the attention of the VPU are referred to the DV integrated response group for discussion and monitoring. Do I understand it correctly that that DV integrated response group is something that's been established at the Townsville district level and will be replaced in due course by the high-risk team?

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Q. Okay. How is it that the VPU identifies which people fall into the category of repeat extreme DV offenders?

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A. So we use our PAF and the high-risk high-harm tool. As I stated in my statement, obviously the demographic in Townsville district is very different to other districts and we have a high level of physical violence. So we are looking now very much more heavily at the coercive control components where before we - before we did and we talked more about coercive control of heavy levels of violence for officers was extremely concerning. What we've learnt is that the coercive control factors obviously play and can play a much greater role in the risk of homicide than physical violence, especially in our district. It is obviously important both are very important, but we do see a lot more higher level of physical violence than we would coercive control at this time.

Q. And how frequently is it that those extreme DFV offenders who have committed or are suspected of having committed an assault charged with that as a criminal offence?

A. I couldn't answer that. I'm sorry, I wouldn't be able to give you a percentage, but obviously we're very, very conscious of breaching DV and we encourage all officers that it should be looked at seriously, especially for extreme DV offenders. We do a very good job, in my opinion, from that. We flag all of our extreme DV

1 offenders on our system. So you will quite often see that
2 our communications will send crews code 2 as soon as they
3 see that because we've done a complete review of that
4 person, and it's identifying to our police that we are
5 very, very conscious and concerned about their behaviour.
6 So it works for us very well, but I couldn't tell you what
7 our percentages are of criminal offending on top.

8

9 COMMISSIONER: So you say, "Ultimately we're looking for
10 offences that haven't been reported such as assault." So
11 when you see those assaults what happens?

12 A. So we send a task back, Your Honour, to the officers
13 to create the statistic and then they're to investigate
14 that. It's usually assault accompanying a breach of
15 domestic violence, for example. So when they're
16 investigating the breach of domestic violence they are also
17 - they are obliged to obviously investigate the assault.
18 Quite often, though, victims will refuse to give us
19 statements. So it may get filed.

20

21 COMMISSIONER: And have you got detectives?

22 A. No, we don't have detectives.

23

24 COMMISSIONER: Are you going to get detectives?

25 A. I couldn't answer that. I imagine it will be
26 something in the future. You'd have to talk to my
27 Chief Superintendent about that.

28

29 MS O'GORMAN: Would it be better if you had them?

30 A. Absolutely.

31

32 Q. You mentioned that the VPU will on specific matters
33 and when required work collaboratively with DV specialist
34 service providers, including to ensure perpetrators are
35 held to account. Can you explain for us how it is that
36 your collaboration with service providers assists with that
37 aim of holding perpetrators to account?

38 A. Absolutely. So there's two 100 per cent funded DV
39 services in Townsville. One is for First Nations people
40 and the other is for anyone that would like to, including
41 First Nations. So both have perpetrator programs or men's
42 behavioural change programs that are specific. The
43 Yumba Meta one is specific for obviously Indigenous men.
44 So what we do is we do home visits with Yumba Meta. They
45 will come with us. We go and visit them and we also visit
46 the high-end perpetrators in prison and we try to encourage
47 them to enrol in those perpetrator programs. Quite often

1 Yumba Meta get very good results when they can get a male
2 respondent to participate and understand why they're
3 behaving the way they are, because especially with our
4 First Nations people it's not just about power and control;
5 a lot of it can be retaliatory or reactive violence, and
6 something that they have grown up with their whole life and
7 they don't understand why they are offending and haven't
8 been in what we would call - the general public may call a
9 normal relationship where people can communicate
10 effectively; they have never been taught that. So we do
11 take up with a lot of perpetrators in prison who will get
12 extremely upset saying, "I've never been in a normal
13 relationship. I would like to learn how to behave like
14 that but I just don't know." So we refer them on to the
15 likes of Yumba Meta for support and quite often they do
16 very well when they can stay in that support chain there.

17
18 Q. The Commission has already heard some reports,
19 anecdotally, of great success in terms of the collaboration
20 between the QPS and Yumba Meta. Does your unit track any
21 data or trends over time?

22 A. No. So we've got two operations running at the
23 moment, operation Tango Yip and operation Tango Glastron.
24 Operation Tango Yip involves us going into the prisons. We
25 generate obviously a street check and a case management
26 file. All of those offenders are case managed by us
27 because they're extreme.

28
29 Q. Yes.

30 A. So we would record everything that we do with them,
31 but Yumba Meta basically rely on support services to tell
32 us the statistics of success because we don't have the
33 opportunity or the time to be able to keep up with every
34 one of them. So we rely on them to come back to us with
35 that information.

36
37 Q. All right. So if we wanted to explore some statistics
38 in relation to success it would be appropriate to make some
39 enquiries of Yumba Meta?

40 A. Absolutely.

41
42 Q. When you talk about operation Tango Yip can you give
43 us an idea of when that operation started?

44 A. It started in September last year and has been running
45 ever since. We didn't start initially visiting. We met
46 with obviously the Corrective Services Superintendent
47 Brad Jones at the time. We knew Brad through stakeholder

1 engagement previously. He was the district manager for
2 corrections, probation and parole at that time. When he
3 became the superintendent of the gaol we proposed that - we
4 were starting to understand that a lot of our responders
5 weren't really understanding orders and when they were
6 explained to them either in court or by police it hadn't
7 broken them down and given them examples.

8
9 We came up with the idea that we would like to enter
10 the prison and meet with these men prior to their release
11 to see if we could start a conversation and have them look
12 at police from a perspective of us trying to help them
13 rather than just arresting them. It's been very, very
14 popular at corrections with the prisoners themselves.
15 Prison guards are also very, very positive in their
16 response. And 90 per cent of the time most males will
17 actually speak with us. So that's the - it's a prevention
18 and disruption model. We can't quantify the results,
19 unfortunately. A lot of them do come out to re-offend.

20
21 If I could give you an example of one that we did
22 very, very well with. He had been released the previous
23 time and within five days we had a siege with him, a DV
24 related siege. We started to work heavily with him in the
25 prisons and because he was - we were so concerned about
26 him, his partner was pregnant at the time, we went back
27 weekly and saw him and we managed to get him to eight weeks
28 before a return to prison warrant was issued, and it wasn't
29 issued for domestic and family violence, and he went
30 nowhere near the victim. We can't claim that as ours, but
31 in partnership with Corrections obviously he really
32 responded well to us. It was very good.

33
34 Q. When you as police officers go out and meet with
35 people in the custodial setting like that are you always
36 accompanied by someone from Yumba Meta?

37 A. No, the Yumba Meta don't come in with us. It's just
38 because we are police they will let us in. The process of
39 getting in prison for a private organisation, that is quite
40 lengthy. So they don't go into the prison at this time.
41 But obviously we refer them on once they're released.

42
43 COMMISSIONER: Sergeant, sorry, can I just interrupt for
44 one second. Sergeant, you were talking about someone not
45 understanding the conditions of the order. Is the VPU in
46 Townsville making any steps - I know there's been an
47 increasing amount of children on domestic violence orders.

1 A. Yes.

2

3 COMMISSIONER: And a large portion of those I suspect
4 would not understand the conditions of a DV order.

5 A. That would most likely be correct.

6

7 COMMISSIONER: So what measures are in place to get to
8 that cohort so that they can understand the conditions of
9 the order?

10 A. Similar. We haven't been able to get into - our next
11 goal would be to get into obviously our youth detention
12 centre as well because a high majority of those males in
13 there also would have DV orders. So it's just part of the
14 process that that would probably be our next phase in to
15 trying to help people. It's also an area looked at because
16 we have a DV court in Townsville as well. The DV court
17 coordinator has actually asked us, we're going in there to
18 speak with either aggrieveds or respondents that might like
19 to meet with us for three hours on a Friday, that has just
20 begun, to see if there is any uptake of people that
21 actually want to sit and talk to us. That's our DV court
22 criminal day.

23

24 So if we had the capacity with more officers we could
25 probably go to the court every day, and then re-explain
26 orders to people in their terms. That's how we do it in
27 prison. So for basic things like no contact orders we give
28 them examples of what no contact means, and no contact
29 except in relation to written permission. We break that
30 down for them and give them actual examples so they walk
31 away understanding what they're allowed to do and what
32 they're not allowed to do. We've found it very positive.
33 So we would like to continue that if we had the capacity.

34

35 COMMISSIONER: So you might not be the person to ask.
36 I probably should have asked the Assistant Commissioner
37 this. But is there any appetite for putting DV orders or
38 attaching a sheet of paper for DV orders that are in really
39 basic, plain English?

40 A. That may work, Your Honour, too. But a lot of the
41 people that don't understand also can't read. So that's
42 why we - rather than embarrassing them, we don't ask them
43 if they can read or write. We just sit there with the
44 order and go through point to point and then give them
45 basic examples of that as well. So our job is not to go in
46 there and embarrass them and ask them if they can read or
47 write, because a lot of people might be ashamed of that.

1 So we just sit there with them and try and have a
2 conversation. It's amazing what 15 or 20 minutes can do
3 when they know that they're not in trouble. They're very
4 relieved when they see us and we go, "You're not in
5 trouble." I think they enjoy the visit.

6
7 MS O'GORMAN: I have a couple of questions then about
8 operation Tango Glastron.

9 A. Yes.

10

11 Q. That's the operation pursuant to which officers from
12 the VPU might attend on first-time aggrieveds or
13 respondents in their own home. When officers from the VPU
14 go to such a home do you take with you agency
15 representatives?

16 A. No, not at this time. The only agency that will go
17 with us at this time is obviously Yumba Meta. The North
18 Queensland Domestic Violence Service unfortunately don't
19 have the capability. But that obviously in my statement
20 would be something that we would love to do. The idea of
21 that is, firstly, for the support agency know that they
22 have police with them which gives them confidence to gain
23 entry into a house when asked to, but also it just lets us
24 step back once we've taken our action and allows the people
25 who have been affected by it to deal with support services
26 who are much more qualified than we are to be able to deal
27 with the family problems that they may have. So it's
28 something that's only very knew, Glastron; it's only been
29 going for a few months. The worst thing for us is trying
30 to get people at home to be able to talk to them, but it's
31 been a very positive response so far.

32

33 Q. All right. Just a final couple of questions then. In
34 paragraph 40 of your statement you talk about the VPU as
35 having been very effective and having seen enormous
36 improvement in domestic and family violence in Townsville.
37 How is that measured or monitored by you in the VPU?

38 A. It's difficult to quantify results. OICs especially,
39 our senior management I think, and there's a certain amount
40 of general duties that will tell us that we're doing a
41 fabulous job and that they have seen improvements about the
42 way we can respond and help now. When I refer to that in
43 my statement obviously I'm comparing the last five years
44 where you just had one person there, you have 14. We do
45 see some really, really good results especially with
46 victims that have been engaged with us, whether they have
47 had a poor response initially from police and then we've

1 taken up with them to try and improve obviously their idea
2 of what police should be doing and how we should be helping
3 them, but also guiding them through the court process for
4 some of those serious offences.

5

6 When CIB are dealing with a strangulation and rapes
7 and tortures and all that sort of stuff we can actually
8 just support that person when they need it. If they have
9 questions or they want court results they can ring us, and
10 they feel supported. That's why we're trying to do more of
11 that for them. From our perspective, that's helping boots
12 on the ground because we know how busy they are.

13

14 Q. Now, you talk about your specialist training as being
15 a must. Are you talking there about specialist training
16 only for officers within the VPU or for all officers?

17 A. I would say all officers.

18

19 Q. Okay. And when you say "more specialist training" are
20 you talking of training additional to that which has
21 already been contemplated for roll-out?

22 A. I won't comment on what's being placed for roll-out
23 now. I don't know how well that will go. We'll see.
24 I mean, we're hoping it's going to be very successful.
25 That is a fabulous start. After that I suppose we'll see
26 how we go. But I think it should be continuous and ongoing
27 training for all officers.

28

29 Q. All right. Now, finally, just in relation to your
30 suggestion for room for improvement you talk in
31 paragraph 43 about access to external agencies and DFV
32 specialist services after hours.

33 A. Yes.

34

35 Q. Can I ask you what you mean by an after hours DFV
36 response team? What would that look like?

37 A. So whether they were co-located or similar to mental
38 health co-responder it would be advantageous. From the
39 Townsville district perspective 70 per cent of our calls
40 for service for domestic and family violence come outside
41 of hours. So it's very difficult for general duties who
42 obviously aren't trained as well as a support worker to be
43 able to communicate effectively and try and get what they
44 need to be able to prosecute an offender when you've got a
45 very, very heightened victim who's extraordinarily
46 terrified and we're asking all these questions at the point
47 of crisis. Obviously general duties don't have the

1 opportunity to be able to go back.

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Then what we find is we send on a referral to an agency, and especially let's say it's a Friday night, the agency won't get back to her until maybe Monday afternoon, possibly Tuesday. By then we'll find that the situation may have calmed and the victim may not want support then, but at the time if we had that support with us I can envision that we would be getting more statements with more victims because they had that ongoing support immediately. It would be fantastic.

MS O'GORMAN: All right. Thank you. Those are all of the questions that I have.

MS HILLARD: I won't be too long.

<EXAMINATION BY MS HILLARD:

Q. Just picking up on the last couple of questions Counsel Assisting asked you about the after hours and the referrals that you spoke about, some of the women who engage with Women's Legal Service. It's statewide so I can't say how many are Townsville based. So I apologise for that. Some of the women speak about the referral pathways and while they're happy to talk to a social worker, they're happy to get that support and that assistance, sometimes they describe the referral as being perceived as though the police aren't there to assist. Is that something that could be overcome by a bit more of that 24/7 that you've been describing support?

A. Yes, absolutely. I think that from a victim's perspective, and I'm not one myself, but if I was a victim and I had a specialist in areas that were coming out with police that they would see that we're working together in a collaborative approach much rather than police being the front and centre all the time, and I think unfortunately that's what victims see, and there's no excuse for any officer that obviously does poorly when they're working, I'm not saying that, but when we're not social workers or not used to dealing with trauma, we obviously go out and respond immediately, but wouldn't it be better if we had the agencies with us in support to be able to go, "This is what we're here for, but we've brought North Queensland Domestic Violence or Yumba Meta. Obviously they're highly qualified. Would you like to talk to them," we find it works very well when we do do it and our success rate of

1 getting statements is much higher.

2

3 Q. And when you do it there might be some views that
4 that's exposing people to a serious or a risky situation
5 who may not be police officers. But do they undergo some
6 training, they get a briefing about what to expect, are
7 there certain kinds of call-outs they won't go to?

8 A. So when we do follow-ups obviously with Yumba Meta at
9 the moment it's not a time of crisis, so it's actual
10 follow-up. So we could do that. Again the reason we go
11 with them is so that they feel safe and ultimately it's not
12 until we are aware usually out in the front yard or
13 somewhere in the backyard private that we stay within a
14 vicinity, but it gives that victim privacy to be able to
15 talk to that person without us listening in or if they
16 choose to we can sit in and listen and obviously
17 participate in that conversation.

18

19 If we're talking about an after hours service I would
20 never ask a support service respond with police. That's
21 totally inappropriate. But imagine if we go in, we calm
22 the situation, then we could either take the aggrieved or
23 the victim and the children to a safe place, either a
24 police station, and meet someone there so that they are in
25 a safe environment.

26

27 Q. So like a tiered or a two-staged response?

28 A. Absolutely, yes.

29

30 Q. Sorry, had you finished your answer?

31 A. No, no, go ahead.

32

33 Q. At paragraph 30 of your statement you speak there
34 about the Townsville police prosecutions. One of the
35 things that has been reported to our women who are engaged
36 with the Women's Legal Service has been that there is some
37 prosecution units continue to prosecute the PPNs, they
38 don't withdraw them even though they might identify that
39 the wrong person has been identified as the aggrieved and
40 the respondent. What's your experience with the police
41 prosecutions and following things through or withdrawing
42 things as appropriate?

43 A. So we have no issue with withdrawing. We understand
44 that police will misidentify on an occasion. So it's
45 brought to our attention and usually through a support
46 service will ring us and say that they have had a victim
47 come in and identify the police have identified her as a

1 respondent. So we'll do a review, and usually it's just in
2 consultation with the IOC of that officer and the police
3 prosecutor, and we have withdrawn many. So it's not a
4 problem for Townsville district to look at those, review
5 them and make that decision.

6
7 Q. I see you're nodding emphatically. Is that sort of
8 your experience that you know anecdotally from other areas
9 that sometimes have a different approach?

10 A. It was actually brought up in a work up Queensland
11 thing three weeks ago with my deputy, it was another
12 district, that they had said that the district didn't
13 withdraw PPNs and I had to put my hand up and said,
14 "Actually we do," and I'm aware that Mt Isa do as well.

15
16 Q. And just on the ones that you do withdraw up in
17 Townsville - I'll talk about Mt Isa in a second - some of
18 the feedback that we receive is that sometimes it's quite
19 late in the process where the aggrieved, who is properly
20 identified as the aggrieved, as the woman, rather than the
21 respondent has to provide affidavits, they have to go
22 through that trauma and sometimes it can be very
23 protracted. What point in time of the prosecution process
24 can you say that you get involved, or does it just
25 naturally have to wait until the affidavit goes in?

26 A. No, with my experience normally we get involved once
27 we're aware of it. Either we identify it ourselves when
28 officers have made mistakes through the reviews or I would
29 normally find if we've referred either a respondent or a
30 victim and they go to the support service it's usually
31 before the affidavit stage, in my opinion. That's just the
32 ones that I've dealt with. So it may have gone to first
33 mention possibly, but after that usually we've cleared it
34 up pretty quickly.

35
36 Q. There's a new practice direction about being able to
37 strike matters out. Has that been utilised that you're
38 aware of up there?

39 A. I'm not aware of it. You'd have to talk to
40 prosecutors.

41
42 Q. In respect of the explaining of orders and conditions,
43 and the Commissioner asked you some questions about that,
44 here in South-East Queensland most of the magistrates will
45 explain the order in really basic language to a respondent
46 when they're there in court. Is that something that you
47 experience up there?

1 A. I haven't been to DV court. But from what we're
2 getting from the respondents is even if it was - maybe
3 they're too embarrassed to admit that they don't
4 understand.

5
6 Q. A bit like a deer in the headlights perhaps?

7 A. Possibly.

8

9 Q. And in respect of the beginning of your evidence you
10 talked about having to have people come into the unit and
11 you used the words having to train them up. In respect of
12 that you're not just talking about train them up about your
13 practice; you're talking about training them up about
14 domestic violence or family violence responses overall?

15 A. Absolutely.

16

17 Q. And you said in one of your answers that the parts of
18 the risk assessment, sometimes you might update them if you
19 identify from reading QPRIME that something has been missed
20 and you might update it. I presume that you notify the
21 police officer who missed that?

22 A. Yes, we do. It's a case of --

23

24 Q. And the second part of that is how well is that
25 perceived?

26 A. Probably not very well. No-one likes to be told that
27 they have probably missed things, which is why - police are
28 very time poor. I can't speak for other districts. We
29 know that especially Kirwan station is probably the third
30 busiest station in the state. Some of these officers are
31 doing five DVs in a shift. So there will be things that
32 they miss. So if we can see that there's an officer who's
33 probably not doing it consistently an email would go to
34 their OIC with them. But if it's just a mistake - quite
35 often they get a little bit upset with us because we review
36 from 7 am, and there are things that they intend like maybe
37 supplementary reports or something that should go on that
38 night but they have past their shift end, and we've already
39 sent them a task. So sometimes that can aggravate them.
40 "I didn't finish here until 11.30 last night and I'm back
41 at 8 o'clock this morning. I was going to fix everything
42 up when I got back to shift." We're like, "Unfortunately
43 we've found it. So we've just sent you a task anyway." So
44 all they've got to do is start and complete it. But even
45 that can get officers upset thinking that we're obviously
46 monitoring them too much or too heavily. So we have to be
47 very wary of that because it's not their intention most of

1 the time.

2

3 Q. And sometimes it could have a serious consequence. It
4 could elevate it up to a higher or extreme risk, for
5 example?

6 A. Absolutely, and that's the reason we review first
7 thing in the morning, because if there is anything missed
8 we would literally pick it up and we would go out and make
9 sure that it's taken care of.

10

11 Q. So I'm not being disrespectful when I describe it in
12 this way. I've referred to it as a bit of a desktop
13 review. So you look at whatever the frontline officers
14 have prepared, the QPRIME and things like that when you do
15 this overview audit. In your role as it currently exists
16 what sort of capacity do you have to engage with the
17 aggrieved person directly?

18 A. We don't have a huge capacity because obviously
19 there's only 14 of us, two on each shift usually. But when
20 we have the most extreme matters like strangulations or
21 rapes come in we usually touch base with the aggrieved over
22 the phone. If they want to come in and speak with us they
23 can. We try not to contact too many aggrieveds by
24 ourselves because if - we have 280,000 people in the
25 district. You can imagine if everyone keeps calling our
26 officers - it's not that we don't want to; we just don't
27 have the capacity. So we do encourage them to go back to
28 their stations. However, if there are complaints about
29 police inaction that definitely lands with us and then we
30 will take up the ball and obviously go and do a thorough
31 investigation and find out what that person is upset about
32 and try and make amends to see if we can help fix the
33 problem.

34

35 Q. When we talk about the two stage or the second stage
36 kind of process and the social worker role, you in your
37 role you've specifically been trained to administer a
38 CRASF; is that right?

39 A. No, we will use the PAF, only the PAF.

40

41 Q. So even though you're in the DVLO - it's late in the
42 day; I've forgotten the acronym - the domestic violence
43 liaison officer role that you haven't been - had
44 administered that training to the CRASF?

45 A. No.

46

47 Q. If that is something that you did have would that

1 result in your ability to be able to assist victims better
2 and service the community better?

3 A. I'd imagine so, yes.
4

5 Q. But, secondly, would you even have time to administer
6 a one and a half to two hour risk assessment that is far
7 more comprehensive?

8 A. No, not with a victim.
9

10 Q. Not under the current capabilities?

11 A. No, not at all. No.
12

13 MS HILLARD: Thank you, Commissioner. Those are my
14 questions.
15

16 MR McCAFFERTY: No questions, thank you, Commissioner.
17

18 MR HUNTER: No questions, thank you.
19

20 MS O'GORMAN: Might Sergeant Feltham be excused,
21 Commissioner?
22

23 COMMISSIONER: Yes, you're excused. Thank you, Sergeant.
24

25 <THE WITNESS WITHDREW
26

27 COMMISSIONER: Now, tomorrow morning there is a ceremony
28 in this court at 9.15. Our executive director tells me it
29 might be finished by 9.45. That could be hopeful. But we
30 might try and start at 10 if we can. The only thing I'm a
31 bit concerned about is there might be a morning tea just
32 outside.
33

34 MS O'GORMAN: I don't think it's intended to be outside.
35 But, from experience, there can be a fair bit of noise
36 immediately afterwards. I was going to ask whether it
37 would be possible to start at 10.30 so we don't have to
38 deal with that.
39

40 COMMISSIONER: Okay. That's fine.
41

42 MS O'GORMAN: Thank you.
43

44 COMMISSIONER: So 10.30 tomorrow.
45

46 AT 5.08PM THE COMMISSION WAS ADJOURNED UNTIL TUESDAY,
47 12 JULY 2022 AT 10.30AM

	8:19, 74:28, 74:36, 140:15	143:10	54 [1] - 49:40	44:25, 59:4, 65:34, 68:15, 69:4, 69:25, 69:45, 70:2, 70:3, 72:28, 72:44, 73:43, 75:43, 76:19, 76:30, 76:47, 79:42, 82:42, 83:2, 85:42, 88:31, 88:34, 91:23, 91:47, 97:18, 98:36, 99:16, 99:19, 100:10, 103:1, 104:3, 105:44, 106:43, 111:3, 112:33, 116:17, 117:23, 128:45, 132:8, 132:21, 133:19, 133:34, 133:36, 135:42, 136:1, 136:4, 136:21, 138:17, 143:6, 143:32, 144:17, 145:24, 145:33, 146:19, 146:34, 147:42, 149:33, 151:10, 152:26, 152:30, 153:43, 153:44, 154:1, 154:43, 155:14, 156:36, 159:1
'hey [1] - 127:4 'yes [1] - 129:25	19 [1] - 3:14	24 [7] - 28:28, 55:40, 108:14, 108:26, 108:31, 126:1, 130:14	55,000 [1] - 99:42	
0	2	24-hour [1] - 55:47	6	
0002 [1] - 110:10 0013 [2] - 43:2, 48:13 003 [1] - 111:18	2 [11] - 7:2, 7:4, 57:12, 57:27, 58:1, 78:40, 111:29, 117:33, 139:32, 148:2 2,025 [2] - 33:6 20 [7] - 9:9, 12:35, 39:27, 68:42, 104:37, 114:20, 152:2 20-plus [1] - 89:21 2006/2007 [1] - 73:12 2010 [3] - 139:34, 140:12, 140:16 2011 [1] - 140:35 2012 [4] - 66:15, 67:31, 140:39, 141:4 2014 [1] - 141:5 2015 [4] - 29:5, 29:23, 50:2, 50:13 2016 [5] - 28:21, 50:13, 67:32, 124:40, 141:14 2016-ish [1] - 67:40 2017 [3] - 141:9, 143:5, 143:7 2018 [6] - 28:27, 28:33, 29:1, 29:5, 141:12 2018/19 [1] - 74:36 2018/2019 [1] - 74:28 2020 [2] - 141:19, 143:12 2020/2021 [1] - 71:17 2020/21 [1] - 73:12 2021 [14] - 8:30, 8:44, 9:10, 9:33, 9:39, 12:10, 29:2, 57:4, 64:46, 65:14, 66:19, 68:36, 141:22, 141:25 2021" [1] - 66:15 2021/22 [1] - 71:15 2022 [7] - 1:40, 5:33, 6:25, 13:33, 21:36, 68:36, 159:47 2023 [2] - 64:46, 142:45 2025 [2] - 33:6, 33:8 21 [2] - 3:14, 45:12 21.4 [1] - 57:32 218 [2] - 61:43, 72:14 22 [1] - 3:15 22,085 [1] - 65:15 23 [3] - 39:27, 57:34,	25 [5] - 3:30, 22:40, 29:40, 48:15 250 [1] - 69:35 26 [2] - 10:8, 10:44 27 [1] - 3:40 27,000 [1] - 66:32 27,493 [1] - 66:22 28 [2] - 50:15, 69:32 280,000 [1] - 158:24 29 [3] - 28:7, 28:36, 28:39	6 [1] - 65:33 6,000 [3] - 66:40, 67:6 6,025 [1] - 65:16 60 [1] - 126:9 62 [1] - 56:46 65 [4] - 72:26, 72:27, 72:35, 73:13 67 [2] - 55:7, 55:13 68 [2] - 55:13, 55:16	
1		3	7	
1 [4] - 6:38, 6:40, 31:1, 66:15 1,500 [1] - 61:44 10 [3] - 9:14, 58:3, 159:30 10-hour [1] - 126:19 10.30 [2] - 159:37, 159:44 10.30AM [1] - 159:47 100 [8] - 69:35, 96:45, 128:43, 137:46, 143:27, 143:33, 146:20, 148:38 11 [3] - 1:40, 6:25, 136:9 11,000 [2] - 67:30 11.30 [1] - 157:40 11/07/22 [1] - 6:40 12 [7] - 17:30, 58:4, 101:3, 101:9, 134:10, 143:1, 159:47 120,000-odd [1] - 74:9 13 [1] - 31:32 13,000 [3] - 67:6, 67:32, 67:41 13,009 [1] - 66:22 138 [1] - 74:15 138,000 [1] - 80:3 138,551 [1] - 46:20 14 [5] - 13:33, 65:7, 65:14, 152:44, 158:19 14.5 [1] - 57:29 15 [14] - 11:18, 13:11, 13:12, 28:10, 28:45, 30:28, 31:26, 32:38, 52:41, 54:15, 62:2, 78:45, 152:2 15,000 [2] - 67:30, 67:32 15,500 [1] - 67:41 16 [2] - 8:29, 36:36 17 [2] - 1:34, 138:30 177 [3] - 48:15, 121:15, 121:18 18 [6] - 3:13, 3:14,	20-plus [1] - 89:21 2006/2007 [1] - 73:12 2010 [3] - 139:34, 140:12, 140:16 2011 [1] - 140:35 2012 [4] - 66:15, 67:31, 140:39, 141:4 2014 [1] - 141:5 2015 [4] - 29:5, 29:23, 50:2, 50:13 2016 [5] - 28:21, 50:13, 67:32, 124:40, 141:14 2016-ish [1] - 67:40 2017 [3] - 141:9, 143:5, 143:7 2018 [6] - 28:27, 28:33, 29:1, 29:5, 141:12 2018/19 [1] - 74:36 2018/2019 [1] - 74:28 2020 [2] - 141:19, 143:12 2020/2021 [1] - 71:17 2020/21 [1] - 73:12 2021 [14] - 8:30, 8:44, 9:10, 9:33, 9:39, 12:10, 29:2, 57:4, 64:46, 65:14, 66:19, 68:36, 141:22, 141:25 2021" [1] - 66:15 2021/22 [1] - 71:15 2022 [7] - 1:40, 5:33, 6:25, 13:33, 21:36, 68:36, 159:47 2023 [2] - 64:46, 142:45 2025 [2] - 33:6, 33:8 21 [2] - 3:14, 45:12 21.4 [1] - 57:32 218 [2] - 61:43, 72:14 22 [1] - 3:15 22,085 [1] - 65:15 23 [3] - 39:27, 57:34,	3 [6] - 21:31, 21:33, 31:32, 78:41, 85:47, 101:11 30 [5] - 2:2, 11:16, 46:18, 57:30, 155:33 30,000 [1] - 29:41 31 [2] - 66:15, 142:45 350 [1] - 146:42 353 [1] - 72:13 363 [1] - 1:35 39 [2] - 45:12, 83:5	7 [1] - 157:36 70 [4] - 71:9, 73:7, 73:26, 153:39 70-plus [1] - 24:19 78 [1] - 71:7	
		4	8	
		4 [8] - 1:34, 5:33, 31:1, 31:27, 81:36, 83:13, 101:45, 117:33 4,000 [1] - 29:44 40 [4] - 74:30, 126:8, 138:31, 152:34 41 [1] - 36:47 42 [1] - 131:32 43 [2] - 48:14, 153:31 45 [1] - 131:43 46 [2] - 40:10, 57:35 48 [1] - 50:23	8 [4] - 21:36, 101:2, 141:3, 157:41 80 [1] - 72:20 80s [1] - 72:20 81 [1] - 62:25 84 [1] - 72:27 88 [1] - 72:26 89 [1] - 95:36	
		5	9	
		5 [5] - 9:11, 28:39, 84:46, 140:12, 140:15 5.08PM [1] - 159:46 50 [1] - 82:37 50,000 [1] - 68:38 50,704 [1] - 68:37 530 [1] - 55:14	9 [3] - 3:15, 139:32, 141:3 9,347 [1] - 68:39 9.15 [1] - 159:28 9.45 [1] - 159:29 90 [2] - 92:10, 150:16 94 [1] - 50:21 99.9 [1] - 128:43	
			A	
			ability [13] - 24:6, 30:4, 36:29, 62:38, 69:11, 94:12, 103:11, 105:37, 110:30, 112:26, 112:42, 117:23, 159:1 able [84] - 6:8, 11:38, 20:8, 20:42, 20:45, 21:42, 22:4, 22:32, 24:6, 24:35, 31:18, 38:7, 38:8, 39:44, 40:44, 41:6, 41:34,	abnormally [1] - 57:29 absence [2] - 109:7, 119:11 absolutely [18] - 27:5, 27:11, 34:29, 42:3, 75:10, 76:36, 95:25, 119:1, 119:21, 120:36, 145:26, 148:30, 148:38, 149:40, 154:32, 155:28, 157:15, 158:6 abuse [12] - 11:7, 15:18, 16:6, 16:20, 18:13, 60:9, 77:16, 77:19, 77:40, 77:47, 122:26, 130:25 AC [2] - 37:16, 68:14 academia [1] - 59:9 academic [2] - 116:16, 117:17 academics [1] - 2:4 academy [3] - 2:37, 2:38, 93:35 acceded [1] - 102:13 accept [16] - 43:40, 44:16, 46:43, 49:9, 49:17, 58:18, 61:27, 62:26, 63:6, 63:38, 72:37, 73:6, 92:30, 93:33, 117:21,

<p>137:12 acceptable [1] - 62:30 accepted [2] - 104:17, 128:46 access [21] - 6:27, 8:15, 16:32, 16:46, 20:45, 24:1, 24:3, 24:5, 27:5, 41:23, 71:22, 85:42, 88:34, 89:44, 89:46, 89:47, 90:1, 117:16, 118:44, 127:30, 153:31 accessed [2] - 82:17, 90:3 accessible [2] - 5:27, 5:34 accessing [1] - 86:42 accidental [1] - 39:10 accompanied [2] - 75:18, 150:36 accompanying [1] - 148:14 according [5] - 21:37, 66:20, 67:27, 72:8, 110:37 account [6] - 47:33, 48:2, 51:17, 121:26, 148:35, 148:37 accountabilities [1] - 115:45 accountability [1] - 100:8 accountable [1] - 50:8 accreditation [2] - 15:29, 15:31 accurate [4] - 29:20, 44:29, 103:33, 110:15 achievable [1] - 82:12 achieve [6] - 44:33, 45:24, 91:23, 94:7, 98:20, 133:4 achieved [5] - 45:11, 78:44, 79:43, 84:22, 93:47 achievements [1] - 45:27 achieving [2] - 95:7, 100:10 acknowledge [2] - 47:15, 69:19 acknowledging [1] - 30:12 acknowledgment [1] - 28:47 acronym [1] - 158:42 acronyms [1] - 82:28 across-the-board [1] - 79:9</p>	<p>act [3] - 8:40, 140:40, 141:14 Act [2] - 86:31, 114:28 acting [2] - 14:30, 69:39 Acting [2] - 2:35, 2:39 action [18] - 3:27, 39:15, 39:18, 39:33, 40:4, 45:9, 46:1, 48:24, 48:26, 48:38, 80:18, 108:34, 127:21, 129:28, 136:39, 139:15, 144:9, 152:24 action" [1] - 48:17 action-oriented [1] - 39:18 actioned [1] - 39:16 actions [3] - 50:8, 62:44, 113:26 activated [1] - 118:35 activation [2] - 113:36, 113:40 active [2] - 37:10, 38:28 activities [2] - 15:30, 95:13 actual [6] - 12:41, 28:26, 59:23, 128:28, 151:30, 155:9 actuality [1] - 75:36 adage [1] - 110:43 adapt [1] - 46:34 adaptability [1] - 93:3 add [10] - 15:44, 23:45, 24:35, 38:47, 43:22, 91:45, 98:15, 122:15, 136:2, 146:47 add-on [1] - 122:15 added [2] - 101:3, 143:10 adding [2] - 98:10, 100:7 addition [8] - 6:42, 11:23, 57:25, 82:5, 89:23, 92:1, 102:32, 122:8 additional [8] - 10:31, 21:28, 118:7, 128:40, 131:35, 136:30, 146:19, 153:20 address [3] - 5:28, 46:36, 91:13 addressed [3] - 80:26, 81:18 adduced [1] - 2:17 adequately [4] -</p>	<p>39:29, 50:2, 50:17, 75:33 adjourn [1] - 78:21 ADJOURNED [1] - 159:46 ADJOURNMENT [2] - 52:45, 78:24 adjusting [2] - 39:34, 60:12 administer [6] - 135:24, 135:43, 136:1, 136:7, 158:37, 159:5 administered [1] - 158:44 administration [2] - 123:47, 136:16 administrative [6] - 60:37, 98:1, 98:8, 98:15, 99:40, 127:14 admission [2] - 62:43, 64:12 admissions [2] - 63:6, 64:27 admit [1] - 157:3 admitted [1] - 6:38 adopt [1] - 88:40 adopted [2] - 29:16, 89:18 advantage [2] - 99:22 advantageous [2] - 144:1, 153:38 advertised [3] - 22:36, 23:8, 115:38 advertising [5] - 22:16, 22:28, 22:38, 23:6, 23:9 advice [13] - 23:34, 23:38, 23:45, 34:38, 39:3, 39:26, 41:35, 43:15, 97:19, 109:33, 130:41, 130:42, 131:41 advisable [1] - 64:12 advise [3] - 8:19, 19:19, 21:42 advised [3] - 6:43, 7:20, 28:1 advisers [1] - 12:31 Advisory [1] - 73:11 advisory [10] - 36:43, 37:3, 37:31, 38:8, 38:11, 38:36, 39:18, 39:31, 71:14, 71:27 advocate [3] - 34:27, 58:37, 87:46 advocating [4] - 34:14, 57:39, 113:10, 119:33 affected [2] - 80:22,</p>	<p>152:25 affects [1] - 120:40 affidavit [2] - 156:25, 156:31 affidavits [1] - 156:21 afraid [1] - 135:14 afternoon [2] - 2:30, 154:5 afterwards [4] - 66:8, 127:44, 136:45, 159:36 age [2] - 5:28, 100:9 agencies [19] - 37:9, 56:24, 56:29, 56:37, 76:29, 77:1, 86:15, 92:15, 92:25, 95:43, 103:32, 103:37, 103:38, 103:45, 131:18, 145:10, 153:31, 154:43 agency [12] - 51:34, 52:3, 76:19, 98:29, 114:34, 124:4, 152:14, 152:16, 152:21, 154:4, 154:5 agenda [5] - 38:43, 38:47, 39:1, 96:10, 98:33 aggravate [1] - 157:39 aggrieved [21] - 57:19, 58:33, 68:5, 76:31, 83:22, 113:23, 113:42, 118:22, 118:28, 118:37, 135:43, 136:3, 137:26, 137:44, 138:36, 155:22, 155:39, 156:19, 156:20, 158:17, 158:21 aggrieveds [4] - 137:35, 151:18, 152:12, 158:23 agility [1] - 22:32 ago [8] - 77:38, 83:5, 91:12, 97:34, 128:6, 143:26, 146:28, 156:11 agree [11] - 44:13, 65:21, 71:45, 78:16, 89:14, 119:17, 120:14, 120:15, 120:44, 134:33 agreed [3] - 120:9, 121:32, 145:18 agreement [3] - 10:23, 10:44, 73:22 agrees [1] - 32:18 ahead [1] - 155:31 AIC [1] - 77:44</p>	<p>aid [5] - 44:42, 140:35, 141:18, 141:22, 141:32 aided [1] - 102:37 aids [1] - 44:18 aim [2] - 43:18, 148:37 Ainsworth [4] - 3:40, 3:41, 4:1, 4:5 align [2] - 110:18, 111:31 aligned [2] - 103:24, 105:33 aligning [2] - 46:12, 46:14 allegations [1] - 64:14 allocated [6] - 26:10, 33:5, 33:47, 34:27, 52:20, 109:15 allocation [6] - 25:34, 33:3, 33:13, 33:25, 33:26, 76:7 allow [4] - 9:14, 98:5, 99:5, 145:4 allowances [1] - 105:24 allowed [5] - 122:14, 145:4, 146:33, 151:31, 151:32 allowing [2] - 74:46, 98:3 allows [8] - 24:11, 38:16, 38:19, 59:32, 61:6, 61:8, 121:9, 152:24 almost [5] - 45:21, 51:41, 71:9, 90:1, 90:21 alone [3] - 46:38, 46:39, 77:14 alongside [2] - 15:18, 77:17 alternate [1] - 79:39 altogether [1] - 132:20 amalgamated [2] - 61:25, 78:1 amazing [1] - 152:2 ameliorated [1] - 113:37 amended [1] - 99:24 amending [1] - 98:45 amendment [1] - 141:14 amendments [1] - 42:8 amends [1] - 158:32 amount [5] - 76:4, 122:20, 129:7, 150:47, 152:39 analysed [1] - 2:14 analysing [2] - 2:8,</p>
---	---	--	--	--

<p>69:27 analysis [6] - 17:23, 18:34, 18:37, 70:18, 71:8, 117:34 analytic [3] - 18:20, 74:42, 85:40 analytical [5] - 16:41, 27:6, 34:17, 45:3, 69:27 analytics [2] - 17:6, 18:16 AND [1] - 1:12 anecdotally [2] - 149:19, 156:8 animal [1] - 17:46 ANNA [1] - 1:28 annexed [2] - 78:35, 120:18 annexures [1] - 5:32 announce [1] - 143:13 annual [17] - 71:14, 79:3, 79:5, 79:6, 79:10, 79:13, 79:16, 79:28, 79:42, 93:4, 93:27, 94:4, 94:13, 95:9, 121:13 annually [1] - 93:12 anomaly [1] - 67:17 anonymous [1] - 2:12 ANROWS [1] - 42:13 answer [14] - 21:16, 23:34, 31:33, 41:30, 45:20, 46:43, 55:46, 59:26, 76:7, 84:7, 88:2, 147:42, 148:25, 155:30 answering [3] - 24:16, 101:34, 102:19 answers [4] - 31:22, 114:17, 139:7, 157:17 anticipate [1] - 78:11 anyway [2] - 54:8, 157:43 AO3 [1] - 123:47 AO4 [2] - 22:19, 23:15 AO6 [1] - 19:3 apart [2] - 105:12, 136:29 apologies [2] - 64:38, 146:39 apologise [2] - 111:28, 154:24 app [4] - 4:38, 60:29, 60:32, 60:34 apparent [6] - 37:28, 51:7, 69:10, 75:38, 92:2, 144:15 appear [9] - 5:1, 5:4, 5:5, 5:9, 6:1, 67:36,</p>	<p>68:41, 72:25, 83:28 appearances [1] - 4:45 appetite [2] - 96:43, 151:37 apples [1] - 71:34 applicable [1] - 95:13 applicant [1] - 102:43 applicants [2] - 22:40, 105:5 application [17] - 5:18, 5:37, 5:47, 6:17, 6:20, 6:21, 40:46, 42:20, 48:42, 65:3, 68:43, 81:25, 90:40, 98:7, 130:4, 144:10, 144:24 applications [29] - 5:37, 65:12, 65:13, 65:16, 65:17, 65:22, 66:13, 66:18, 66:22, 66:23, 66:27, 66:36, 66:41, 67:6, 67:11, 67:14, 67:15, 67:20, 67:29, 67:31, 67:38, 68:4, 68:5, 68:25, 68:30, 68:37, 69:1, 69:15, 143:40 applied [5] - 18:16, 29:24, 30:27, 33:7, 51:8 applies [4] - 47:4, 56:15, 77:40, 81:22 apply [8] - 20:16, 48:42, 88:36, 91:47, 107:10, 112:41, 115:37, 117:36 applying [8] - 3:9, 22:42, 91:16, 94:21, 95:1, 105:5, 105:7, 107:5 appoint [1] - 109:5 appointed [11] - 8:30, 8:35, 103:8, 105:7, 105:41, 107:17, 107:34, 109:8, 125:1, 143:7, 143:11 appointment [4] - 11:24, 22:11, 102:43, 105:2 appreciate [3] - 78:37, 82:41, 131:20 appreciation [1] - 10:5 apprehend [1] - 78:43 approach [24] - 7:14, 10:40, 26:16, 28:9, 28:45, 29:24, 36:16, 36:21, 42:16, 46:35, 70:31, 76:2, 76:5, 77:4, 88:20, 88:33,</p>	<p>92:29, 113:5, 117:2, 121:33, 129:16, 154:36, 156:9 approached [1] - 80:40 approaches [5] - 70:4, 76:1, 87:47, 93:46, 95:13 appropriate [15] - 8:14, 51:12, 54:16, 56:26, 99:47, 104:2, 109:5, 125:35, 131:14, 136:33, 137:9, 146:24, 146:46, 149:38, 155:42 appropriately [3] - 30:4, 78:14, 132:36 approval [2] - 28:27, 39:19 approved [4] - 20:38, 37:34, 39:28, 62:42 approximate [1] - 10:16 April [5] - 14:33, 101:41, 101:45, 143:12 area [60] - 4:36, 14:34, 15:47, 16:1, 16:6, 16:38, 16:42, 16:44, 17:6, 17:39, 17:44, 18:27, 19:2, 19:3, 21:44, 22:30, 32:3, 34:15, 37:11, 37:18, 38:22, 39:19, 39:37, 41:8, 41:16, 41:32, 42:38, 45:1, 45:6, 49:9, 52:29, 54:39, 56:1, 56:7, 56:24, 56:29, 60:13, 61:9, 61:18, 64:6, 64:11, 67:46, 69:14, 69:30, 69:45, 70:3, 70:8, 85:16, 97:2, 97:35, 99:33, 122:22, 123:28, 124:45, 127:14, 127:39, 143:28, 144:33, 151:15 areas [37] - 3:21, 3:22, 3:24, 4:35, 7:25, 16:9, 16:46, 17:33, 17:43, 18:13, 22:44, 24:10, 29:23, 29:33, 30:8, 30:34, 34:13, 36:17, 39:20, 39:37, 44:37, 45:4, 46:7, 65:5, 75:40, 75:41, 77:47, 80:21, 81:9, 83:42, 85:38, 85:43,</p>	<p>89:31, 112:31, 154:34, 156:8 arguably [1] - 65:5 argument [1] - 132:32 arise [1] - 71:7 arising [3] - 64:10, 68:2, 81:45 arm [1] - 78:2 arms [1] - 73:34 arose [2] - 79:15, 87:11 arrange [1] - 66:7 arrangement [5] - 56:38, 81:26, 124:37, 143:26, 145:3 arrangements [9] - 7:32, 10:36, 11:19, 11:41, 47:9, 64:25, 64:40, 76:21, 98:15 arresting [1] - 150:13 arrests [1] - 114:19 arrived [2] - 71:21, 142:24 arriving [1] - 144:4 articulate [2] - 39:44, 50:10 ascertain [2] - 35:39, 43:35 ashamed [1] - 151:47 aside [1] - 92:29 aspects [4] - 12:10, 97:38, 98:1, 109:34 aspirational [2] - 83:39, 107:26 assault [5] - 147:5, 147:40, 148:10, 148:14, 148:17 assaults [2] - 50:23, 148:11 assess [12] - 30:35, 30:46, 31:32, 36:12, 36:33, 70:4, 70:46, 87:23, 103:41, 126:25, 126:38, 136:42 assessed [7] - 31:27, 52:6, 64:13, 64:22, 127:31, 128:33, 128:36 assessing [4] - 28:44, 70:39, 118:46, 127:24 assessment [49] - 28:47, 30:31, 31:6, 31:42, 32:1, 32:17, 32:18, 32:22, 32:47, 35:3, 35:13, 63:13, 64:28, 64:36, 69:25, 71:42, 85:36, 90:12,</p>	<p>90:16, 90:40, 90:41, 91:45, 92:7, 92:14, 92:28, 92:39, 92:44, 93:5, 93:21, 95:4, 95:9, 95:31, 95:46, 110:37, 113:7, 113:14, 115:22, 128:14, 128:17, 132:45, 133:1, 135:44, 135:45, 136:15, 136:16, 136:32, 139:4, 157:18, 159:6 assessments [9] - 70:14, 70:39, 90:11, 91:14, 91:40, 93:6, 115:17, 135:19, 136:22 assign [1] - 126:47 assist [20] - 2:15, 15:35, 18:8, 21:16, 23:33, 42:34, 54:12, 54:16, 60:1, 89:34, 91:21, 102:19, 104:3, 124:8, 129:20, 131:35, 132:21, 142:40, 154:29, 159:1 assistance [22] - 3:36, 3:47, 17:23, 17:31, 17:34, 23:43, 26:32, 27:12, 33:45, 38:30, 42:29, 47:27, 49:22, 77:35, 77:36, 80:29, 102:28, 109:28, 130:38, 130:45, 145:29, 154:28 assistant [4] - 8:2, 12:16, 15:10, 34:32 Assistant [34] - 2:28, 2:35, 8:9, 8:36, 9:22, 11:31, 21:16, 21:22, 21:35, 23:13, 29:5, 30:20, 37:15, 43:4, 44:6, 46:28, 52:47, 57:17, 64:4, 64:45, 65:39, 66:10, 74:46, 78:33, 95:29, 97:33, 100:37, 100:43, 101:3, 102:17, 113:34, 120:19, 120:37, 151:36 assisted [1] - 106:29 Assisting [12] - 5:1, 78:40, 80:11, 81:9, 85:3, 86:20, 88:3, 114:12, 115:29, 118:33, 134:32, 154:21 assisting [4] - 17:42,</p>
---	--	--	---	--

<p>35:40, 38:6, 142:35 ASSISTING [1] - 1:26 assists [2] - 86:35, 148:36 associated [13] - 17:17, 17:43, 26:37, 28:43, 51:10, 64:25, 64:41, 68:24, 68:32, 68:44, 68:47, 82:47, 100:1 assumptions [2] - 58:38, 67:24 assurance [8] - 36:15, 36:20, 36:23, 36:30, 69:26, 71:2, 81:32, 109:22 asterisks [1] - 20:1 AT [2] - 159:46, 159:47 attached [4] - 22:8, 40:15, 92:17, 103:32 attaching [1] - 151:38 attachment [4] - 30:20, 78:36, 106:36, 110:8 attacked [1] - 113:45 attempt [1] - 44:11 attempted [1] - 21:24 attempts [2] - 6:5, 97:34 attend [6] - 61:11, 80:2, 92:41, 114:26, 118:29, 152:12 attendance [1] - 50:16 attended [4] - 80:18, 91:45, 104:47, 146:44 attending [7] - 4:40, 23:46, 48:21, 57:20, 61:38, 80:23, 113:23 attends [1] - 80:13 attention [8] - 2:34, 16:43, 38:21, 66:17, 74:13, 126:21, 147:13, 155:45 attitude [4] - 64:14, 64:16, 99:38, 145:32 attitudes [3] - 58:40, 62:45, 98:17 Attorney [8] - 2:6, 26:16, 65:32, 66:12, 66:21, 66:25, 98:32, 103:30 Attorney-General [8] - 2:6, 26:16, 65:32, 66:12, 66:21, 66:25, 98:32, 103:30 attract [5] - 88:17, 105:37, 105:45, 112:26, 112:33</p>	<p>attracting [1] - 22:18 audio [1] - 5:29 Audit [1] - 46:11 audit [6] - 33:1, 50:22, 69:35, 80:32, 132:32, 158:15 audited [1] - 35:4 auditing [7] - 32:47, 50:39, 69:38, 70:13, 80:35, 132:23, 132:29 audits [1] - 97:14 August [6] - 3:15, 100:25, 140:12, 140:15, 141:3, 141:12 Australia [2] - 96:8, 98:42 authorities [1] - 63:32 authority [1] - 66:14 availability [6] - 89:37, 93:5, 110:42, 112:14, 113:19, 124:30 available [14] - 2:37, 11:44, 17:20, 24:32, 52:13, 53:39, 69:37, 83:36, 89:34, 90:4, 119:5, 119:9, 125:9, 144:26 availed [1] - 84:31 avenues [1] - 76:43 average [2] - 126:4, 127:5 aversion [1] - 98:13 avoiding [1] - 83:33 awards [7] - 61:17, 61:24, 61:25, 61:26, 61:35, 61:37 aware [27] - 32:5, 48:18, 48:19, 56:23, 57:46, 58:10, 59:21, 64:38, 72:10, 79:14, 84:33, 87:5, 87:13, 88:15, 92:22, 92:23, 93:29, 95:37, 119:22, 120:5, 135:9, 139:3, 155:12, 156:14, 156:27, 156:38, 156:39 awareness [3] - 75:17, 92:25, 95:14</p>	<p>backyard [1] - 155:13 balance [1] - 51:33 balancing [2] - 45:26, 51:35 ball [1] - 158:30 ballpark [2] - 69:44, 79:40 banner [1] - 47:2 Bar [1] - 7:19 bare [1] - 79:8 base [2] - 28:32, 158:21 based [30] - 11:4, 11:25, 12:32, 18:30, 21:4, 29:42, 46:37, 47:10, 47:24, 61:35, 61:36, 79:11, 82:8, 86:5, 86:39, 90:2, 91:4, 97:16, 106:12, 107:23, 108:47, 110:5, 112:2, 112:4, 116:20, 117:6, 117:10, 118:14, 121:21, 154:24 baseline [3] - 35:6, 36:19, 69:4 basic [5] - 105:22, 151:27, 151:39, 151:45, 156:45 basing [1] - 87:30 basis [19] - 2:19, 15:42, 16:12, 23:3, 36:5, 36:12, 36:24, 39:44, 45:36, 67:39, 68:40, 83:4, 93:4, 103:7, 103:45, 116:40, 125:5, 143:22, 145:13 Batty [1] - 40:38 Bay [1] - 108:9 BDVS [3] - 56:13, 124:17, 124:20 be/people [1] - 83:32 beast [1] - 127:1 Beauesert [1] - 89:22 became [5] - 37:28, 51:7, 75:38, 144:26, 150:3 become [4] - 48:18, 91:27, 119:21, 133:8 becomes [1] - 91:7 becoming [3] - 22:44, 44:23, 48:19 beefed [1] - 59:46 beefing [1] - 73:41 Beenleigh [1] - 89:24 beginning [4] - 11:39, 39:28, 77:9, 157:9 begun [1] - 151:20 behalf [1] - 10:22</p>	<p>behave [1] - 149:13 behaving [2] - 83:31, 149:3 behaviour [4] - 42:12, 64:2, 117:8, 148:5 behavioural [1] - 148:42 behaviours [3] - 62:44, 69:12, 69:16 behind [5] - 10:26, 30:34, 44:38, 92:2, 97:46 beliefs [1] - 58:40 belive [1] - 14:33 bells [1] - 140:36 Ben [4] - 2:29, 14:28, 70:25, 101:23 bEN [1] - 101:27 beneficial [9] - 27:40, 82:45, 82:46, 89:35, 120:10, 131:17, 131:21, 131:27, 145:23 benefit [5] - 37:29, 79:22, 79:43, 118:45, 119:17 benefits [5] - 42:42, 46:18, 53:33, 81:39, 144:16 Bentley [3] - 87:20, 89:10, 120:6 best [15] - 31:33, 51:39, 54:8, 79:28, 86:35, 87:38, 89:30, 93:47, 97:1, 110:43, 119:9, 120:46, 137:7, 138:9, 144:10 better [34] - 44:45, 56:47, 60:18, 61:29, 67:22, 72:44, 73:32, 73:40, 82:32, 83:27, 83:30, 95:20, 96:4, 98:11, 98:12, 100:10, 102:29, 119:34, 121:10, 121:13, 121:25, 125:34, 125:39, 125:41, 129:14, 131:40, 132:37, 133:11, 137:40, 144:34, 148:29, 154:42, 159:1, 159:2 Betty [3] - 38:29, 39:38, 39:41 between [38] - 12:18, 14:47, 15:40, 16:3, 16:19, 17:46, 25:28, 29:40, 31:1, 33:22, 34:44, 35:12, 35:41, 35:47, 38:9, 38:32,</p>	<p>40:45, 56:28, 58:28, 58:32, 66:24, 66:29, 67:30, 67:33, 69:35, 71:26, 71:46, 73:12, 78:5, 94:47, 103:38, 103:45, 112:6, 119:40, 122:17, 123:23, 124:12, 149:20 Beyond [2] - 57:43, 57:44 beyond [2] - 10:35, 60:6 big [3] - 76:19, 133:24, 134:16 bigger [5] - 56:10, 84:19, 89:1, 89:2, 108:13 biggest [1] - 144:27 bit [23] - 21:24, 22:23, 34:15, 39:29, 62:18, 77:34, 91:6, 94:8, 125:9, 126:20, 128:23, 128:24, 132:43, 136:47, 137:1, 138:4, 146:37, 154:30, 157:6, 157:35, 158:12, 159:31, 159:35 BJC.003.0001 [1] - 78:34 BJC.003.0003 [1] - 30:19 BJC.004.0001 [1] - 43:2 BJC.004.0001 [1] - 120:22 Black [1] - 57:43 blank [2] - 20:25, 20:31 blended [2] - 140:24, 140:45 Blue [2] - 57:43, 57:44 board [16] - 22:31, 38:7, 38:20, 47:6, 57:46, 71:14, 71:27, 71:43, 72:1, 72:5, 72:6, 72:12, 79:9, 83:26, 86:47, 96:7 Board [1] - 72:28 Board's [1] - 73:11 bodies [1] - 2:7 body [24] - 17:41, 33:38, 38:7, 38:8, 38:10, 59:36, 68:10, 80:31, 80:35, 80:43, 81:6, 96:40, 96:42, 96:45, 97:5, 97:9, 97:17, 99:19,</p>
<p>B</p>				
	<p>background [5] - 37:16, 43:30, 59:40, 93:34, 144:30 backwards [1] - 72:40</p>			

<p>100:15, 113:36, 113:41, 113:47, 121:30, 144:11 body-worn [15] - 80:31, 80:35, 80:43, 81:6, 96:40, 96:42, 96:45, 97:5, 97:9, 97:17, 99:19, 100:15, 113:36, 113:41, 113:47 book [2] - 6:27, 65:46 boots [1] - 153:11 borne [1] - 119:31 borrow [1] - 18:21 bother [1] - 132:31 bottom [5] - 48:16, 55:20, 80:8, 86:13, 111:20 bound [1] - 99:25 bow [1] - 58:36 box [3] - 127:3, 127:5, 146:31 boxes [5] - 20:25, 127:1, 129:23, 146:29, 146:46 boxing [1] - 138:6 Brad [2] - 149:47 brains [1] - 89:1 branch [1] - 110:31 breach [5] - 80:42, 92:35, 92:41, 148:14, 148:16 breaches [3] - 69:1, 143:40, 144:10 breaching [1] - 147:44 break [10] - 46:26, 52:9, 52:38, 52:40, 59:33, 59:42, 84:33, 125:2, 130:25, 151:29 breaking [1] - 55:16 breaks [2] - 72:14, 130:28 Brewer [2] - 14:39, 15:1 BRIAN [1] - 8:5 Brian [3] - 2:28, 8:3, 102:17 brief [1] - 109:37 briefed [1] - 6:7 brief [1] - 121:21 briefing [1] - 155:6 briefly [3] - 23:19, 68:22, 97:33 briefs [1] - 83:6 bring [10] - 4:36, 16:8, 38:37, 38:41, 43:44, 46:41, 65:34, 66:17, 93:39, 106:38 bringing [3] - 37:31,</p>	<p>38:21, 79:31 brings [1] - 83:1 Brisbane [37] - 1:34, 1:35, 3:30, 12:31, 12:33, 12:46, 22:8, 23:28, 25:13, 37:15, 56:12, 56:13, 82:9, 90:2, 97:16, 100:3, 102:8, 106:6, 108:8, 108:9, 123:16, 123:39, 124:5, 124:19, 124:27, 129:37, 130:47, 135:29, 135:34, 135:35, 142:35, 142:40 BRM.003.0001 [1] - 12:13 BRM.010 [2] - 115:31, 115:43 BRM.011 [2] - 115:31, 117:31 BRM.011.0001 [1] - 106:39 BRM.013.0001 [1] - 110:9 broad [3] - 34:31, 62:14, 133:24 broaden [1] - 131:20 broader [5] - 10:36, 38:3, 61:25, 63:3, 118:15 broadly [3] - 46:32, 58:7, 103:34 brother [1] - 150:7 Brotherhood [2] - 6:1, 6:13 brought [13] - 10:13, 50:25, 65:13, 65:22, 67:38, 77:32, 79:40, 80:30, 80:47, 87:36, 154:44, 155:45, 156:10 Brown [1] - 50:14 buffer [1] - 126:20 build [15] - 10:43, 12:4, 16:43, 16:44, 28:32, 34:8, 34:37, 36:34, 36:35, 46:7, 52:28, 71:2, 93:40, 95:43, 119:27 building [8] - 10:37, 13:20, 33:27, 34:9, 35:24, 93:15, 97:5, 112:27 built [3] - 29:8, 36:39, 93:37 bulk [5] - 11:3, 41:20, 46:45, 76:10, 130:15 bullet [2] - 48:33,</p>	<p>58:29 bunch [1] - 62:15 bundle [8] - 6:24, 6:25, 6:35, 6:47, 7:9, 9:11, 65:33, 101:4 BUNDLE [1] - 6:40 burden [2] - 43:22, 46:8 burdens [1] - 98:8 burdensome [2] - 60:37, 98:14 burnout [2] - 57:30, 134:2 burnt [1] - 59:17 busier [1] - 89:31 busiest [1] - 157:30 busy [5] - 17:13, 17:26, 89:24, 146:40, 153:12 button [2] - 39:8, 127:40 BY [11] - 7:4, 8:7, 78:31, 97:31, 101:29, 111:14, 123:13, 134:29, 139:29, 142:29, 154:18</p>	<p>canvassed [1] - 114:46 capabilities [3] - 27:13, 28:32, 159:10 Capability [1] - 54:46 capability [80] - 2:26, 8:22, 8:45, 10:29, 10:33, 10:35, 10:37, 10:43, 11:28, 11:38, 11:46, 12:5, 12:24, 12:26, 12:40, 13:20, 15:46, 17:2, 17:4, 17:5, 18:8, 18:40, 19:9, 26:43, 27:41, 27:42, 28:44, 29:8, 30:15, 32:1, 32:5, 32:24, 32:30, 32:37, 33:27, 33:28, 33:44, 34:8, 34:9, 34:11, 34:17, 35:29, 36:24, 36:39, 44:25, 52:28, 53:38, 54:36, 56:5, 59:46, 60:16, 69:24, 73:40, 73:42, 73:46, 77:12, 78:7, 78:35, 82:10, 82:12, 82:18, 82:27, 84:23, 97:6, 108:7, 108:16, 108:39, 110:29, 110:30, 110:32, 110:33, 112:13, 112:28, 112:32, 114:23, 126:18, 144:28, 152:19 capable [1] - 132:39 capably [1] - 93:43 capacity [41] - 2:26, 10:3, 10:14, 14:30, 16:41, 16:42, 18:8, 20:12, 29:35, 34:6, 34:13, 35:36, 36:35, 56:26, 69:21, 70:41, 73:41, 73:42, 103:16, 104:11, 110:27, 131:45, 132:4, 132:9, 132:21, 132:29, 133:24, 133:41, 136:21, 137:33, 138:12, 138:17, 138:19, 142:41, 143:34, 151:24, 151:33, 158:16, 158:18, 158:27 CAPPELLANO [1] - 1:28 capture [2] - 51:25, 80:43 captured [3] - 80:31, 81:6, 82:33</p>	<p>captures [1] - 39:29 capturing [2] - 50:3, 81:4 care [3] - 50:7, 139:44, 158:9 career [1] - 62:8 carers [1] - 47:5 carrying [2] - 27:8, 27:27 cascades [1] - 112:1 case [49] - 7:40, 24:23, 24:29, 24:36, 29:15, 30:13, 33:16, 36:35, 39:13, 46:18, 48:46, 50:11, 51:16, 53:4, 53:22, 53:35, 55:3, 67:5, 70:6, 70:30, 70:36, 73:10, 76:10, 76:31, 80:12, 85:19, 91:2, 93:24, 100:38, 107:35, 110:22, 114:41, 114:46, 115:11, 115:15, 117:1, 126:36, 126:37, 126:38, 126:41, 127:12, 127:16, 129:4, 129:13, 149:25, 149:26, 157:22 cases [13] - 30:2, 56:22, 71:23, 72:26, 72:27, 72:35, 91:38, 99:39, 99:40, 103:39, 103:44, 110:27, 118:44 catch [1] - 144:7 categories [3] - 55:36, 62:35, 63:5 category [2] - 58:29, 147:22 cater [1] - 52:2 cats [1] - 96:25 caught [1] - 74:39 cautious [1] - 62:34 CCC [2] - 2:6, 4:20 cells [1] - 88:16 cent [36] - 50:15, 50:21, 50:22, 50:23, 57:29, 57:30, 57:32, 57:34, 57:35, 58:1, 58:4, 62:2, 68:42, 71:9, 72:20, 72:26, 72:27, 72:35, 73:7, 73:13, 73:26, 74:28, 74:30, 74:36, 82:37, 96:45, 137:46, 143:27, 143:33, 145:16, 146:20, 148:38, 150:16, 153:39</p>
C				
<p>Caboolture [1] - 25:13 CAD [1] - 74:38 Cairns [2] - 3:14, 25:13 calculations [1] - 68:40 calendar [3] - 65:15, 66:14, 66:20 call-out [1] - 117:24 call-outs [1] - 155:7 calm [2] - 113:8, 155:21 calmed [1] - 154:7 calmer [1] - 136:16 calmly [1] - 113:44 camera [14] - 80:37, 81:6, 96:40, 96:42, 96:45, 97:5, 97:10, 97:17, 99:20, 100:16, 113:41, 113:47, 121:30, 144:11 cameras [5] - 80:31, 80:36, 82:33, 113:36, 113:41 Camp [1] - 123:16 Canadian [1] - 59:22 cannot [1] - 59:3 Canungra [1] - 89:22 canvass [1] - 80:1</p>				

<p>Central [1] - 89:23 central [4] - 79:31, 93:39, 112:16, 132:12 centralised [2] - 29:46 centrally [3] - 26:23, 36:21, 110:3 centre [7] - 88:10, 102:14, 103:5, 106:6, 108:26, 151:12, 154:37 Centre [2] - 11:26, 12:30 centres [6] - 52:2, 76:45, 81:12, 87:34, 87:46, 120:15 centric [4] - 39:39, 77:39, 83:27, 119:34 CEO [2] - 37:25, 37:26 ceremony [1] - 159:27 cert [1] - 131:30 certain [12] - 31:33, 32:3, 80:17, 83:29, 83:31, 86:31, 91:22, 113:30, 137:15, 152:39, 155:7 certainly [36] - 12:11, 16:43, 24:9, 30:41, 35:34, 39:40, 43:47, 44:5, 47:19, 47:35, 52:40, 57:6, 69:2, 69:8, 70:3, 79:23, 88:19, 89:2, 97:44, 101:39, 102:4, 103:22, 105:36, 107:33, 110:29, 113:28, 116:15, 119:19, 119:46, 120:4, 120:47, 130:46, 131:18, 131:27, 131:39, 134:2 Certainly [1] - 10:2 certificate [5] - 84:32, 84:36, 131:16, 131:22, 139:35 cetera [17] - 17:8, 18:17, 25:5, 38:33, 40:2, 42:22, 42:45, 46:8, 46:15, 51:3, 61:8, 61:26, 70:22, 72:41, 83:3, 95:14, 99:25 chain [1] - 149:16 chair [2] - 38:13, 38:45 chairs [1] - 77:21 challenge [5] - 19:14, 20:9, 20:11, 38:41, 45:8</p>	<p>challenges [6] - 3:9, 3:22, 20:5, 44:20, 105:16, 105:30 challenging [1] - 77:4 championing [1] - 57:40 champions [1] - 57:42 chance [1] - 130:28 change [11] - 4:12, 4:44, 11:22, 77:25, 78:13, 123:34, 123:36, 125:18, 125:21, 148:42 change/learn [1] - 46:35 changed [3] - 39:22, 51:6, 90:21 changes [5] - 3:38, 36:37, 44:3, 49:46, 91:12 changing [1] - 77:25 characterise [1] - 62:11 characteristics [1] - 48:1 charge [21] - 15:2, 27:32, 34:33, 35:17, 36:3, 43:16, 56:27, 69:41, 70:31, 93:35, 106:13, 109:4, 109:8, 109:18, 109:32, 117:42, 122:19, 123:42, 142:31, 144:43, 145:17 charged [4] - 49:44, 51:23, 51:24, 147:40 charges [3] - 50:39, 50:47, 68:44 charging [4] - 51:22, 52:11, 68:23, 69:22 Charleville [1] - 29:43 CHART [1] - 21:33 chart [17] - 2:20, 9:38, 14:4, 21:19, 21:20, 21:21, 21:35, 23:12, 23:16, 24:41, 25:15, 25:21, 25:23, 26:27, 33:32, 101:2, 104:31 charts [1] - 25:19 chat [1] - 139:13 check [11] - 12:22, 17:47, 18:43, 32:11, 53:3, 71:15, 72:33, 92:45, 93:1, 122:13, 149:25 checking [4] - 6:11, 23:44, 33:17, 92:41 checklisting [1] - 95:16</p>	<p>checks [4] - 127:17, 130:30, 133:29, 133:35 cheers [1] - 100:44 Cherbourg [1] - 25:13 Chief [9] - 2:29, 41:5, 70:26, 101:23, 101:31, 121:35, 122:36, 123:26, 148:27 chief [4] - 54:27, 82:33, 99:7, 143:12 child [15] - 18:13, 18:17, 18:21, 18:27, 60:9, 77:19, 77:40, 77:47, 82:16, 85:30, 86:7, 87:22, 110:32, 120:12 Child [1] - 38:39 children [5] - 83:3, 120:40, 125:38, 150:47, 155:23 choice [1] - 52:3 choose [2] - 144:43, 155:16 CIB [7] - 82:17, 82:22, 82:44, 129:43, 129:45, 130:2, 153:6 CIC [3] - 37:18, 77:26, 78:5 circulated [1] - 7:22 circumstances [13] - 6:16, 49:13, 63:2, 64:28, 80:17, 83:32, 86:31, 90:45, 91:22, 113:42, 136:30, 136:31, 138:3 citations [1] - 61:26 cited [2] - 72:12, 72:27 city [1] - 3:23 civilian [2] - 104:38, 114:20 claim [1] - 150:30 clarification [1] - 49:24 clarified [1] - 49:12 clarifies [1] - 70:7 clarify [9] - 10:32, 21:25, 25:3, 55:47, 63:27, 66:38, 67:24, 79:4, 123:22 clarifying [1] - 19:25 clarity [4] - 10:34, 25:27, 28:17, 42:28 Clarke [4] - 79:15, 87:6, 91:1, 120:4 Clarks [1] - 75:22 clear [12] - 18:23, 44:21, 44:27, 69:10, 113:31, 114:17,</p>	<p>120:38, 121:2, 121:24, 137:44, 138:32, 144:8 cleared [1] - 156:33 clearly [4] - 50:9, 53:34, 62:47, 135:12 client [1] - 129:19 clients [4] - 3:34, 80:22, 124:11, 124:13 close [6] - 41:24, 44:2, 99:6, 109:31, 134:2 closing [1] - 39:30 co [19] - 53:6, 53:31, 53:37, 53:47, 56:15, 87:25, 87:32, 92:2, 119:16, 119:28, 119:33, 119:37, 119:38, 119:44, 124:3, 124:6, 130:27, 153:37, 153:38 co-apparent [1] - 92:2 co-located [5] - 87:25, 119:16, 119:38, 124:3, 153:37 co-locates [1] - 124:6 co-location [3] - 53:31, 53:47, 87:32 co-responder [9] - 53:6, 53:37, 56:15, 119:28, 119:33, 119:37, 119:44, 130:27, 153:38 Coast [9] - 29:6, 29:23, 50:16, 50:24, 81:43, 82:8, 100:18, 108:8, 112:12 Codd [5] - 2:28, 8:3, 102:17, 113:34, 120:37 CODD [1] - 8:5 Codd's [1] - 120:19 code [2] - 40:40, 148:2 coercive [8] - 42:11, 75:30, 133:25, 141:29, 147:27, 147:29, 147:31, 147:36 coffee [1] - 126:14 cohort [8] - 27:7, 46:31, 75:39, 82:34, 115:39, 117:4, 125:41, 151:8 COI.003.0001 [1] - 68:28 collaboration [2] - 148:36, 149:19 collaborative [2] - 110:22, 154:36</p>	<p>collaboratively [1] - 148:33 collated [1] - 2:14 colleague [1] - 97:45 colleagues [4] - 36:1, 84:1, 140:4, 141:44 collected [2] - 85:37, 118:21 collecting [2] - 117:11, 134:3 collectively [1] - 108:30 colloquially [1] - 13:14 coloured [2] - 16:10, 26:28 column [6] - 9:26, 67:28, 78:42, 81:36, 83:15 columns [2] - 9:39, 55:34 comfortable [1] - 91:32 coming [21] - 2:14, 24:35, 37:32, 39:5, 46:2, 63:10, 70:20, 77:35, 77:41, 78:36, 80:29, 88:14, 93:26, 94:13, 114:6, 128:13, 133:26, 144:30, 145:42, 146:20, 154:34 command [194] - 8:21, 8:31, 8:36, 8:43, 9:4, 9:6, 9:25, 9:34, 9:39, 9:47, 10:24, 10:27, 10:28, 10:42, 10:46, 11:13, 11:16, 11:17, 11:25, 11:32, 11:33, 11:37, 11:38, 12:1, 12:8, 12:15, 12:19, 12:23, 12:32, 12:39, 13:9, 13:29, 13:37, 13:41, 14:12, 15:11, 16:37, 16:42, 17:5, 17:17, 17:18, 17:21, 17:22, 18:5, 19:5, 19:13, 19:38, 20:6, 22:26, 22:27, 22:39, 24:47, 25:14, 25:20, 25:39, 25:41, 26:12, 26:24, 27:4, 27:7, 27:12, 27:40, 28:1, 30:14, 31:45, 32:16, 32:47, 33:17, 33:22, 33:30, 33:35, 34:7, 34:11, 34:23, 34:26, 34:37, 34:45, 35:12, 35:16, 35:18, 35:26, 35:41, 36:4, 36:17,</p>
---	---	---	---	--

<p>36:22, 36:25, 36:28, 36:29, 36:31, 37:2, 37:9, 37:14, 37:17, 38:9, 38:10, 38:14, 39:15, 40:21, 40:26, 40:28, 41:1, 41:3, 41:8, 44:6, 44:9, 44:16, 44:20, 44:24, 45:17, 45:23, 45:35, 45:42, 46:3, 46:4, 46:28, 52:10, 52:14, 52:15, 53:3, 53:8, 53:16, 53:17, 53:23, 53:43, 54:34, 54:35, 54:36, 54:40, 54:44, 55:4, 55:38, 56:4, 56:18, 56:25, 56:27, 56:46, 59:45, 59:47, 60:17, 60:32, 60:45, 60:46, 61:17, 61:28, 63:23, 63:41, 63:42, 65:23, 66:28, 67:2, 67:18, 68:3, 69:20, 69:23, 69:25, 69:40, 70:3, 70:11, 70:15, 70:20, 70:45, 71:2, 71:28, 73:39, 73:43, 74:42, 75:42, 77:11, 77:12, 77:14, 77:15, 77:23, 78:1, 78:5, 78:6, 78:7, 97:44, 102:2, 102:7, 103:16, 103:25, 105:35, 107:32, 110:3, 110:17, 111:33, 111:46, 132:12</p> <p>Command [14] - 4:20, 15:5, 17:3, 17:12, 17:32, 26:4, 54:46, 63:47, 64:1, 64:22, 68:11, 77:17, 77:29, 101:42</p> <p>command's [6] - 26:42, 35:34, 53:35, 70:38, 74:3, 76:3</p> <p>commander [1] - 13:45</p> <p>commands [6] - 9:40, 11:42, 14:47, 27:13, 27:14, 77:18</p> <p>commence [2] - 7:41, 48:34</p> <p>commenced [6] - 40:22, 41:1, 100:18, 100:21, 143:26, 144:33</p> <p>commencement [1] - 40:21</p> <p>commences [1] -</p>	<p>48:16</p> <p>commencing [2] - 3:13, 36:47</p> <p>commend [1] - 3:46</p> <p>comment [4] - 79:13, 94:31, 117:22, 153:22</p> <p>commentary [1] - 121:22</p> <p>comments [1] - 61:8</p> <p>COMMISSION [2] - 1:11, 159:46</p> <p>commission [5] - 15:43, 33:39, 40:39, 54:24, 117:42</p> <p>Commission [31] - 2:2, 2:11, 2:22, 3:1, 3:13, 3:17, 3:31, 3:41, 4:5, 4:10, 4:19, 4:25, 5:1, 5:8, 34:2, 35:14, 35:33, 35:40, 35:41, 42:22, 48:18, 56:22, 58:22, 60:29, 64:6, 74:8, 93:29, 101:32, 105:17, 105:30, 149:18</p> <p>Commission's [2] - 2:34, 6:11</p> <p>commissioned [1] - 118:3</p> <p>commissioner [4] - 12:16, 71:19, 97:29, 139:23</p> <p>COMMISSIONER [118] - 1:19, 2:1, 5:16, 5:23, 5:42, 5:47, 6:13, 6:19, 6:33, 6:37, 7:2, 7:11, 7:16, 7:29, 7:37, 7:43, 14:17, 14:43, 19:22, 19:30, 19:34, 19:42, 19:46, 20:11, 20:14, 20:21, 20:25, 20:31, 20:35, 21:31, 23:6, 25:18, 25:37, 25:44, 25:47, 39:10, 46:10, 50:29, 50:36, 50:39, 51:21, 51:28, 52:40, 61:32, 64:10, 64:32, 68:2, 71:17, 78:21, 78:26, 95:29, 95:34, 96:15, 96:18, 96:22, 96:28, 96:36, 97:25, 100:15, 100:21, 100:29, 100:34, 100:40, 101:7, 101:11, 101:16, 101:20, 101:25, 104:43, 105:19, 106:43, 107:47,</p>	<p>108:5, 108:13, 108:18, 111:10, 111:24, 116:1, 121:35, 121:42, 121:46, 122:4, 122:8, 122:13, 122:28, 122:39, 122:43, 123:2, 123:7, 124:17, 134:9, 134:13, 134:19, 134:25, 139:27, 140:18, 140:22, 142:2, 142:6, 142:11, 142:17, 142:21, 144:39, 145:36, 146:1, 146:4, 146:37, 148:9, 148:21, 148:24, 150:43, 151:3, 151:7, 151:35, 159:23, 159:27, 159:40, 159:44</p> <p>Commissioner [74] - 2:28, 2:35, 3:18, 4:47, 5:6, 5:12, 5:36, 6:4, 6:17, 7:13, 7:18, 7:39, 8:2, 8:9, 8:36, 9:22, 10:9, 10:20, 11:31, 15:10, 21:16, 21:22, 21:29, 21:35, 23:13, 29:5, 30:20, 37:15, 37:34, 38:39, 43:4, 43:13, 43:15, 43:37, 44:6, 46:28, 52:37, 52:47, 57:17, 64:4, 64:45, 65:33, 65:39, 66:10, 74:46, 78:19, 78:29, 78:33, 95:29, 96:38, 97:23, 97:27, 97:33, 100:37, 100:43, 101:1, 101:3, 101:22, 102:12, 102:13, 102:17, 113:34, 120:19, 120:37, 122:30, 122:32, 139:21, 139:25, 142:14, 151:36, 156:43, 159:13, 159:16, 159:21</p> <p>Commissioner's [1] - 117:45</p> <p>commissioners [1] - 34:32</p> <p>commitment [4] - 28:28, 82:16, 125:19, 143:9</p> <p>committed [6] - 71:11,</p>	<p>75:39, 125:28, 145:25, 147:39, 147:40</p> <p>committee [1] - 33:25</p> <p>committing [1] - 129:40</p> <p>common [6] - 25:42, 92:14, 96:10, 96:26, 107:20, 117:28</p> <p>commonality [1] - 77:43</p> <p>commonly [1] - 106:14</p> <p>Comms [1] - 90:2</p> <p>comms [4] - 52:27, 52:28, 97:16, 130:46</p> <p>communicate [5] - 38:17, 73:28, 102:39, 149:9, 153:43</p> <p>communicating [1] - 62:22</p> <p>communication [3] - 47:41, 61:5, 91:26</p> <p>Communication [2] - 11:26, 12:30</p> <p>communications [7] - 12:46, 23:29, 23:40, 52:26, 102:14, 106:6, 148:2</p> <p>communities [4] - 3:20, 91:25, 110:44, 119:24</p> <p>community [27] - 3:20, 4:35, 23:36, 29:18, 37:11, 38:5, 42:1, 42:31, 44:24, 45:44, 46:33, 48:22, 49:19, 51:21, 58:12, 58:30, 62:27, 73:28, 73:34, 74:23, 75:7, 75:9, 76:29, 138:12, 138:17, 147:9, 159:2</p> <p>compare [1] - 66:19</p> <p>compared [3] - 57:30, 114:36, 125:37</p> <p>comparing [2] - 71:34, 152:43</p> <p>compassion [2] - 93:46, 134:3</p> <p>compete [3] - 16:47, 17:9, 77:27</p> <p>competence [2] - 115:17, 115:22</p> <p>competencies [1] - 95:42</p> <p>competency [8] - 94:33, 94:40, 94:45, 95:3, 95:5, 95:9, 95:12, 96:39</p>	<p>competing [2] - 45:8, 77:30</p> <p>complaint [4] - 80:41, 92:34, 92:35, 92:36</p> <p>complaints [8] - 4:18, 4:22, 4:26, 4:28, 4:31, 64:17, 97:3, 158:28</p> <p>complement [3] - 43:6, 44:34, 120:47</p> <p>complemented [1] - 79:10</p> <p>complete [7] - 21:21, 45:10, 92:10, 92:32, 107:18, 148:3, 157:44</p> <p>completed [15] - 32:46, 35:4, 41:12, 61:44, 103:10, 104:44, 105:8, 107:14, 107:27, 127:25, 127:29, 128:33, 128:35, 130:16, 131:16</p> <p>completely [2] - 16:26, 71:43</p> <p>completing [2] - 60:42, 135:16</p> <p>completion [4] - 40:12, 41:1, 41:12, 132:45</p> <p>complex [13] - 23:42, 24:10, 41:47, 42:3, 42:38, 43:20, 44:24, 93:6, 110:27, 115:3, 121:8, 129:42, 131:2</p> <p>complexities [3] - 11:34, 74:4, 132:35</p> <p>complexity [6] - 10:6, 32:36, 42:11, 42:40, 82:47, 122:24</p> <p>compliance [12] - 32:22, 32:42, 43:9, 81:33, 93:43, 97:1, 109:34, 113:35, 127:14, 127:17, 146:25, 146:28</p> <p>compliance" [1] - 30:38</p> <p>complicated [4] - 4:22, 14:46, 19:26, 94:19</p> <p>complication [1] - 51:31</p> <p>comply [5] - 43:14, 43:34, 98:9, 111:30, 111:44</p> <p>complying [1] - 94:21</p> <p>component [3] - 52:30, 69:28, 87:41</p>
---	---	--	--	---

<p>components [3] - 60:37, 99:41, 147:28</p> <p>comprehensive [2] - 139:6, 159:7</p> <p>computer [3] - 102:37, 126:13, 137:22</p> <p>computer-aided [1] - 102:37</p> <p>computers [2] - 23:44, 102:33</p> <p>concentrating [1] - 143:39</p> <p>concentration [1] - 126:21</p> <p>concept [4] - 91:39, 94:21, 120:15, 120:30</p> <p>conceptualised [1] - 37:30</p> <p>concern [5] - 52:34, 63:23, 80:21, 105:34, 105:36</p> <p>concerned [5] - 80:27, 144:12, 148:5, 150:25, 159:31</p> <p>concerning [2] - 81:16, 147:30</p> <p>conclusion [2] - 72:34, 128:15</p> <p>conclusions [4] - 2:19, 71:26, 71:37, 71:38</p> <p>concrete [1] - 54:18</p> <p>concussion [1] - 113:45</p> <p>conditions [5] - 48:36, 150:45, 151:4, 151:8, 156:42</p> <p>conductive [1] - 88:22</p> <p>conduct [9] - 3:42, 16:33, 48:37, 48:47, 62:27, 62:28, 117:34, 128:38, 129:31</p> <p>conducted [5] - 3:44, 49:21, 57:2, 57:3, 108:27</p> <p>conducting [1] - 58:23</p> <p>confidence [3] - 67:23, 75:12, 152:22</p> <p>confidential [1] - 3:42</p> <p>confirm [2] - 41:34, 57:3</p> <p>confirmation [1] - 131:4</p> <p>conflict [3] - 43:12, 43:36, 43:43</p> <p>confronted [1] - 3:26</p> <p>confusing [2] - 21:24, 88:45</p>	<p>confusion [3] - 43:46, 48:20, 49:10</p> <p>conjoint [1] - 108:27</p> <p>conjunction [5] - 41:27, 43:9, 43:28, 53:10, 54:35</p> <p>Connect [4] - 37:26, 38:40, 56:1, 89:46</p> <p>connected [3] - 81:39, 81:44, 139:5</p> <p>connection [3] - 53:18, 58:37, 59:6</p> <p>conscious [2] - 147:44, 148:5</p> <p>consent [5] - 55:32, 62:42, 64:12, 146:35, 146:41</p> <p>consequence [2] - 45:15, 158:3</p> <p>consider [6] - 6:21, 89:20, 98:6, 98:26, 109:5, 130:24</p> <p>considerable [2] - 67:16, 67:42</p> <p>consideration [3] - 49:42, 54:21, 97:47</p> <p>considerations [1] - 49:20</p> <p>considered [8] - 29:10, 39:16, 63:20, 63:21, 68:25, 76:41, 77:8, 113:7</p> <p>considering [3] - 77:13, 78:3, 92:42</p> <p>consistency [2] - 28:15, 28:47</p> <p>consistent [6] - 28:9, 28:45, 30:5, 32:34, 50:9, 62:38</p> <p>consistently [2] - 51:7, 157:33</p> <p>constable [4] - 58:47, 106:33, 124:33</p> <p>constables [3] - 123:46, 124:32</p> <p>constant [1] - 133:6</p> <p>constantly [1] - 45:30</p> <p>constituted [1] - 103:36</p> <p>consult [1] - 37:8</p> <p>consultation [2] - 41:28, 156:2</p> <p>consultations [1] - 58:24</p> <p>consuming [2] - 97:37, 138:8</p> <p>contact [28] - 6:5, 6:8, 71:24, 72:11, 72:17, 72:29, 72:36, 72:42, 72:43, 73:8, 73:14,</p>	<p>92:31, 109:27, 109:30, 118:28, 118:47, 128:44, 130:40, 137:26, 138:1, 138:34, 138:36, 145:28, 146:40, 151:27, 151:28, 158:23</p> <p>contacting [1] - 118:22</p> <p>contain [1] - 110:4</p> <p>contains [1] - 55:16</p> <p>contemplated [2] - 53:7, 153:21</p> <p>contemporary [3] - 52:16, 64:47, 118:1</p> <p>content [8] - 7:23, 41:17, 41:25, 43:12, 55:1, 93:18, 94:5, 131:22</p> <p>context [11] - 10:27, 10:37, 28:36, 37:20, 42:12, 45:39, 60:3, 67:19, 71:12, 73:15, 77:46</p> <p>continual [1] - 34:5</p> <p>continually [1] - 10:13</p> <p>continue [8] - 8:40, 34:26, 62:31, 63:13, 64:15, 75:26, 151:33, 155:37</p> <p>continued [1] - 31:47</p> <p>continues [1] - 133:16</p> <p>continuing [3] - 45:37, 75:46, 78:11</p> <p>continuous [1] - 153:26</p> <p>contracted [1] - 3:41</p> <p>contravention [2] - 68:43, 92:35</p> <p>contraventions [3] - 68:33, 68:38, 69:7</p> <p>contributing [4] - 24:25, 54:40, 75:11, 98:16</p> <p>control [24] - 12:47, 13:10, 24:47, 25:1, 25:4, 34:24, 51:3, 53:16, 54:33, 56:5, 63:3, 75:30, 83:35, 102:2, 116:30, 132:13, 133:25, 141:29, 147:27, 147:29, 147:31, 147:36, 149:4</p> <p>controlled [1] - 53:8</p> <p>controlling [2] - 42:12, 69:12</p> <p>convenience [1] - 18:3</p>	<p>convenient [5] - 7:41, 31:40, 52:38, 101:22, 116:3</p> <p>conversation [3] - 150:11, 152:2, 155:17</p> <p>conversations [1] - 34:44</p> <p>convincing [1] - 4:2</p> <p>coordinate [2] - 70:32, 104:7</p> <p>coordinated [1] - 26:23</p> <p>coordinating [4] - 25:4, 55:42, 104:30, 106:21</p> <p>coordination [1] - 26:20</p> <p>coordinator [2] - 12:38, 22:8, 22:14, 22:20, 22:25, 23:37, 26:44, 27:22, 31:10, 103:1, 103:19, 107:22, 108:28, 108:35, 116:18, 117:31, 118:13, 121:44, 123:30, 143:8, 151:17</p> <p>coordinators [17] - 11:25, 12:29, 21:4, 23:15, 23:27, 69:38, 70:14, 82:29, 90:2, 103:4, 103:31, 106:20, 108:10, 117:14, 118:9, 118:24, 121:38</p> <p>copies [1] - 7:6</p> <p>coping [1] - 133:27</p> <p>copy [8] - 8:9, 21:20, 21:28, 21:29, 40:15, 57:26, 65:39, 65:46</p> <p>core [3] - 110:18, 111:31, 134:22</p> <p>corner [1] - 21:37</p> <p>Coroner [3] - 87:20, 89:10, 120:6</p> <p>coroner's [2] - 72:39, 96:6</p> <p>coronial [1] - 72:15</p> <p>corps [1] - 3:7</p> <p>correct [120] - 8:33, 8:37, 9:1, 9:31, 9:36, 9:42, 12:20, 12:27, 13:1, 13:5, 13:11, 13:34, 13:43, 14:5, 14:9, 14:29, 14:30, 14:45, 15:12, 15:13, 15:20, 15:26, 15:32, 15:36, 15:40, 16:5, 16:23, 17:14, 19:25,</p>	<p>19:36, 21:39, 23:4, 23:25, 23:30, 25:10, 25:16, 26:5, 26:34, 26:39, 26:47, 27:5, 27:17, 27:24, 27:30, 27:36, 28:11, 29:4, 30:16, 30:28, 30:29, 30:36, 30:37, 31:3, 31:29, 32:14, 32:20, 34:47, 35:37, 36:31, 37:5, 37:12, 37:47, 40:13, 48:9, 50:37, 55:27, 55:34, 57:5, 61:46, 62:1, 62:4, 66:17, 73:2, 73:3, 74:16, 75:20, 76:36, 78:46, 80:5, 80:14, 80:15, 81:40, 81:41, 81:46, 81:47, 82:6, 82:7, 86:30, 90:21, 91:41, 92:33, 92:37, 95:32, 102:10, 103:26, 103:47, 104:9, 106:24, 106:34, 107:2, 107:6, 109:1, 109:7, 110:24, 121:39, 123:17, 123:18, 124:1, 134:36, 142:33, 142:38, 143:18, 143:23, 143:29, 143:34, 146:6, 146:21, 147:19, 151:5</p> <p>Correct [1] - 123:44</p> <p>corrections [3] - 150:2, 150:14, 150:31</p> <p>corrective [1] - 149:46</p> <p>correctly [4] - 72:6, 109:3, 127:19, 147:15</p> <p>COUNSEL [1] - 1:26</p> <p>Counsel [13] - 5:1, 5:4, 78:40, 80:11, 81:9, 85:3, 86:20, 88:3, 114:12, 115:29, 118:33, 134:32, 154:21</p> <p>counsel [3] - 5:13, 6:6, 6:9</p> <p>counselling [3] - 63:13, 64:33, 64:34</p> <p>counsellors [2] - 64:43, 125:33</p> <p>counter [8] - 9:41, 68:16, 80:25, 80:37, 81:3, 89:40, 89:41</p> <p>counter-terrorism [1] - 9:41</p>
--	---	---	---	---

<p>counters [4] - 68:12, 68:14, 80:28, 89:43 counterterrorism [1] - 10:1 counting [1] - 66:44 couple [21] - 39:23, 40:17, 46:24, 48:11, 74:6, 79:1, 79:2, 93:37, 94:32, 100:5, 104:3, 114:12, 128:28, 128:31, 128:36, 129:12, 137:45, 152:7, 152:33, 154:20 coupled [2] - 42:44, 65:2 couples [1] - 137:35 course [47] - 2:41, 6:31, 10:35, 11:41, 13:22, 16:5, 16:15, 16:47, 17:6, 18:33, 26:46, 34:22, 46:13, 52:32, 55:1, 70:34, 74:14, 84:28, 84:37, 91:26, 93:30, 95:22, 96:6, 96:42, 101:34, 103:11, 103:12, 107:14, 107:28, 115:19, 115:25, 116:10, 129:28, 135:28, 138:26, 138:32, 139:15, 140:11, 140:13, 140:24, 140:39, 140:46, 141:4, 141:12, 145:43, 147:18 courses [4] - 38:34, 47:39, 107:37, 141:17 Court [3] - 1:34, 99:8 court [18] - 14:38, 39:5, 68:18, 76:13, 76:16, 99:26, 120:21, 133:1, 150:6, 151:16, 151:21, 151:25, 153:3, 153:9, 156:46, 157:1, 159:28 court's [1] - 68:32 courts [5] - 66:14, 81:2, 99:12, 100:27, 100:30 Courts [2] - 68:29, 117:15 COV [1] - 108:38 cover [2] - 135:35, 144:6 covered [1] - 133:2</p>	<p>COVID [3] - 11:42, 15:4, 107:26 COVID-19 [1] - 103:13 CPI [1] - 82:44 CPIU [2] - 82:16, 82:21 CPOR [1] - 85:30 CRAF [11] - 132:45, 135:44, 135:45, 136:7, 136:10, 136:32, 136:34, 136:44, 137:3, 137:10, 138:5 CRAFs [2] - 135:20, 135:41 CRASF [8] - 92:6, 92:19, 92:20, 96:1, 105:8, 105:10, 158:38, 158:44 create [5] - 40:20, 70:29, 137:39, 146:47, 148:13 created [10] - 10:5, 19:27, 28:28, 36:31, 36:32, 40:28, 46:32, 51:41, 90:24, 132:25 creating [1] - 29:8 creation [3] - 28:26, 41:8, 143:4 crediting [1] - 37:1 crew [1] - 124:7 crews [1] - 148:2 crime [14] - 9:40, 9:47, 18:4, 29:34, 37:17, 37:18, 77:10, 77:20, 77:28, 81:45, 117:41, 118:15 Crime [5] - 17:2, 17:11, 17:32, 77:17, 77:29 crimes [1] - 18:13 criminal [38] - 4:14, 15:43, 49:38, 49:39, 49:43, 50:3, 50:18, 50:39, 50:47, 51:2, 51:9, 51:36, 52:11, 68:24, 68:32, 68:44, 68:47, 69:8, 69:13, 69:16, 69:22, 75:18, 75:31, 76:33, 80:9, 82:47, 83:6, 108:41, 110:31, 129:30, 129:31, 129:33, 129:44, 130:5, 147:40, 148:7, 151:22 criminality [3] - 29:29, 50:34 crises [1] - 45:44 crisis [14] - 58:14,</p>	<p>59:12, 76:38, 76:41, 76:47, 109:31, 109:32, 112:43, 119:42, 121:9, 121:15, 136:9, 153:47, 155:9 criteria [8] - 30:35, 30:45, 92:1, 102:42, 102:44, 103:2, 107:5, 126:36 critical [9] - 41:44, 41:46, 44:15, 58:43, 76:37, 76:41, 116:6, 120:33, 131:37 criticism [2] - 57:22, 145:30 cross [7] - 16:3, 16:8, 16:14, 16:19, 17:38, 56:10, 77:39 cross-over [5] - 16:3, 16:8, 16:19, 17:38, 77:39 cross-purposes [1] - 16:14 crossing [1] - 94:47 cruelty [1] - 17:46 cultural [5] - 3:4, 4:10, 50:43, 125:18, 125:26 culturally [1] - 91:25 culture [7] - 2:19, 4:28, 58:38, 58:39, 62:7, 125:21, 125:27 cumulative [1] - 58:4 cup [1] - 126:14 current [19] - 4:11, 4:21, 5:28, 21:36, 43:6, 48:35, 65:2, 65:6, 67:33, 70:38, 70:42, 76:24, 78:9, 81:26, 82:35, 99:46, 129:2, 138:19, 159:10 custodial [1] - 150:35 custody [1] - 48:40 cut [1] - 42:39 cynicism [2] - 57:19, 58:33</p>	<p>dashboard [3] - 85:1, 85:2, 85:12 data [59] - 24:8, 31:9, 31:34, 34:18, 38:35, 46:19, 47:5, 58:6, 65:22, 65:30, 66:11, 66:16, 66:18, 66:19, 66:24, 66:30, 66:31, 66:34, 66:39, 67:12, 67:27, 67:36, 67:41, 67:46, 68:6, 68:20, 68:28, 68:36, 69:45, 71:9, 71:21, 71:22, 71:26, 71:46, 71:47, 72:5, 72:8, 72:11, 72:23, 72:40, 73:7, 73:33, 74:7, 74:13, 74:26, 74:33, 85:14, 85:36, 85:41, 85:43, 86:3, 114:40, 116:6, 116:13, 116:44, 117:14, 118:20, 149:21 database [3] - 85:23, 97:14, 102:33 databases [1] - 24:2 datasets [1] - 85:39 date [9] - 19:10, 19:19, 20:28, 32:13, 48:18, 52:16, 52:21, 74:1, 133:13 dated [3] - 5:33, 6:25, 101:2 DATED [1] - 6:40 day's [1] - 144:6 day-to-day [1] - 111:19 days [13] - 2:22, 2:23, 3:30, 4:8, 4:34, 79:37, 105:1, 129:12, 133:40, 136:10, 137:45, 141:3, 150:23 DE [1] - 21:33 de [5] - 21:20, 21:27, 44:29, 62:16, 62:22 DE-IDENTIFIED [1] - 21:33 de-identified [3] - 21:20, 21:27, 62:22 de-identify [1] - 62:16 de-prioritised [1] - 44:29 deal [16] - 2:26, 22:17, 24:7, 28:17, 34:18, 49:45, 53:4, 57:20, 75:45, 81:36, 84:29, 122:23, 130:8, 152:25, 152:26, 159:38</p>	<p>dealing [19] - 3:36, 4:31, 15:43, 36:34, 37:21, 38:18, 46:20, 58:5, 60:19, 60:44, 60:47, 74:5, 77:18, 84:11, 86:40, 102:6, 131:18, 153:6, 154:41 dealings [1] - 3:34 deals [4] - 4:26, 15:28, 28:1, 111:2 dealt [2] - 110:43, 156:32 Death [1] - 73:11 death [8] - 47:6, 71:14, 71:43, 71:47, 72:5, 72:11, 86:47, 96:6 DEBORAH [1] - 1:19 decade [1] - 90:21 decades [1] - 119:26 December [1] - 66:15 decentralised [2] - 82:12, 88:30 decide [3] - 48:23, 53:23, 139:14 decided [2] - 53:43, 143:13 decides [1] - 38:44 decision [5] - 27:35, 38:12, 44:42, 102:29, 156:5 decision-making [1] - 38:12 decisions [2] - 121:10, 146:31 deck [1] - 77:21 decrease [2] - 67:37, 67:40 deem [1] - 136:46 deep [1] - 87:44 deeper [1] - 140:46 deer [1] - 157:6 defend [1] - 69:5 deficiencies [1] - 46:6 deficiency [1] - 117:22 deficient [2] - 118:1, 118:6 define [1] - 131:38 defined [1] - 68:31 definitely [7] - 59:21, 66:29, 67:3, 69:24, 84:18, 144:16, 158:29 deflation [1] - 94:23 degree [3] - 17:4, 135:13, 135:16 degrees [1] - 135:12 delaying [1] - 48:38 delegated [1] - 106:13</p>
D				
<p>daily [6] - 56:33, 108:24, 113:17, 118:34, 130:30 Dalby [1] - 29:43 damaging [1] - 62:8 danger [1] - 138:24 dangerous [1] - 112:44 Danielle [1] - 3:8</p>				

<p>delighted [1] - 20:18 delineate [1] - 43:44 delineates [1] - 14:22 deliver [5] - 29:45, 47:45, 54:13, 59:39, 88:19 delivered [12] - 24:30, 30:8, 61:12, 79:3, 81:27, 93:43, 95:2, 95:17, 95:19, 114:2, 120:44, 121:13 delivering [2] - 30:7, 79:43 delivery [11] - 10:39, 10:40, 34:30, 59:37, 80:33, 82:45, 97:21, 97:36, 98:2, 112:8, 112:20 demand [18] - 10:6, 13:21, 22:30, 24:18, 29:39, 32:36, 46:22, 53:40, 58:43, 59:27, 60:5, 69:36, 75:25, 78:10, 122:20, 133:20, 133:27, 133:44 demands [5] - 11:35, 24:33, 45:9, 74:4, 110:38 demographic [1] - 147:24 demonstrable [1] - 67:13 demonstrate [2] - 58:2, 61:18 demonstrated [2] - 73:11, 121:29 Department [8] - 2:6, 26:15, 65:31, 66:11, 66:21, 66:24, 87:23, 103:29 department [8] - 38:23, 76:12, 76:14, 76:25, 87:22, 115:10, 120:13 departments [4] - 76:21, 98:25, 114:37, 117:16 dependent [4] - 65:1, 103:12, 110:40, 126:29 depicting [1] - 26:10 depiction [1] - 24:46 depth [1] - 136:32 Deputy [5] - 3:18, 37:26, 87:20, 89:9, 120:6 deputy [1] - 156:11 describe [5] - 98:8, 106:46, 109:42,</p>	<p>154:28, 158:11 described [6] - 32:24, 34:43, 106:14, 123:26, 137:20, 140:24 describing [1] - 154:31 description [3] - 25:29, 25:33, 110:15 descriptions [1] - 115:28 desensitisation [2] - 56:44, 61:42 designed [3] - 78:37, 86:7, 91:43 desirability [2] - 81:38, 94:12 desirable [2] - 87:31, 92:43 desire [1] - 96:10 desired [1] - 30:42 desktop [3] - 118:19, 137:21, 158:12 despite [2] - 135:47, 136:20 detail [1] - 13:28 details [3] - 5:25, 5:26, 80:25 detective [3] - 54:38, 69:42, 123:46 detectives [12] - 29:25, 50:36, 50:41, 81:39, 81:44, 120:12, 129:36, 130:8, 137:28, 148:21, 148:22, 148:24 detention [1] - 151:11 determination [3] - 28:24, 28:32, 51:9 determine [9] - 48:35, 59:32, 62:44, 64:2, 67:21, 70:6, 72:28, 75:36, 127:31 determined [3] - 81:24, 107:31, 116:39 determining [1] - 49:1 develop [12] - 8:21, 18:15, 18:28, 34:26, 34:45, 38:3, 44:17, 55:2, 83:10, 95:41, 96:19, 110:21 developed [15] - 4:38, 18:25, 26:14, 29:16, 30:13, 30:14, 36:20, 38:9, 39:3, 39:27, 41:27, 45:5, 90:22, 97:44, 144:18 developing [13] -</p>	<p>17:36, 31:17, 31:32, 38:26, 41:4, 44:10, 44:17, 44:21, 44:26, 55:1, 93:8, 95:46, 131:36 development [9] - 17:34, 18:36, 38:34, 40:7, 45:19, 64:23, 95:44, 124:37, 142:36 developments [1] - 61:7 device [1] - 94:23 devices [2] - 102:36, 102:38 devolved [1] - 28:26 devoted [2] - 17:18, 74:35 DFV [42] - 22:26, 26:38, 27:3, 28:44, 41:42, 46:25, 60:37, 68:39, 73:14, 74:9, 77:12, 77:14, 101:37, 101:42, 102:21, 103:31, 108:7, 108:23, 109:41, 109:47, 110:27, 110:28, 110:46, 112:11, 112:12, 112:28, 113:15, 114:22, 114:25, 115:25, 129:34, 130:41, 131:34, 133:21, 142:32, 143:9, 143:13, 143:27, 147:38, 153:31, 153:35 DFV-related [1] - 68:39 DFVC [13] - 28:28, 102:8, 107:1, 107:30, 108:22, 108:43, 115:11, 123:16, 123:21, 123:32, 131:29, 134:39, 143:43 DFVC's [1] - 107:43 DFVCs [21] - 23:24, 26:30, 69:35, 70:31, 82:27, 97:15, 102:3, 102:6, 102:14, 102:39, 106:4, 106:5, 106:10, 106:19, 106:21, 123:24, 130:45, 131:23, 132:20, 132:24 DFVOs [1] - 106:30 DFVP [1] - 59:45</p>	<p>DFVVPVU [4] - 110:12, 111:38, 115:11, 115:15 DFVVPVU" [1] - 111:30 DFVVPVs [1] - 111:36 diagnosed [1] - 31:44 diagnostic [5] - 30:38, 30:46, 31:6, 31:12, 32:42 diagnostics [1] - 31:41 dialogue [2] - 35:47, 72:39 dictate [1] - 108:34 dictates [1] - 125:9 differ [1] - 70:7 difference [8] - 14:19, 25:28, 45:27, 71:46, 78:5, 79:38, 99:18, 119:40 differences [4] - 11:1, 24:45, 88:41, 112:20 different [71] - 2:11, 3:31, 11:5, 13:20, 14:21, 14:47, 15:11, 16:9, 24:1, 24:3, 24:5, 24:16, 26:18, 29:12, 29:15, 29:17, 29:20, 29:21, 29:22, 29:37, 30:35, 32:4, 32:35, 33:20, 38:37, 38:41, 39:43, 45:44, 47:7, 47:45, 48:14, 53:36, 58:42, 59:2, 66:44, 70:4, 72:21, 73:6, 74:40, 75:40, 76:21, 76:46, 77:4, 84:8, 85:24, 88:27, 88:33, 88:36, 95:15, 95:20, 96:8, 96:9, 96:12, 106:7, 107:45, 110:38, 110:39, 111:28, 112:7, 112:8, 112:21, 116:24, 116:25, 136:11, 147:25, 156:9 differently [1] - 76:9 difficult [16] - 22:24, 22:44, 43:39, 45:42, 62:43, 83:23, 98:29, 112:36, 133:3, 133:28, 133:31, 138:8, 138:20, 143:42, 152:38, 153:41 difficulties [5] - 4:2, 16:6, 96:1, 105:16, 105:30 difficulty [4] - 22:18,</p>	<p>95:22, 144:19, 144:27 diminished [1] - 62:23 dipping [1] - 136:33 direct [5] - 18:10, 18:12, 34:24, 53:3, 53:16 directed [2] - 95:38, 99:37 direction [6] - 13:22, 37:33, 43:21, 59:42, 80:38, 156:36 directions [2] - 81:33, 144:8 directive [1] - 43:15 directives [3] - 43:11, 43:13, 43:38 directly [7] - 14:27, 36:3, 44:43, 53:7, 91:9, 137:27, 158:17 director [1] - 159:28 disabilities [4] - 11:7, 15:18, 16:6, 16:21 disability [1] - 115:4 disband [1] - 132:20 discharge [1] - 121:3 discharging [1] - 126:24 disciplinary [11] - 52:1, 76:45, 87:13, 87:25, 87:28, 87:34, 87:46, 88:6, 88:10, 88:27, 113:5 disclose [1] - 91:9 disclosures [1] - 119:29 discontent [1] - 58:34 discontinued [1] - 83:23 discounting [1] - 38:5 discourage [1] - 4:21 discrepancies [1] - 74:47 discrepancy [5] - 66:24, 66:29, 67:43, 71:25, 71:30 discrete [1] - 65:5 discuss [2] - 35:27, 139:13 discussed [2] - 7:19, 38:44 discussion [7] - 35:24, 35:41, 39:20, 58:38, 84:29, 85:25, 147:15 discussions [4] - 12:29, 37:27, 38:25, 39:36 disengage [1] - 39:11 disincentive [1] -</p>
--	--	---	--	--

<p>20:15 dismiss [2] - 62:20, 73:26 dispatch [1] - 102:37 dispersal [1] - 32:37 disproportionally [1] - 120:40 disproportionately [1] - 48:7 disrespectful [2] - 137:22, 158:11 disrupt [3] - 8:23, 70:32, 117:7 disruption [1] - 150:18 dissatisfaction [1] - 58:13 dissatisfied [1] - 58:31 disseminate [1] - 102:36 distinction [1] - 123:22 distracted [1] - 126:16 distress [2] - 57:31, 140:1 distressed [1] - 113:43 distribute [2] - 7:8, 7:27 distributed [4] - 6:26, 12:36, 28:29, 41:22 district [113] - 12:37, 13:22, 13:27, 24:30, 24:34, 27:42, 28:32, 29:7, 29:8, 29:42, 30:14, 32:23, 32:24, 32:34, 33:21, 34:33, 36:2, 43:11, 53:20, 53:38, 56:6, 56:8, 56:10, 56:13, 56:17, 56:32, 59:35, 59:36, 61:27, 61:36, 69:35, 70:7, 70:14, 70:17, 70:37, 70:40, 70:41, 79:5, 79:6, 79:11, 81:18, 81:19, 82:13, 83:24, 84:16, 84:22, 84:24, 85:13, 85:18, 88:25, 104:28, 105:47, 106:7, 106:23, 107:23, 107:31, 108:5, 108:9, 108:15, 109:29, 109:41, 109:43, 109:45, 110:2, 110:4, 110:5, 110:33, 110:34, 110:37, 111:33, 111:45, 112:2,</p>	<p>112:4, 114:25, 115:43, 116:20, 116:25, 116:32, 116:33, 116:39, 116:40, 117:13, 117:30, 117:35, 117:40, 117:43, 118:13, 119:1, 119:4, 123:27, 123:32, 124:27, 135:33, 142:32, 143:43, 147:8, 147:9, 147:17, 147:25, 147:33, 150:1, 153:39, 156:4, 156:12, 158:25 district-based [5] - 79:11, 107:23, 110:5, 112:2, 112:4 district-to-district [1] - 88:25 districts [92] - 10:41, 11:27, 11:28, 12:19, 12:25, 12:43, 13:12, 13:19, 13:25, 24:38, 25:6, 25:9, 26:22, 28:3, 28:10, 28:15, 28:25, 28:45, 29:16, 29:18, 29:39, 30:3, 30:28, 30:31, 30:46, 31:5, 31:14, 31:15, 31:26, 31:41, 31:43, 32:2, 32:5, 32:12, 32:19, 32:32, 32:38, 32:46, 33:2, 33:12, 33:18, 33:23, 33:24, 33:26, 33:31, 33:43, 34:6, 34:8, 34:12, 34:20, 34:24, 34:27, 34:44, 35:3, 35:12, 35:27, 35:35, 35:42, 36:12, 36:18, 36:22, 36:30, 53:10, 54:15, 56:11, 56:35, 61:3, 61:12, 61:14, 78:44, 78:45, 81:20, 81:27, 81:28, 82:37, 84:8, 84:11, 84:17, 84:21, 99:8, 100:15, 107:21, 108:7, 110:39, 112:6, 112:21, 116:29, 116:30, 124:26, 147:25, 157:28 distrust [2] - 57:18, 58:32 diverse [1] - 91:25 divert [1] - 88:21 division [2] - 17:3,</p>	<p>17:22 DJAG [13] - 53:12, 66:35, 67:27, 67:36, 76:45, 92:12, 93:19, 95:30, 95:39, 96:18, 97:34, 98:32, 100:24 DJAG's [1] - 66:17 doc [2] - 65:35, 65:42 docks [1] - 97:10 doctrine [4] - 40:29, 47:19, 47:23, 47:40 document [44] - 9:10, 9:13, 9:18, 9:19, 9:26, 12:13, 13:30, 21:15, 21:41, 24:42, 24:44, 27:46, 30:18, 32:25, 34:41, 36:9, 40:16, 40:44, 41:12, 42:4, 43:1, 43:3, 43:5, 43:21, 44:26, 48:25, 60:24, 64:24, 65:33, 66:10, 68:26, 68:27, 78:40, 83:13, 88:24, 90:31, 100:4, 106:39, 106:46, 110:9, 111:16, 111:28, 120:20, 120:25 DOCUMENTS [1] - 7:4 documents [16] - 6:25, 6:28, 6:30, 6:42, 6:45, 6:47, 7:9, 40:36, 76:13, 92:17, 98:4, 98:5, 99:43, 128:13, 132:1, 132:2 Dog [1] - 57:43 domain [4] - 11:6, 12:4, 93:45, 94:6 domains [1] - 93:44 Domestic [3] - 26:3, 104:29, 104:46 DOMESTIC [1] - 1:12 domestic [259] - 2:4, 2:27, 2:40, 2:44, 3:5, 3:10, 3:33, 3:37, 3:43, 4:26, 4:29, 4:37, 4:40, 8:20, 8:23, 8:30, 8:45, 8:46, 9:5, 9:23, 10:7, 10:11, 10:19, 10:30, 10:39, 11:7, 11:24, 11:35, 12:17, 12:24, 12:28, 12:42, 13:9, 13:13, 13:18, 13:23, 13:31, 15:15, 15:38, 15:41, 15:47, 16:4, 16:11, 16:19, 16:32, 16:33, 17:30, 17:38, 18:6, 21:3, 22:3, 22:7, 23:27, 23:37,</p>	<p>24:10, 24:19, 26:29, 26:32, 27:16, 27:28, 28:2, 28:10, 28:21, 28:29, 29:22, 29:27, 30:4, 30:14, 30:33, 31:7, 35:18, 36:42, 37:2, 37:10, 37:22, 38:4, 38:32, 40:29, 41:40, 42:2, 42:14, 43:8, 44:22, 45:47, 46:28, 47:2, 47:8, 47:13, 47:31, 47:34, 48:7, 48:21, 48:28, 49:18, 50:16, 50:30, 51:10, 53:15, 54:42, 55:15, 55:30, 56:23, 57:1, 57:20, 57:47, 58:14, 59:2, 60:44, 60:47, 61:19, 62:31, 62:35, 62:36, 62:47, 63:25, 63:34, 63:36, 64:45, 64:47, 65:12, 65:15, 65:17, 65:25, 66:13, 67:8, 68:24, 68:30, 69:9, 69:35, 70:27, 70:47, 71:8, 71:9, 71:12, 71:13, 73:15, 74:5, 74:23, 75:2, 75:8, 75:17, 75:22, 75:27, 75:37, 75:46, 76:11, 76:34, 77:43, 78:14, 80:3, 80:9, 80:14, 81:12, 82:21, 82:28, 82:29, 84:29, 84:32, 84:37, 86:36, 86:41, 87:21, 87:36, 89:27, 90:1, 91:9, 92:31, 92:36, 94:35, 98:31, 102:26, 102:30, 102:47, 103:4, 103:10, 103:16, 103:17, 103:19, 105:38, 106:11, 106:16, 106:22, 106:30, 107:21, 107:24, 107:27, 107:36, 108:10, 108:11, 108:25, 108:27, 108:32, 108:35, 108:40, 109:9, 109:24, 109:35, 111:19, 112:1, 112:35, 112:39, 112:45, 113:33, 114:27, 115:43, 116:7, 116:9, 116:17, 117:2, 117:18, 117:30, 117:39, 118:11, 118:13,</p>	<p>118:23, 118:40, 118:43, 119:29, 120:22, 120:39, 121:1, 121:11, 121:37, 121:44, 122:21, 122:25, 123:30, 124:6, 124:8, 124:19, 125:42, 125:46, 129:41, 131:16, 131:20, 132:39, 137:14, 139:5, 139:33, 139:42, 140:12, 140:15, 140:40, 140:46, 141:13, 141:25, 142:37, 143:7, 148:15, 148:16, 150:29, 150:47, 152:18, 152:36, 153:40, 154:45, 157:14, 158:42 done [56] - 7:33, 33:45, 35:6, 35:10, 35:13, 41:17, 52:33, 53:10, 53:27, 56:8, 56:17, 57:10, 60:11, 60:45, 61:9, 67:22, 68:10, 70:14, 70:40, 81:27, 81:30, 82:15, 90:42, 95:7, 95:17, 97:1, 97:7, 97:14, 98:9, 99:24, 103:43, 112:19, 116:44, 126:22, 127:7, 128:45, 132:24, 132:46, 133:39, 134:37, 134:45, 135:2, 135:8, 135:28, 136:33, 136:35, 136:45, 139:33, 140:11, 140:37, 144:8, 146:18, 146:42, 146:44, 148:3 door [2] - 129:9, 138:22 doorway [1] - 87:42 Doreen [4] - 44:44, 87:5, 89:8, 120:4 dot [7] - 49:11, 81:36, 83:15, 84:47, 86:12, 116:5, 117:33 double [2] - 76:3, 136:33 double-dipping [1] - 136:33 doubled [1] - 96:46 doubt [8] - 75:3, 75:32, 75:39, 76:28,</p>
--	---	--	---	---

79:14, 82:41, 99:3, 121:21 down [37] - 27:26, 27:46, 36:27, 43:44, 50:25, 50:31, 50:32, 51:40, 55:16, 64:39, 67:13, 67:15, 67:40, 67:41, 72:14, 83:16, 85:1, 88:21, 89:22, 90:43, 94:26, 100:38, 110:11, 112:2, 112:10, 115:10, 122:37, 122:43, 136:8, 139:13, 142:14, 142:35, 142:40, 145:3, 145:42, 150:7, 151:30 downside [3] - 51:13, 51:22, 144:19 draft [9] - 5:23, 39:4, 40:15, 44:1, 47:19, 49:25, 120:24, 120:34, 120:38 draw [4] - 42:42, 58:36, 85:36, 92:15 drawbacks [1] - 124:36 drawing [1] - 112:30 drawn [7] - 18:15, 18:27, 19:43, 74:13, 86:10, 95:15, 103:31 drill [2] - 24:11, 41:34 drilling [1] - 72:41 drive [1] - 100:5 driven [1] - 46:13 drivers [2] - 41:9, 97:46 drugs [1] - 77:19 due [4] - 6:31, 16:15, 18:33, 147:18 duration [1] - 114:7 during [4] - 3:30, 28:43, 93:30, 105:1 duties [24] - 3:43, 13:24, 15:3, 15:5, 57:23, 57:36, 62:39, 63:14, 63:45, 64:15, 105:43, 106:12, 106:29, 109:24, 116:17, 122:9, 122:10, 122:16, 144:30, 146:30, 152:40, 153:41, 153:47 duty [2] - 64:26, 109:30 DV [134] - 13:7, 16:2, 16:7, 17:7, 17:43, 17:46, 18:28, 23:21,	23:41, 29:41, 37:13, 37:26, 37:33, 38:40, 39:43, 40:1, 40:7, 40:39, 40:40, 40:47, 42:12, 42:16, 42:31, 43:20, 46:21, 46:31, 46:43, 46:46, 47:4, 47:12, 49:5, 50:41, 51:37, 55:3, 55:17, 55:39, 56:1, 59:24, 60:3, 60:6, 60:19, 61:24, 61:26, 61:36, 63:43, 63:46, 64:3, 66:18, 68:33, 72:10, 72:15, 72:29, 72:30, 72:43, 73:1, 73:8, 73:19, 73:29, 74:35, 76:29, 76:39, 77:46, 80:41, 81:24, 82:25, 82:35, 83:1, 85:23, 87:22, 89:46, 90:46, 91:14, 93:22, 94:21, 95:5, 95:17, 96:2, 115:19, 115:24, 120:12, 120:30, 123:32, 124:4, 125:6, 125:28, 126:34, 126:36, 127:25, 127:30, 127:35, 127:36, 128:27, 128:32, 128:35, 129:42, 130:4, 130:23, 131:2, 131:7, 131:24, 131:29, 132:35, 132:38, 133:2, 133:37, 135:2, 136:31, 137:6, 137:32, 140:41, 143:11, 143:40, 144:9, 147:13, 147:14, 147:16, 147:22, 147:44, 147:46, 147:47, 148:33, 148:38, 150:23, 151:4, 151:13, 151:16, 151:21, 151:37, 151:38, 157:1 DV-informed [2] - 39:43, 40:1 DV-PAF [7] - 90:46, 91:14, 93:22, 96:2, 127:25, 127:30, 128:35 DV-PAFs [1] - 128:32 DV-related [2] - 46:21, 72:10 DVLO [17] - 108:45,	109:5, 109:7, 109:13, 109:16, 109:18, 109:20, 109:32, 117:26, 119:9, 122:11, 123:21, 123:25, 123:27, 123:35, 126:42, 158:41 DVLOs [13] - 106:10, 106:11, 106:18, 109:15, 111:19, 111:36, 117:37, 118:8, 119:5, 122:4, 123:25, 123:31, 123:32 DVO [2] - 50:9, 98:7 DVOs [2] - 48:35, 82:27 DVs [2] - 137:34, 157:31 DVS [1] - 138:46 DVU [1] - 91:47 DVUs [1] - 13:19 Dwyer [1] - 2:40 dynamic [1] - 45:31 dynamics [4] - 58:42, 83:17, 132:35, 132:39	effectiveness [1] - 117:26 effects [1] - 58:4 efficient [2] - 60:36, 65:3 efficiently [1] - 60:28 effort [4] - 44:26, 45:21, 60:17, 70:17 efforts [2] - 45:18, 45:39 eight [14] - 12:36, 25:2, 93:35, 104:12, 104:14, 104:35, 109:43, 109:44, 124:28, 126:12, 135:37, 138:32, 145:38, 150:27 eight-hour [2] - 126:12, 138:32 either [30] - 6:8, 13:13, 13:44, 19:36, 38:21, 39:33, 53:1, 63:30, 68:42, 72:28, 96:3, 97:18, 102:46, 114:25, 118:3, 118:29, 122:16, 127:38, 135:28, 142:41, 143:21, 144:5, 146:10, 150:6, 151:18, 155:22, 155:23, 156:27, 156:29 elder [6] - 11:7, 15:18, 16:5, 16:20, 77:16, 130:24 electronic [3] - 98:4, 98:5, 111:17 electronically [2] - 41:23, 48:37 elements [6] - 32:30, 51:30, 60:7, 94:18, 94:24, 100:23 elevate [1] - 158:4 eliminate [1] - 97:36 ELISE [1] - 142:27 Elise [2] - 2:32, 142:25 elsewhere [7] - 19:43, 20:3, 20:4, 27:6, 31:11, 41:3, 72:27 email [2] - 102:38, 157:33 emailed [2] - 7:32, 66:7 embark [1] - 12:14 embarrass [1] - 151:46 embarrassed [1] - 157:3 embarrassing [1] - 151:42	embed [2] - 35:15, 54:10 embedded [16] - 29:32, 77:26, 81:38, 82:8, 82:10, 82:13, 89:10, 89:13, 89:29, 108:28, 113:16, 114:21, 119:15, 124:3, 129:1 embedding [4] - 35:25, 53:14, 53:45, 54:2 embraces [1] - 77:15 emerging [5] - 65:2, 65:6, 69:31, 75:41, 75:46 emotionally [3] - 58:45, 60:8, 130:34 empathy [1] - 93:45 emphasis [1] - 49:42 emphatically [1] - 156:7 employ [1] - 117:6 employed [1] - 124:23 Employees [1] - 5:10 employees [1] - 92:22 employment [1] - 62:46 enable [4] - 30:9, 38:13, 53:39, 78:13 enables [1] - 56:19 encounter [1] - 94:1 encourage [3] - 147:44, 148:46, 158:27 encouraging [1] - 4:4 end [11] - 30:42, 36:32, 41:24, 59:3, 95:40, 101:44, 126:20, 126:22, 130:15, 148:46, 157:38 energy [4] - 44:26, 45:2, 50:20, 99:28 engage [10] - 46:16, 61:12, 62:3, 83:18, 88:44, 98:23, 98:33, 98:45, 154:23, 158:16 engaged [11] - 2:15, 18:46, 25:9, 33:31, 33:33, 33:42, 35:40, 56:46, 63:47, 152:46, 155:35 engagement [9] - 28:43, 37:29, 52:27, 56:39, 61:8, 80:28, 81:19, 99:29, 150:1 engagements [1] - 29:2
E				
EA [2] - 14:13, 33:37 early [2] - 50:13, 73:35 easier [1] - 137:46 easily [2] - 70:2, 146:32 east [4] - 29:6, 37:16, 50:1, 156:44 eastern [1] - 112:15 easy [4] - 24:8, 41:23, 66:44, 128:12 eat [2] - 78:21, 126:13 edited [1] - 41:22 edition [2] - 140:12, 140:15 editorial [1] - 41:25 educate [2] - 144:34 education [5] - 54:37, 54:45, 85:43, 93:36, 131:19 educationalist [1] - 93:34 effect [2] - 114:18, 117:26 effective [6] - 44:14, 65:3, 93:45, 94:6, 110:21, 152:35 effectively [4] - 24:12, 107:35, 149:10, 153:43				

<p>engaging [2] - 37:27, 75:13</p> <p>English [1] - 151:39</p> <p>enhance [2] - 8:21, 42:24</p> <p>enhancement [1] - 141:26</p> <p>enjoy [1] - 152:5</p> <p>enjoyable [1] - 125:7</p> <p>enjoyed [1] - 144:23</p> <p>enormous [3] - 40:3, 46:12, 152:35</p> <p>enquire [1] - 80:41</p> <p>enquiries [3] - 131:7, 136:35, 149:39</p> <p>enquiring [1] - 21:45</p> <p>enrol [1] - 148:47</p> <p>ensure [8] - 60:28, 80:32, 81:5, 81:33, 117:47, 143:26, 146:24, 148:34</p> <p>ensuring [5] - 52:15, 52:20, 56:5, 81:30, 113:34</p> <p>enter [5] - 2:38, 62:17, 105:13, 105:21, 150:9</p> <p>entered [2] - 56:37, 91:14</p> <p>entering [1] - 2:37</p> <p>entire [3] - 10:37, 16:31, 143:42</p> <p>entirely [4] - 74:47, 75:5, 83:8, 106:7</p> <p>entities [8] - 13:11, 26:18, 56:10, 57:10, 57:44, 76:46, 88:43, 93:16</p> <p>entitled [1] - 140:46</p> <p>entity [7] - 32:3, 46:1, 76:13, 76:14, 82:38, 87:28, 98:30</p> <p>entry [2] - 92:37, 152:23</p> <p>enumerate [1] - 53:33</p> <p>environment [6] - 29:22, 36:34, 50:25, 54:8, 103:14, 155:25</p> <p>environmental [1] - 117:35</p> <p>envisage [5] - 34:10, 42:21, 63:35, 94:5, 95:47</p> <p>envisaged [1] - 36:11</p> <p>envision [1] - 154:9</p> <p>episodes [1] - 69:9</p> <p>equipped [4] - 44:25, 75:45, 82:22, 99:45</p> <p>equivalence [1] - 44:40</p>	<p>equivalent [2] - 61:6, 85:26</p> <p>especially [7] - 147:33, 147:45, 149:3, 152:38, 152:45, 154:4, 157:29</p> <p>essence [4] - 36:27, 38:11, 103:29, 103:36</p> <p>essential [1] - 134:33</p> <p>essentially [23] - 12:17, 12:31, 13:40, 13:45, 16:9, 16:25, 19:4, 23:33, 27:26, 31:1, 32:17, 34:42, 35:11, 35:43, 37:4, 39:27, 48:33, 54:36, 123:34, 125:1, 130:16, 132:20, 137:22</p> <p>establish [14] - 8:30, 10:21, 11:46, 26:17, 36:15, 37:2, 37:24, 40:27, 40:31, 52:32, 53:35, 53:41, 56:27, 56:31</p> <p>established [23] - 4:32, 11:4, 11:13, 11:43, 27:19, 37:8, 37:34, 37:39, 50:31, 53:17, 53:28, 56:9, 56:39, 72:16, 88:12, 102:9, 102:10, 109:47, 110:2, 110:4, 147:17</p> <p>establishing [9] - 17:45, 35:6, 36:19, 41:32, 45:23, 54:10, 69:4, 88:38, 93:19</p> <p>establishment [7] - 8:43, 10:16, 10:42, 20:5, 34:37, 50:32, 88:13</p> <p>estimated [2] - 69:34, 69:38</p> <p>et [17] - 17:8, 18:17, 25:5, 38:33, 40:2, 42:22, 42:45, 46:8, 46:15, 51:3, 61:7, 61:26, 70:22, 72:41, 83:3, 95:14, 99:25</p> <p>ethical [1] - 68:15</p> <p>Ethical [6] - 4:20, 15:5, 63:46, 63:47, 64:21, 68:10</p> <p>evaluate [1] - 53:23</p> <p>evaluated [1] - 18:26</p> <p>evaluation [4] - 18:30, 18:36, 32:17, 54:21</p>	<p>evaluations [1] - 53:27</p> <p>evasive [1] - 83:34</p> <p>evening [1] - 89:44</p> <p>event [1] - 67:1</p> <p>events [1] - 113:37</p> <p>eventually [1] - 94:42</p> <p>ever-increasing [1] - 74:22</p> <p>everywhere [1] - 88:28</p> <p>evidence [46] - 2:17, 2:24, 2:25, 2:29, 2:36, 2:40, 2:44, 3:2, 3:3, 3:17, 3:40, 4:9, 4:30, 5:24, 5:30, 5:43, 6:29, 12:17, 48:41, 49:1, 49:31, 51:29, 54:27, 63:7, 65:25, 72:9, 74:14, 75:35, 78:43, 82:31, 82:33, 84:2, 90:9, 98:39, 99:5, 99:7, 99:25, 111:3, 112:5, 114:3, 114:8, 114:11, 117:6, 120:36, 123:5, 157:9</p> <p>evidence-in-chief [3] - 54:27, 82:33, 99:7</p> <p>evidence.com [1] - 97:13</p> <p>evolution [4] - 32:23, 77:38, 93:18, 114:14</p> <p>evolve [2] - 69:25, 85:39</p> <p>evolved [4] - 18:35, 29:11, 61:2</p> <p>evolving [3] - 10:2, 10:14, 42:4</p> <p>exact [1] - 49:3</p> <p>exactly [5] - 18:29, 32:39, 66:38, 86:10, 90:24</p> <p>exactly-the-same [1] - 32:39</p> <p>EXAMINATION [10] - 8:7, 78:31, 97:31, 101:29, 111:14, 123:13, 134:29, 139:29, 142:29, 154:18</p> <p>examination [1] - 57:45</p> <p>examine [7] - 4:20, 4:25, 4:34, 8:26, 63:1, 87:33, 102:25</p> <p>examined [2] - 50:15, 59:7</p> <p>examining [5] - 60:2, 60:35, 69:3, 76:45,</p>	<p>95:30</p> <p>example [26] - 29:36, 34:29, 38:28, 38:36, 39:25, 39:32, 54:2, 78:39, 79:45, 83:33, 89:21, 98:40, 107:14, 108:23, 115:3, 115:36, 115:42, 121:30, 128:5, 130:4, 146:32, 146:39, 147:5, 148:15, 150:21, 158:5</p> <p>examples [6] - 83:45, 121:31, 150:7, 151:28, 151:30, 151:45</p> <p>exceeded [1] - 57:32</p> <p>excellence [2] - 60:47, 61:18</p> <p>except [3] - 94:40, 127:34, 151:29</p> <p>exception [1] - 20:36</p> <p>exceptional [1] - 4:6</p> <p>exceptions [2] - 12:27, 63:19</p> <p>exchange [2] - 38:15, 124:12</p> <p>exchanged [1] - 39:4</p> <p>exclusion [1] - 126:10</p> <p>exclusive [1] - 27:17</p> <p>excuse [3] - 95:27, 111:27, 154:38</p> <p>excused [3] - 142:15, 159:20, 159:23</p> <p>executive [6] - 10:10, 36:1, 51:8, 57:42, 102:11, 159:28</p> <p>exemption [1] - 115:38</p> <p>exercise [1] - 121:31</p> <p>exhausting [2] - 130:34, 130:35</p> <p>exhibit [6] - 6:38, 7:2, 7:45, 21:31, 78:34, 101:11</p> <p>EXHIBIT [4] - 6:40, 7:4, 7:47, 21:33</p> <p>exhibited [2] - 78:35, 90:32</p> <p>exist [7] - 25:38, 34:25, 110:46, 112:15, 113:19, 123:24, 133:16</p> <p>existence [1] - 90:23</p> <p>existing [2] - 77:27, 110:20</p> <p>exists [7] - 47:3, 49:3, 90:20, 110:33, 119:1, 158:15</p>	<p>expand [2] - 11:28, 31:18</p> <p>expect [3] - 41:31, 132:3, 155:6</p> <p>expectation [1] - 12:3</p> <p>expectations [2] - 76:24, 113:32</p> <p>expected [4] - 105:27, 110:17, 120:45, 121:14</p> <p>expecting [2] - 100:25, 131:44</p> <p>expects [1] - 42:36</p> <p>experience [23] - 2:44, 3:33, 3:34, 24:7, 39:44, 45:23, 58:7, 69:44, 86:36, 94:2, 95:12, 99:21, 102:46, 125:36, 131:40, 137:19, 144:17, 144:21, 155:40, 156:8, 156:26, 156:47, 159:35</p> <p>experienced [6] - 57:20, 91:46, 92:24, 103:4, 124:43, 137:14</p> <p>experienced" [1] - 131:35</p> <p>experiences [2] - 84:9, 95:19</p> <p>experiencing [1] - 4:1</p> <p>experiential [1] - 94:6</p> <p>expert [5] - 4:9, 37:13, 38:38, 131:34, 133:37</p> <p>expertise [11] - 20:14, 24:7, 38:31, 64:1, 118:45, 131:36, 143:46, 144:18, 144:21, 144:31, 144:32</p> <p>experts [10] - 2:15, 18:26, 41:28, 41:29, 54:37, 55:3, 55:4, 94:2, 94:20, 137:10</p> <p>expired [1] - 63:10</p> <p>explain [10] - 9:44, 12:15, 22:4, 83:23, 98:19, 105:29, 143:6, 148:35, 151:25, 156:45</p> <p>explained [5] - 10:28, 11:34, 59:1, 72:23, 150:6</p> <p>explaining [1] - 156:42</p> <p>explanation [1] - 66:44</p>
---	--	--	---	--

<p>explore [1] - 149:37 exploring [2] - 87:46, 99:38 exposed [2] - 59:24, 59:31 exposing [1] - 155:4 exposure [1] - 58:5 exposures [1] - 60:9 expressed [2] - 57:18, 58:12 expression [4] - 102:45, 138:2, 144:44, 145:19 expressions [1] - 22:16 extend [3] - 60:6, 138:27, 145:44 extended [1] - 103:14 extent [11] - 44:5, 47:13, 49:7, 49:19, 59:16, 63:33, 69:20, 71:25, 98:47, 99:2, 113:36 external [14] - 45:25, 52:27, 52:30, 79:4, 110:42, 112:14, 113:18, 119:11, 124:4, 131:18, 139:34, 145:10, 146:11, 153:31 externally [2] - 46:13, 131:6 extra [7] - 25:27, 33:7, 33:26, 83:1, 94:16, 132:33, 146:42 extraordinarily [2] - 62:43, 153:45 extraordinary [3] - 10:9, 102:11, 122:20 extreme [11] - 128:34, 128:42, 129:40, 147:13, 147:22, 147:38, 147:46, 147:47, 149:27, 158:4, 158:20 extremely [3] - 38:30, 147:30, 149:12 eyes [1] - 138:4</p>	<p>137:43, 137:47, 138:7, 140:25 Facebook [1] - 61:6 faced [3] - 3:22, 3:26, 44:31 facing [2] - 44:20, 122:21 fact [26] - 9:8, 16:27, 16:35, 17:11, 18:13, 47:31, 49:39, 50:1, 51:25, 61:23, 61:43, 62:10, 66:23, 67:6, 69:40, 71:29, 83:22, 92:9, 97:9, 109:45, 113:35, 120:9, 122:16, 141:3, 145:42, 146:12 factor [1] - 75:11 factors [6] - 59:22, 103:12, 117:35, 117:43, 144:45, 147:31 failed [2] - 127:15, 146:31 failing [1] - 63:45 failure [1] - 131:47 failures [1] - 113:30 fair [5] - 17:26, 39:17, 62:18, 114:30, 159:35 fairly [4] - 50:26, 50:42, 57:45, 87:1 fall [4] - 58:29, 102:2, 109:17, 147:22 falls [2] - 96:33, 119:11 familiar [5] - 30:23, 47:17, 60:34, 97:45, 114:7 families [1] - 104:8 FAMILY [1] - 1:12 Family [4] - 26:4, 38:39, 104:29, 104:46 family [211] - 2:5, 2:28, 2:41, 2:45, 3:6, 3:10, 3:43, 4:29, 4:37, 4:41, 8:20, 8:24, 8:31, 8:45, 8:46, 9:5, 9:23, 10:7, 10:12, 10:19, 10:30, 10:39, 11:8, 11:24, 11:36, 12:18, 12:25, 12:28, 12:42, 13:9, 13:13, 13:18, 13:31, 15:15, 15:39, 15:42, 15:47, 16:4, 16:11, 16:19, 16:32, 16:34, 17:30, 17:38, 18:6, 21:4, 22:4, 22:7, 23:27,</p>	<p>23:37, 24:10, 24:20, 26:29, 27:16, 27:29, 28:3, 28:10, 28:22, 28:30, 30:4, 30:15, 30:33, 31:7, 36:42, 37:3, 37:11, 37:22, 38:4, 40:30, 41:40, 42:2, 42:15, 43:8, 44:23, 46:29, 47:3, 47:4, 47:8, 47:14, 47:31, 47:34, 48:8, 48:22, 48:29, 49:18, 50:17, 51:10, 53:15, 54:43, 55:15, 55:30, 57:1, 57:21, 57:47, 58:15, 60:44, 61:1, 61:19, 63:1, 63:26, 63:34, 64:46, 65:1, 65:16, 65:17, 65:26, 66:13, 67:9, 68:25, 68:30, 69:36, 70:27, 70:47, 71:8, 71:10, 71:12, 71:14, 73:15, 74:6, 74:23, 75:2, 75:17, 75:27, 75:37, 75:47, 76:11, 76:34, 77:43, 78:1, 78:15, 80:9, 82:23, 82:29, 84:30, 84:32, 86:41, 87:37, 89:27, 90:1, 98:31, 102:26, 102:30, 102:47, 103:4, 103:11, 103:16, 103:18, 103:19, 105:38, 106:16, 106:23, 106:30, 107:22, 107:24, 107:27, 107:36, 108:10, 108:11, 108:25, 108:28, 108:33, 108:35, 108:41, 109:25, 109:35, 112:1, 112:35, 112:45, 113:33, 114:28, 115:44, 116:9, 116:18, 117:2, 117:19, 117:31, 117:40, 118:13, 118:23, 118:40, 119:29, 120:23, 120:39, 121:1, 121:11, 121:37, 121:44, 122:21, 122:25, 123:30, 124:8, 125:42, 125:47, 129:41, 131:17, 131:21, 132:40, 137:14, 139:33, 139:42, 140:40,</p>	<p>140:46, 141:13, 141:25, 142:37, 143:7, 150:29, 152:27, 152:36, 153:40, 157:14 family-related [1] - 47:8 fantastic [2] - 17:8, 154:11 Far [1] - 112:34 far [8] - 9:25, 22:37, 74:1, 92:6, 112:16, 145:46, 152:31, 159:6 Fathers [2] - 6:2, 6:14 fatigue [5] - 62:19, 134:3, 140:7, 141:4, 141:17 fatigued [2] - 44:8, 58:46 fear [5] - 62:7, 62:8, 62:13, 138:3 fearful [2] - 51:3, 62:21 feast [1] - 20:4 features [1] - 12:9 February [7] - 10:8, 10:44, 13:33, 20:29, 21:23, 141:29, 141:33 fed [1] - 126:30 federal [1] - 105:26 federation [1] - 96:12 feed [1] - 94:11 feedback [6] - 34:19, 41:20, 52:32, 146:10, 146:15, 156:18 feeding [3] - 24:3, 116:20, 116:24 fell [1] - 80:42 FELTHAM [1] - 142:27 Feltham [5] - 2:32, 142:21, 142:25, 142:31, 159:20 female [2] - 47:1, 144:23 females [1] - 47:1 few [10] - 27:36, 36:7, 85:3, 96:32, 97:43, 98:42, 115:16, 140:37, 145:5, 152:29 field [6] - 24:13, 24:17, 41:42, 43:23, 94:2, 97:39 figure [7] - 68:44, 69:44, 72:24, 72:34, 72:37, 73:15, 97:2 figures [1] - 72:9</p>	<p>file [4] - 70:30, 70:36, 126:38, 149:26 filed [1] - 148:19 fill [5] - 21:6, 22:38, 22:43, 28:25, 123:15 filled [16] - 13:3, 14:28, 19:9, 21:43, 22:5, 22:8, 22:9, 22:19, 22:26, 23:2, 27:22, 32:28, 91:4, 102:18, 127:2 filling [7] - 11:19, 20:22, 20:40, 22:40, 25:5, 137:3, 138:5 fills [1] - 14:36 filtered [1] - 38:33 filters [1] - 85:15 final [7] - 2:43, 3:6, 4:8, 4:34, 11:19, 26:9, 152:33 finalisation [1] - 44:30 finalise [1] - 44:1 finalised [2] - 40:16, 52:13 finalising [2] - 44:2, 44:38 finally [8] - 36:9, 36:39, 98:44, 100:26, 110:36, 132:18, 138:45, 153:29 financial [3] - 67:12, 74:9, 74:18 findings [2] - 42:22, 57:37 fine [5] - 101:14, 101:16, 122:30, 141:41, 159:40 fingertips [1] - 77:11 finish [2] - 126:18, 157:40 finished [7] - 49:26, 67:12, 93:25, 100:41, 126:11, 155:30, 159:29 finite [3] - 45:2, 45:16, 75:32 firearms [2] - 94:22, 145:5 First [6] - 3:26, 4:13, 119:24, 148:39, 148:41, 149:4 first [39] - 2:1, 3:30, 7:41, 10:18, 15:39, 20:6, 25:23, 25:37, 25:38, 26:8, 26:26, 35:5, 51:25, 55:23, 55:26, 57:9, 57:45, 58:8, 58:18, 67:25, 79:2, 79:44, 99:18,</p>
F				
<p>fabulous [2] - 152:41, 153:25 face [24] - 67:36, 79:25, 93:4, 93:27, 94:1, 94:9, 137:40, 137:43, 137:47, 138:2, 138:7, 140:25 face-to-face [8] - 79:25, 94:1, 137:40,</p>				

<p>109:22, 109:30, 113:6, 118:12, 120:38, 124:31, 124:33, 133:8, 138:23, 140:35, 141:18, 141:22, 141:32, 152:12, 156:32, 158:6</p> <p>first-time [1] - 152:12</p> <p>first-year [1] - 124:31</p> <p>firstly [16] - 9:44, 10:32, 28:13, 40:18, 44:22, 46:27, 46:42, 53:5, 61:3, 69:37, 102:1, 102:3, 102:6, 103:28, 106:4, 152:21</p> <p>fit [2] - 11:25, 96:34</p> <p>fitness [1] - 63:13</p> <p>fits [1] - 92:26</p> <p>five [13] - 11:29, 21:6, 31:13, 33:4, 59:2, 66:40, 107:14, 108:1, 108:3, 127:6, 150:23, 152:43, 157:31</p> <p>five-day [1] - 107:14</p> <p>fix [4] - 126:47, 146:32, 157:41, 158:32</p> <p>flag [1] - 147:47</p> <p>flagged [3] - 68:31, 69:31, 72:30</p> <p>flesh [3] - 32:28, 67:43, 79:30</p> <p>fleshed [2] - 34:15, 59:7</p> <p>fleshing [1] - 79:34</p> <p>Fletcher [1] - 69:42</p> <p>flexibility [3] - 11:45, 22:31, 82:15</p> <p>flexible [1] - 126:19</p> <p>flow [1] - 117:26</p> <p>flow-on [1] - 117:26</p> <p>flows [1] - 88:2</p> <p>focus [15] - 3:16, 10:7, 15:38, 17:27, 17:43, 20:8, 42:11, 49:24, 60:13, 65:27, 78:41, 85:4, 90:12, 101:36, 113:40</p> <p>focused [5] - 45:42, 49:29, 68:12, 87:35, 110:20</p> <p>focusing [1] - 83:14</p> <p>folding [1] - 36:22</p> <p>follow [16] - 44:28, 50:43, 59:40, 68:16, 76:44, 128:22, 129:28, 130:7,</p>	<p>131:45, 132:3, 132:9, 132:30, 132:44, 136:35, 155:8, 155:10</p> <p>follow-on [1] - 68:16</p> <p>follow-up [10] - 50:43, 59:40, 76:44, 128:22, 131:45, 132:3, 132:9, 132:44, 136:35, 155:10</p> <p>follow-ups [1] - 155:8</p> <p>followed [3] - 50:42, 126:40, 136:15</p> <p>following [3] - 3:12, 50:33, 155:41</p> <p>footage [5] - 96:40, 97:10, 113:41, 113:47, 121:30</p> <p>force [6] - 3:5, 33:25, 76:40, 92:29, 94:22, 94:46</p> <p>forcing [1] - 145:2</p> <p>fore [1] - 10:13</p> <p>foreshadowed [2] - 5:38, 6:6</p> <p>forgive [3] - 51:39, 81:30, 92:38</p> <p>forgotten [1] - 158:42</p> <p>form [10] - 2:18, 10:22, 11:15, 19:14, 37:29, 47:18, 98:43, 103:46, 133:16, 137:13</p> <p>formal [6] - 28:31, 34:6, 56:37, 73:30, 88:13, 108:38</p> <p>formalised [2] - 28:33, 109:13</p> <p>format [1] - 137:5</p> <p>formed [2] - 9:1, 10:20</p> <p>forming [1] - 79:16</p> <p>formulate [3] - 33:3, 33:12, 33:23</p> <p>formulation [1] - 2:16</p> <p>forthcoming [1] - 39:1</p> <p>fortnight [1] - 138:33</p> <p>forward [10] - 3:12, 7:25, 34:14, 49:29, 75:26, 79:24, 96:25, 99:24, 100:2, 128:16</p> <p>Foundation [1] - 38:29</p> <p>foundations [1] - 141:22</p> <p>founded [2] - 62:9</p> <p>four [18] - 2:1, 2:22, 2:23, 2:43, 3:2, 22:41, 26:44, 27:27, 28:29, 30:27, 46:3,</p>	<p>65:4, 71:6, 96:31, 124:26, 124:27, 129:36, 143:14</p> <p>fourteen [1] - 33:11</p> <p>fourth [3] - 3:29, 37:40, 116:5</p> <p>framework [19] - 32:1, 33:28, 33:44, 35:29, 36:16, 36:20, 71:3, 88:39, 90:16, 90:40, 90:41, 92:14, 93:20, 93:21, 95:41, 95:46, 96:26, 104:45</p> <p>frameworks [1] - 93:16</p> <p>free [1] - 100:42</p> <p>frequent [1] - 45:36</p> <p>frequently [2] - 138:35, 147:38</p> <p>friction [1] - 51:38</p> <p>Friday [3] - 65:36, 151:19, 154:4</p> <p>friend [1] - 5:4</p> <p>friends [1] - 7:14</p> <p>front [12] - 23:12, 24:41, 43:21, 47:23, 48:14, 80:8, 80:37, 83:14, 89:11, 89:14, 154:37, 155:12</p> <p>frontline [54] - 2:13, 2:45, 13:8, 13:24, 23:33, 24:4, 26:31, 42:28, 42:35, 42:40, 42:44, 43:19, 43:22, 43:34, 44:8, 44:18, 45:28, 47:27, 48:20, 49:17, 55:4, 57:2, 59:19, 59:39, 60:18, 60:26, 60:43, 60:46, 61:20, 74:5, 76:38, 79:39, 82:25, 82:32, 83:37, 92:21, 98:14, 102:19, 102:28, 102:34, 102:40, 109:28, 112:31, 113:6, 117:10, 118:20, 118:21, 119:18, 119:26, 121:24, 130:42, 130:44, 132:22, 158:13</p> <p>frustrating [2] - 97:37, 97:38</p> <p>FTE [1] - 33:7</p> <p>fulfil [8] - 62:38, 103:2, 104:27, 105:45, 107:8, 109:18, 116:17, 126:35</p> <p>fulfilled [1] - 146:30</p>	<p>fulfilling [4] - 106:29, 116:14, 130:35, 147:8</p> <p>full [10] - 11:46, 16:11, 29:35, 63:33, 107:39, 121:38, 122:1, 122:5, 125:40, 144:5</p> <p>full-time [6] - 16:11, 29:35, 107:39, 121:38, 122:1, 122:5</p> <p>fully [5] - 82:10, 99:44, 128:27, 132:38, 147:10</p> <p>function [5] - 14:20, 17:16, 105:45, 110:15, 126:25</p> <p>function" [1] - 111:20</p> <p>functional [3] - 10:36, 16:9, 25:34</p> <p>functionality [4] - 11:5, 28:4, 28:22, 91:14</p> <p>functionally [5] - 12:38, 26:22, 103:24, 105:33, 110:36</p> <p>functions [13] - 16:4, 17:24, 17:25, 34:32, 61:38, 110:7, 110:11, 110:18, 111:29, 111:30, 111:31, 111:38, 114:39</p> <p>funded [3] - 26:15, 76:30, 148:38</p> <p>funding [2] - 26:17, 26:18</p> <p>funds [1] - 112:24</p> <p>furiously [1] - 73:22</p> <p>future [17] - 2:42, 26:37, 33:18, 35:20, 36:15, 45:42, 52:2, 52:25, 53:7, 71:1, 82:38, 85:40, 87:27, 87:47, 97:7, 133:42, 148:26</p>	<p>47:24, 48:5, 115:32</p> <p>gender-based [2] - 47:10, 47:24</p> <p>gendered [10] - 46:29, 46:31, 46:37, 46:43, 46:47, 47:14, 47:16, 47:32, 115:37</p> <p>gendered-based [1] - 46:37</p> <p>general [17] - 4:3, 13:24, 57:23, 57:36, 106:12, 109:23, 117:21, 122:10, 125:39, 128:3, 130:42, 131:6, 144:30, 149:8, 152:40, 153:41, 153:47</p> <p>General [8] - 2:6, 26:16, 65:32, 66:12, 66:21, 66:25, 98:32, 103:30</p> <p>generalisation [1] - 62:33</p> <p>generalised [2] - 63:18</p> <p>generalist [1] - 105:25</p> <p>generally [9] - 4:43, 38:23, 44:7, 54:42, 54:43, 57:46, 120:10, 120:42, 131:1</p> <p>generate [1] - 149:25</p> <p>genesis [2] - 40:19, 120:30</p> <p>geographic [2] - 32:37, 107:44</p> <p>geographically [1] - 82:14</p> <p>geography [1] - 29:44</p> <p>George [1] - 1:35</p> <p>given [30] - 11:31, 13:29, 18:3, 21:20, 24:15, 25:32, 26:17, 28:27, 34:22, 35:5, 47:26, 47:29, 48:6, 49:43, 56:4, 68:13, 69:20, 70:12, 77:44, 80:24, 80:39, 85:34, 87:17, 125:15, 126:25, 128:17, 128:18, 133:17, 144:8, 150:7</p> <p>glad [1] - 49:25</p> <p>Glastron [3] - 149:23, 152:8, 152:28</p> <p>goal [3] - 107:26, 144:32, 151:11</p> <p>Gold [9] - 29:6, 29:23, 50:16, 50:24, 81:43,</p>
G				
			<p>gain [1] - 152:22</p> <p>game [1] - 30:42</p> <p>gaol [1] - 150:3</p> <p>gaps [3] - 3:35, 32:28, 39:30</p> <p>GARDNER [1] - 123:11</p> <p>Gardner [4] - 2:31, 123:4, 142:14</p> <p>gender [4] - 47:10,</p>	

<p>82:8, 100:18, 108:8, 112:12 goodness [1] - 82:36 govern [1] - 43:7 governed [1] - 137:9 government [15] - 28:27, 33:5, 62:17, 75:45, 98:25, 105:26, 107:25, 108:29, 110:45, 113:20, 114:34, 114:37, 115:10, 117:15, 143:10 grab [1] - 138:42 grad [1] - 131:30 graduate [5] - 84:31, 131:21, 139:35 grappling [2] - 49:45, 59:27 grateful [1] - 21:27 great [10] - 22:17, 24:7, 49:45, 57:20, 62:16, 84:29, 129:18, 138:5, 146:17, 149:19 greater [12] - 10:29, 11:38, 28:17, 32:5, 39:47, 42:28, 49:42, 51:1, 67:23, 135:12, 147:32 greatly [1] - 114:43 green [2] - 19:46, 98:44 greens [1] - 19:47 grew [2] - 11:5, 37:12 Griffith [2] - 56:47, 57:7 ground [1] - 153:12 group [30] - 6:1, 9:1, 9:3, 9:6, 9:40, 13:46, 14:47, 15:2, 16:10, 18:4, 33:46, 36:43, 37:3, 37:7, 37:31, 37:38, 38:11, 38:12, 38:29, 38:36, 39:18, 39:19, 39:32, 40:4, 45:11, 77:20, 124:17, 147:14, 147:16 groups [3] - 2:4, 81:44, 124:27 grow [1] - 11:28 growing [7] - 10:6, 10:8, 11:34, 36:13, 39:22, 75:6, 75:29 grown [2] - 12:10, 149:6 growth [7] - 11:22, 12:1, 33:5, 33:13,</p>	<p>33:19, 33:26, 78:10 guaranteed [1] - 134:26 guards [1] - 150:15 guess [10] - 11:46, 22:32, 37:33, 44:13, 47:42, 50:8, 51:15, 62:35, 81:29, 95:11 guidance [4] - 34:38, 40:33, 109:33, 132:14 guide [5] - 35:36, 39:20, 41:39, 90:29, 91:20 guided [1] - 91:31 guidelines [1] - 12:40 guiding [2] - 38:30, 153:3</p>	<p>48:16, 111:29 headlights [1] - 157:6 headquarters [3] - 23:28, 23:36, 102:18 health [18] - 11:6, 14:23, 15:34, 16:39, 19:1, 57:29, 57:40, 58:7, 77:16, 85:43, 87:43, 115:3, 122:25, 130:24, 130:27, 141:8, 146:34, 153:38 Health [2] - 87:24, 120:13 healthy [2] - 43:41, 43:46 hear [10] - 2:30, 3:1, 3:22, 3:25, 3:31, 4:37, 56:34, 64:32, 93:30, 114:11 heard [13] - 6:9, 33:6, 42:27, 56:22, 99:14, 102:16, 103:25, 105:31, 113:28, 124:47, 146:8, 146:10, 149:18 hearing [7] - 24:34, 37:9, 44:7, 51:33, 58:22, 58:35, 86:37 hearings [9] - 2:2, 2:17, 3:13, 3:15, 3:16, 3:29, 4:17, 4:34, 4:43 hearts [1] - 93:45 heavier [1] - 42:10 heavily [7] - 18:21, 27:30, 65:1, 135:27, 147:27, 150:24, 157:46 heavy [3] - 27:20, 76:11, 147:29 heightened [2] - 92:3, 153:45 held [7] - 3:29, 15:1, 62:26, 62:29, 103:44, 117:14, 148:35 help [22] - 17:8, 33:3, 33:12, 33:23, 34:8, 34:10, 34:38, 35:36, 45:3, 45:30, 51:44, 61:20, 90:28, 91:29, 97:47, 98:11, 99:16, 119:43, 150:12, 151:15, 152:42, 158:32 helpful [6] - 9:15, 43:41, 66:2, 87:33, 109:6, 131:15 helping [6] - 3:32,</p>	<p>24:25, 38:3, 56:27, 153:2, 153:11 HER [1] - 1:19 herding [1] - 96:25 hide [1] - 46:46 hierarchical [1] - 62:13 high [70] - 11:17, 12:35, 24:18, 25:12, 26:11, 26:14, 29:27, 29:28, 29:30, 29:34, 40:37, 45:3, 45:37, 57:17, 57:30, 57:31, 72:19, 85:1, 85:2, 85:16, 86:20, 86:24, 86:29, 92:5, 95:40, 96:2, 103:29, 104:12, 104:16, 104:26, 104:28, 105:31, 105:40, 105:42, 108:29, 108:38, 114:16, 114:17, 114:34, 114:39, 114:41, 114:45, 115:6, 116:16, 126:39, 127:10, 128:20, 128:21, 128:34, 129:23, 129:38, 129:39, 136:38, 136:39, 136:40, 136:43, 137:32, 137:36, 139:12, 147:18, 147:23, 147:26, 148:46, 151:12 high-end [2] - 95:40, 148:46 high-harm [7] - 29:27, 29:30, 45:3, 85:1, 85:16, 129:39, 147:23 high-level [1] - 29:34 high-profile [1] - 45:37 high-risk [39] - 11:17, 12:35, 25:12, 26:11, 26:14, 29:30, 45:3, 85:2, 85:16, 86:20, 86:24, 86:29, 92:5, 96:2, 103:29, 104:12, 104:16, 104:26, 104:28, 105:31, 105:40, 105:42, 108:29, 108:38, 114:16, 114:17, 114:34, 114:39, 114:41, 114:45, 115:6, 126:39, 127:10,</p>	<p>128:20, 129:38, 136:43, 137:32, 147:18, 147:23 high-threat [1] - 29:28 higher [15] - 15:5, 19:39, 44:30, 44:35, 62:27, 62:28, 82:30, 83:16, 89:31, 99:12, 111:45, 136:22, 147:35, 155:1, 158:4 highest [2] - 31:28, 67:32 highlight [2] - 39:37, 44:32 highlighted [2] - 46:6, 47:32 highlighting [1] - 39:38 highly [5] - 47:9, 88:32, 99:47, 125:28, 154:45 Hill [1] - 123:16 HILLARD [15] - 5:12, 78:29, 78:31, 96:38, 97:23, 111:12, 111:14, 111:27, 116:3, 122:30, 134:29, 139:21, 154:16, 154:18, 159:13 Hillard [6] - 5:13, 78:26, 111:10, 116:1, 121:35, 122:28 historical [1] - 50:5 historically [1] - 50:43 hold [6] - 3:13, 68:20, 105:41, 121:26, 138:27, 138:28 holder [1] - 14:37 holding [2] - 50:8, 148:37 holdings [1] - 113:19 holds [2] - 12:23, 105:35 holistic [6] - 42:15, 79:13, 86:40, 93:46, 94:27, 95:18 holistically [2] - 87:40, 129:16 home [6] - 59:3, 87:43, 148:44, 152:13, 152:14, 152:30 homelessness [1] - 115:5 homicide [12] - 18:4, 18:11, 50:14, 71:9, 71:25, 72:9, 72:11, 72:41, 73:14, 73:22,</p>
H				
<p>half [3] - 79:37, 126:11, 159:6 hand [16] - 2:13, 9:26, 23:16, 23:20, 31:22, 58:34, 66:25, 68:38, 68:39, 78:42, 81:37, 83:15, 114:42, 145:14, 156:13 handful [1] - 101:36 handled [2] - 4:18, 4:28 handling [1] - 27:20 hands [3] - 44:46, 74:3, 91:46 handy [1] - 142:4 Hang [1] - 127:18 hang [2] - 129:3, 129:12 Hannah [5] - 79:15, 87:6, 91:1, 91:5, 120:4 happy [3] - 115:29, 154:26, 154:27 hard [3] - 63:35, 65:38, 138:7 harm [10] - 8:24, 29:27, 29:30, 45:3, 85:1, 85:12, 85:16, 87:23, 129:39, 147:23 head [10] - 8:36, 11:37, 50:45, 88:45, 91:40, 94:20, 94:24, 133:23, 133:45, 145:9 headed [6] - 9:2, 9:26, 9:34, 9:40, 13:36, 66:12 heading [3] - 43:5,</p>	<p>heard [13] - 6:9, 33:6, 42:27, 56:22, 99:14, 102:16, 103:25, 105:31, 113:28, 124:47, 146:8, 146:10, 149:18 hearing [7] - 24:34, 37:9, 44:7, 51:33, 58:22, 58:35, 86:37 hearings [9] - 2:2, 2:17, 3:13, 3:15, 3:16, 3:29, 4:17, 4:34, 4:43 hearts [1] - 93:45 heavier [1] - 42:10 heavily [7] - 18:21, 27:30, 65:1, 135:27, 147:27, 150:24, 157:46 heavy [3] - 27:20, 76:11, 147:29 heightened [2] - 92:3, 153:45 held [7] - 3:29, 15:1, 62:26, 62:29, 103:44, 117:14, 148:35 help [22] - 17:8, 33:3, 33:12, 33:23, 34:8, 34:10, 34:38, 35:36, 45:3, 45:30, 51:44, 61:20, 90:28, 91:29, 97:47, 98:11, 99:16, 119:43, 150:12, 151:15, 152:42, 158:32 helpful [6] - 9:15, 43:41, 66:2, 87:33, 109:6, 131:15 helping [6] - 3:32,</p>	<p>heard [13] - 6:9, 33:6, 42:27, 56:22, 99:14, 102:16, 103:25, 105:31, 113:28, 124:47, 146:8, 146:10, 149:18 hearing [7] - 24:34, 37:9, 44:7, 51:33, 58:22, 58:35, 86:37 hearings [9] - 2:2, 2:17, 3:13, 3:15, 3:16, 3:29, 4:17, 4:34, 4:43 hearts [1] - 93:45 heavier [1] - 42:10 heavily [7] - 18:21, 27:30, 65:1, 135:27, 147:27, 150:24, 157:46 heavy [3] - 27:20, 76:11, 147:29 heightened [2] - 92:3, 153:45 held [7] - 3:29, 15:1, 62:26, 62:29, 103:44, 117:14, 148:35 help [22] - 17:8, 33:3, 33:12, 33:23, 34:8, 34:10, 34:38, 35:36, 45:3, 45:30, 51:44, 61:20, 90:28, 91:29, 97:47, 98:11, 99:16, 119:43, 150:12, 151:15, 152:42, 158:32 helpful [6] - 9:15, 43:41, 66:2, 87:33, 109:6, 131:15 helping [6] - 3:32,</p>	<p>24:25, 38:3, 56:27, 153:2, 153:11 HER [1] - 1:19 herding [1] - 96:25 hide [1] - 46:46 hierarchical [1] - 62:13 high [70] - 11:17, 12:35, 24:18, 25:12, 26:11, 26:14, 29:27, 29:28, 29:30, 29:34, 40:37, 45:3, 45:37, 57:17, 57:30, 57:31, 72:19, 85:1, 85:2, 85:16, 86:20, 86:24, 86:29, 92:5, 95:40, 96:2, 103:29, 104:12, 104:16, 104:26, 104:28, 105:31, 105:40, 105:42, 108:29, 108:38, 114:16, 114:17, 114:34, 114:39, 114:41, 114:45, 115:6, 116:16, 126:39, 127:10, 128:20, 128:21, 128:34, 129:23, 129:38, 129:39, 136:38, 136:39, 136:40, 136:43, 137:32, 137:36, 139:12, 147:18, 147:23, 147:26, 148:46, 151:12 high-end [2] - 95:40, 148:46 high-harm [7] - 29:27, 29:30, 45:3, 85:1, 85:16, 129:39, 147:23 high-level [1] - 29:34 high-profile [1] - 45:37 high-risk [39] - 11:17, 12:35, 25:12, 26:11, 26:14, 29:30, 45:3, 85:2, 85:16, 86:20, 86:24, 86:29, 92:5, 96:2, 103:29, 104:12, 104:16, 104:26, 104:28, 105:31, 105:40, 105:42, 108:29, 108:38, 114:16, 114:17, 114:34, 114:39, 114:41, 114:45, 115:6, 126:39, 127:10,</p>	<p>128:20, 129:38, 136:43, 137:32, 147:18, 147:23 high-threat [1] - 29:28 higher [15] - 15:5, 19:39, 44:30, 44:35, 62:27, 62:28, 82:30, 83:16, 89:31, 99:12, 111:45, 136:22, 147:35, 155:1, 158:4 highest [2] - 31:28, 67:32 highlight [2] - 39:37, 44:32 highlighted [2] - 46:6, 47:32 highlighting [1] - 39:38 highly [5] - 47:9, 88:32, 99:47, 125:28, 154:45 Hill [1] - 123:16 HILLARD [15] - 5:12, 78:29, 78:31, 96:38, 97:23, 111:12, 111:14, 111:27, 116:3, 122:30, 134:29, 139:21, 154:16, 154:18, 159:13 Hillard [6] - 5:13, 78:26, 111:10, 116:1, 121:35, 122:28 historical [1] - 50:5 historically [1] - 50:43 hold [6] - 3:13, 68:20, 105:41, 121:26, 138:27, 138:28 holder [1] - 14:37 holding [2] - 50:8, 148:37 holdings [1] - 113:19 holds [2] - 12:23, 105:35 holistic [6] - 42:15, 79:13, 86:40, 93:46, 94:27, 95:18 holistically [2] - 87:40, 129:16 home [6] - 59:3, 87:43, 148:44, 152:13, 152:14, 152:30 homelessness [1] - 115:5 homicide [12] - 18:4, 18:11, 50:14, 71:9, 71:25, 72:9, 72:11, 72:41, 73:14, 73:22,</p>

77:20, 147:32 homicides [8] - 10:12, 45:5, 45:38, 45:39, 45:41, 71:10, 72:13, 73:29 honest [1] - 32:22 Honour [23] - 14:24, 15:7, 20:4, 20:29, 25:27, 50:34, 51:24, 61:34, 64:19, 64:38, 68:6, 95:32, 100:19, 100:44, 106:40, 108:6, 122:20, 122:34, 122:41, 142:3, 144:41, 148:12, 151:40 HONOUR [1] - 1:19 hopeful [1] - 159:29 hopefully [1] - 49:30 hoping [4] - 83:38, 85:39, 100:9, 153:24 hour [3] - 126:12, 138:32, 159:6 hours [16] - 24:32, 55:40, 89:42, 100:5, 108:14, 108:26, 122:17, 126:1, 130:14, 151:19, 153:32, 153:35, 153:41, 154:21, 155:19 hours' [1] - 108:31 house [1] - 152:23 Housing [2] - 87:23, 120:13 HR [1] - 25:5 HRT [9] - 92:21, 103:40, 114:26, 114:30, 135:26, 135:31, 135:33, 135:34, 136:41 HRTs [14] - 12:35, 13:3, 25:1, 25:41, 26:21, 32:31, 32:32, 92:5, 92:25, 102:3, 103:21, 114:21, 135:27, 135:30 huge [4] - 46:8, 46:21, 67:37, 158:18 Hulin [1] - 3:8 humble [1] - 99:44 hundred [1] - 33:11 HUNTER [9] - 5:3, 97:31, 100:12, 122:34, 139:29, 140:20, 140:24, 142:8, 159:18 Hunter [3] - 5:3, 97:29, 139:27 hypothetically [2] -	112:38, 136:20 I ID [3] - 9:13, 65:35, 65:42 idea [9] - 40:19, 88:3, 91:8, 108:21, 120:34, 149:43, 150:9, 152:20, 153:1 ideal [1] - 78:43 ideally [1] - 103:9 ideas [1] - 89:4 identical [1] - 116:6 identifiable [1] - 53:34 identification [9] - 43:1, 65:2, 65:24, 69:31, 77:9, 81:45, 110:9, 117:23, 132:24 IDENTIFIED [1] - 21:33 identified [32] - 21:20, 21:27, 25:15, 27:21, 28:42, 31:16, 39:31, 42:7, 53:38, 62:22, 64:25, 72:42, 72:47, 74:32, 84:4, 85:15, 89:12, 95:39, 97:3, 97:4, 119:19, 126:45, 127:45, 129:33, 129:34, 129:39, 132:43, 133:39, 135:20, 155:39, 155:47, 156:20 identifier [3] - 9:13, 9:15, 9:18 identifies [1] - 147:21 identify [22] - 17:42, 23:42, 30:42, 47:47, 48:1, 62:16, 72:44, 73:32, 81:20, 86:41, 87:12, 90:10, 102:27, 104:2, 110:21, 116:47, 117:3, 136:38, 155:38, 155:47, 156:27, 157:19 identifying [9] - 5:25, 18:8, 52:34, 73:35, 75:35, 86:34, 98:12, 147:4, 148:4 imagine [9] - 42:5, 93:17, 100:29, 134:1, 144:40, 148:25, 155:21, 158:25, 159:3 imagines [1] - 88:12 imbalance [2] - 46:32,	47:24 immediate [2] - 43:15, 136:15 immediately [6] - 10:23, 129:45, 137:31, 154:10, 154:42, 159:36 impact [9] - 4:11, 38:8, 46:12, 49:32, 57:1, 57:45, 58:43, 59:25, 142:41 impacted [1] - 59:11 impactful [1] - 59:23 impacting [4] - 36:2, 37:21, 51:32, 58:40 impacts [9] - 3:5, 4:13, 29:45, 29:46, 59:28, 60:4, 60:8, 60:38, 62:46 impediments [1] - 88:43 implement [2] - 46:2, 70:32 implemented [2] - 4:39, 118:2 implications [2] - 100:26, 100:29 importance [1] - 38:6 important [23] - 10:20, 10:21, 27:35, 34:25, 44:9, 46:16, 47:31, 47:35, 47:43, 49:24, 67:17, 70:18, 70:45, 70:46, 83:36, 86:34, 88:4, 89:15, 130:31, 136:7, 137:42, 147:34 importantly [1] - 38:19 imposed [1] - 74:4 impossible [1] - 45:21 improve [7] - 69:14, 88:18, 88:19, 97:36, 98:2, 104:8, 153:1 improved [2] - 52:34, 84:26 improvement [7] - 2:20, 38:23, 97:43, 120:35, 132:19, 152:36, 153:30 improvements [2] - 36:37, 152:41 in-depth [1] - 136:32 inability [1] - 48:39 inaction [1] - 158:29 inappropriate [1] - 155:21 incident [21] - 42:15, 42:31, 48:22, 48:36, 58:15, 73:2, 80:3, 80:14, 86:38, 89:12,	91:45, 94:28, 99:7, 102:30, 108:42, 112:45, 118:40, 126:31, 128:7, 129:35, 129:44 incidents [11] - 23:35, 24:24, 26:33, 29:28, 29:41, 41:39, 51:11, 59:2, 59:31, 73:1, 124:8 include [3] - 6:28, 66:33, 66:35 including [15] - 4:10, 5:27, 11:17, 12:9, 37:25, 47:4, 47:5, 54:6, 55:31, 59:24, 68:33, 75:41, 117:35, 148:34, 148:40 inclusion [2] - 82:4, 143:31 inconsistencies [2] - 29:13, 29:47 inconsistency [3] - 63:4, 84:10, 112:6 inconsistent [1] - 74:33 incorporated [1] - 131:26 incorrect [1] - 120:26 increase [7] - 50:23, 60:42, 74:18, 76:4, 112:32, 117:3, 133:44 increased [7] - 70:44, 74:15, 75:11, 75:25, 133:17, 133:20, 133:27 increases [1] - 51:13 increasing [6] - 67:14, 74:4, 74:22, 74:35, 75:17, 150:47 increasingly [1] - 22:44 incredible [2] - 36:36, 45:12 incredibly [4] - 39:21, 60:36, 93:38, 125:12 indeed [2] - 45:20, 128:31 independent [1] - 32:3 INDEPENDENT [1] - 1:11 index [1] - 7:7 indicated [7] - 42:14, 57:16, 57:35, 77:44, 108:46, 123:40, 130:39 indicates [1] - 71:9 indicative [1] - 67:19	indicator [3] - 67:22, 73:18, 115:33 indicators [7] - 17:42, 17:46, 73:32, 73:35, 83:34, 91:28, 92:2 Indigenous [1] - 148:43 indistinct [1] - 5:10 individual [12] - 2:3, 34:9, 56:28, 62:45, 68:17, 78:45, 79:6, 84:11, 95:4, 116:21, 116:30 individuals [1] - 104:4 induction [3] - 105:12, 105:20, 105:22 ineffectiveness [1] - 93:32 inevitable [1] - 45:15 inexperienced [1] - 91:44 infancy [1] - 39:21 infect [1] - 64:17 influence [3] - 38:25, 70:21, 94:8 influenced [1] - 94:4 influencing [1] - 64:47 inform [7] - 31:12, 69:34, 85:31, 85:39, 95:42, 102:29, 128:27 informal [3] - 34:6, 47:5, 89:17 information [73] - 2:15, 4:4, 10:12, 19:15, 20:46, 24:3, 24:13, 26:20, 38:16, 38:24, 44:46, 61:7, 64:42, 67:18, 70:47, 80:21, 80:24, 85:35, 86:15, 86:25, 86:28, 86:34, 86:42, 86:44, 86:46, 87:7, 87:10, 91:5, 91:32, 102:28, 102:36, 103:38, 103:41, 105:34, 113:19, 114:40, 116:5, 116:13, 116:27, 116:43, 116:45, 117:1, 117:11, 117:18, 117:37, 118:20, 118:38, 121:9, 124:12, 126:30, 128:17, 128:18, 128:19, 128:40, 130:41, 131:6, 132:47, 135:11, 136:30, 136:32, 136:47, 137:1,
--	---	---	---	--

<p>137:4, 138:4, 138:9, 138:45, 139:14, 139:18, 145:33, 146:32, 149:35</p> <p>information-sharing [1] - 105:34</p> <p>informed [16] - 33:14, 39:39, 39:43, 39:47, 40:1, 44:41, 54:20, 77:39, 83:28, 97:2, 119:34, 125:34, 129:14, 129:17, 132:34</p> <p>informing [1] - 58:39</p> <p>informs [1] - 46:30</p> <p>initial [7] - 26:16, 48:17, 48:25, 49:36, 49:43, 92:39, 109:23</p> <p>initials [4] - 5:3, 5:5, 5:9, 5:13</p> <p>initiate [1] - 127:21</p> <p>initiated [1] - 40:25</p> <p>initiative [1] - 37:4</p> <p>initiatives [8] - 38:18, 38:20, 41:9, 45:12, 45:22, 45:43, 53:1, 53:30</p> <p>injury [1] - 113:46</p> <p>input [2] - 52:29, 116:40</p> <p>inputs [2] - 27:6, 27:35</p> <p>inquest [6] - 44:44, 79:15, 87:5, 87:6, 91:2, 120:4</p> <p>inquests [7] - 42:22, 45:40, 46:5, 72:41, 87:11, 87:19, 120:3</p> <p>inquiry [2] - 33:39, 54:24</p> <p>INQUIRY [1] - 1:11</p> <p>insight [1] - 125:39</p> <p>insights [1] - 114:26</p> <p>Inspector [1] - 2:39</p> <p>inspector [16] - 13:43, 13:44, 14:13, 14:18, 25:20, 25:30, 25:31, 25:41, 33:34, 33:37, 35:17, 36:4, 69:39, 101:42, 144:25</p> <p>inspectors [1] - 11:23</p> <p>inspectors [1] - 14:7</p> <p>inspectors' [1] - 22:39</p> <p>instance [22] - 11:6, 20:6, 21:3, 32:29, 39:3, 39:25, 39:37, 40:35, 42:10, 44:37, 47:6, 49:30, 51:25, 56:12, 56:15, 58:42, 66:33, 69:15, 99:5,</p>	<p>103:1, 112:11, 116:46</p> <p>instances [11] - 46:6, 58:41, 90:43, 105:44, 113:29, 114:24, 118:23, 118:28, 119:21, 121:6, 126:33</p> <p>instead [1] - 85:32</p> <p>Institute [1] - 57:43</p> <p>instructed [3] - 5:6, 5:10, 5:13</p> <p>instructions [3] - 43:11, 43:26, 121:36</p> <p>instructor [1] - 7:7</p> <p>integrate [1] - 39:46</p> <p>integrated [9] - 26:16, 31:16, 31:28, 87:18, 87:28, 114:15, 119:16, 147:14, 147:16</p> <p>Integrated [1] - 78:42</p> <p>integrating [1] - 95:4</p> <p>integration [4] - 32:31, 82:11, 85:45, 119:14</p> <p>integrative [1] - 86:2</p> <p>Intelligence [5] - 17:3, 17:12, 17:32, 77:17, 77:29</p> <p>intelligence [8] - 17:16, 17:21, 18:4, 34:17, 69:28, 77:10, 77:12, 117:41</p> <p>intend [2] - 111:4, 157:36</p> <p>intended [15] - 7:25, 31:12, 35:2, 41:38, 42:34, 44:33, 47:26, 47:30, 49:4, 78:44, 83:24, 109:20, 109:27, 110:26, 159:34</p> <p>intensive [1] - 93:38</p> <p>intent [5] - 10:32, 31:44, 40:25, 40:47, 43:29</p> <p>intention [10] - 6:43, 10:26, 32:42, 33:2, 53:35, 121:1, 121:20, 121:23, 129:7, 157:47</p> <p>intents [2] - 101:45, 109:9</p> <p>interact [1] - 47:40</p> <p>interacting [1] - 47:38</p> <p>interaction [9] - 27:30, 29:33, 56:34, 80:30, 81:3, 81:4, 89:27, 95:6, 107:25</p>	<p>interest [6] - 22:16, 102:45, 144:44, 145:19, 145:20, 145:24</p> <p>interested [3] - 32:45, 69:2, 120:34</p> <p>interesting [1] - 133:47</p> <p>interestingly [1] - 17:44</p> <p>intergenerational [2] - 119:25, 119:27</p> <p>interim [1] - 133:2</p> <p>interinfluence [1] - 83:10</p> <p>internal [6] - 28:43, 52:27, 61:4, 61:6, 79:3, 110:41</p> <p>internally [2] - 131:5, 139:39</p> <p>interpret [3] - 109:3, 116:5, 116:12</p> <p>interpretation [2] - 49:11, 132:2</p> <p>interpreted [2] - 71:45, 72:6</p> <p>interpreters [1] - 91:27</p> <p>interpreting [2] - 115:46, 116:43</p> <p>interrupt [3] - 25:18, 92:9, 150:43</p> <p>interrupted [1] - 35:32</p> <p>intersectionality [1] - 122:24</p> <p>intervene [1] - 73:21</p> <p>intervention [7] - 64:30, 72:45, 79:25, 85:19, 94:21, 96:45, 97:17</p> <p>interventions [3] - 76:46, 94:27, 121:19</p> <p>interview [9] - 48:23, 48:36, 48:37, 48:39, 48:47, 49:21, 82:32, 83:2, 91:20</p> <p>interviewing [1] - 54:38</p> <p>interviews [3] - 3:42, 3:44, 3:46</p> <p>interwoven [1] - 29:28</p> <p>intimate [2] - 47:9, 91:33</p> <p>INTO [1] - 1:11</p> <p>introduced [2] - 89:16, 98:21</p> <p>introducing [1] - 82:30</p> <p>introductory [1] - 47:23</p>	<p>intuitive [2] - 121:27, 121:29</p> <p>invest [3] - 34:14, 76:7, 76:9</p> <p>investigate [11] - 8:23, 51:37, 68:46, 76:15, 76:32, 76:33, 108:40, 127:15, 129:42, 148:13, 148:17</p> <p>investigated [2] - 51:11, 127:19</p> <p>investigates [1] - 109:24</p> <p>investigating [11] - 47:34, 48:17, 48:26, 48:27, 48:34, 49:37, 51:36, 67:8, 68:47, 148:16</p> <p>investigation [16] - 12:42, 18:11, 43:7, 48:34, 49:36, 49:39, 49:43, 54:39, 72:15, 83:7, 88:44, 110:31, 110:32, 114:23, 129:45, 158:31</p> <p>investigations [5] - 58:23, 102:20, 128:38, 129:30, 129:32</p> <p>investigative [9] - 29:24, 54:38, 82:4, 82:11, 82:18, 87:41, 110:26, 110:28, 110:30</p> <p>investigator [1] - 29:35</p> <p>investigators [5] - 81:37, 82:7, 82:13, 82:43, 83:9</p> <p>investigators/ detectives [1] - 29:31</p> <p>investing [1] - 60:17</p> <p>investment [9] - 29:7, 29:35, 30:43, 34:16, 40:37, 45:28, 77:24, 112:32, 119:47</p> <p>invitation [1] - 38:45</p> <p>invited [2] - 61:44, 62:2</p> <p>involve [3] - 59:1, 84:28, 129:45</p> <p>involved [20] - 3:9, 3:19, 3:20, 48:6, 50:36, 52:7, 57:39, 77:1, 86:47, 91:2, 96:7, 105:33, 111:19, 120:11, 128:29, 135:27,</p>	<p>136:31, 139:7, 156:24, 156:26</p> <p>involvement [4] - 86:2, 111:22, 114:46, 119:18</p> <p>involves [2] - 64:42, 149:24</p> <p>involving [3] - 76:46, 80:21, 89:13</p> <p>IOC [1] - 156:2</p> <p>iPad [1] - 44:39</p> <p>Ipswich [3] - 25:13, 100:16, 100:18</p> <p>Ireland [1] - 4:32</p> <p>Isa [5] - 3:16, 25:14, 89:33, 156:14, 156:17</p> <p>isolated [1] - 73:2</p> <p>issue [25] - 4:17, 20:38, 39:6, 46:29, 46:32, 46:43, 47:14, 47:16, 47:32, 47:35, 47:43, 48:41, 49:6, 49:46, 60:3, 68:11, 71:33, 73:25, 84:2, 89:37, 97:4, 115:5, 115:7, 133:24, 155:43</p> <p>issued [2] - 150:28, 150:29</p> <p>issues [35] - 3:4, 3:17, 3:26, 4:10, 10:18, 16:34, 28:42, 36:1, 37:21, 38:4, 38:46, 39:13, 46:31, 48:17, 52:34, 57:40, 63:4, 63:26, 64:2, 65:47, 70:19, 71:32, 74:2, 77:28, 84:15, 91:26, 92:11, 111:2, 111:5, 116:6, 122:26, 124:10, 126:45, 127:17, 132:24</p> <p>IT [2] - 17:6, 44:39</p> <p>item [4] - 9:11, 65:33, 101:3, 101:9</p> <p>items [1] - 39:1</p> <p>iteration [1] - 39:34</p> <p>iterations [1] - 85:40</p> <p>itself [14] - 11:39, 12:23, 17:12, 18:11, 22:4, 56:35, 57:28, 57:44, 73:16, 91:20, 91:42, 98:40, 121:20, 121:33</p>
J				
<p>James [1] - 5:33</p> <p>January [3] - 66:15,</p>				

<p>140:35, 141:8 job [21] - 22:29, 23:46, 25:29, 25:33, 35:26, 57:22, 57:33, 57:35, 59:13, 60:39, 83:5, 98:11, 113:25, 125:11, 129:25, 130:1, 134:39, 137:40, 147:46, 151:45, 152:41 jobs [5] - 23:41, 24:20, 24:34, 122:17, 138:27 join [3] - 22:45, 112:41, 133:7 joined [3] - 70:16, 125:33, 133:10 joining [1] - 76:21 joint [1] - 53:27 jointly [1] - 103:41 Jones [1] - 149:47 journals [1] - 117:17 journey [3] - 11:2, 11:27, 11:47 JR [1] - 5:3 JUDGE [1] - 1:19 judicial [3] - 46:36, 51:45, 87:42 JULY [1] - 159:47 July [14] - 1:40, 3:13, 3:14, 3:15, 3:30, 3:40, 5:33, 6:25, 21:36, 37:3, 79:26, 101:2, 141:22, 141:25 June [1] - 46:18 junior [1] - 41:47 jurisdiction [1] - 96:8 jurisdictional [1] - 26:17 jurisdictions [3] - 29:32, 40:33, 98:42 Justice [19] - 2:6, 10:17, 16:40, 18:45, 19:6, 26:15, 45:41, 53:12, 54:23, 58:11, 65:31, 66:12, 66:21, 66:25, 71:33, 71:44, 74:8, 74:27, 103:30 justice [1] - 4:14 justified [1] - 48:40</p>	<p>149:33 keeping [3] - 23:41, 67:47, 133:22 keeps [1] - 158:25 Kelly [3] - 2:36, 81:2, 111:3 kept [4] - 25:39, 52:15, 52:20, 123:30 key [5] - 28:42, 38:18, 38:19, 41:20, 115:45 kind [14] - 59:46, 80:2, 87:24, 104:44, 117:7, 124:36, 125:36, 127:14, 128:44, 132:44, 137:25, 139:3, 158:36 kinds [2] - 113:37, 155:7 Kirwan [1] - 157:29 KM [1] - 5:13 knock [1] - 138:22 knocking [1] - 129:9 knowing [4] - 47:18, 93:42, 95:23, 106:18 knowledge [10] - 42:19, 60:12, 75:29, 93:42, 96:30, 114:40, 124:38, 131:40, 143:46 known [4] - 71:11, 102:37, 109:34, 123:21</p>	<p>58:47, 59:36, 65:28, 69:41, 71:6, 74:9, 80:8, 80:29, 80:39, 81:36, 94:32, 96:38, 110:16, 111:21, 111:25, 112:29, 126:1, 149:44, 152:43, 154:20, 157:40 late [2] - 156:19, 158:41 latter [2] - 39:17, 47:18 laudable [1] - 89:16 law [1] - 121:25 lawfully [1] - 146:33 lawyer [2] - 87:24, 120:13 layer [1] - 113:13 layers [2] - 117:47, 118:11 lead [5] - 33:38, 33:41, 45:39, 95:39 lead-up [1] - 45:39 leader [1] - 144:13 leadership [1] - 141:32 leadership [4] - 10:10, 36:1, 51:8, 102:11 leading [2] - 37:8, 75:30 leads [1] - 64:20 learn [4] - 42:21, 51:32, 145:21, 149:13 learned [1] - 5:4 learner [1] - 37:19 learning [9] - 42:45, 69:11, 91:30, 94:1, 94:6, 95:1, 116:16, 141:8 learnings [8] - 18:27, 40:1, 42:6, 42:43, 44:44, 52:30, 77:41, 86:6 learnt [5] - 51:43, 75:22, 144:41, 146:12, 147:30 least [26] - 16:36, 17:33, 18:5, 20:18, 21:7, 22:10, 27:21, 31:15, 33:24, 36:6, 44:34, 45:33, 64:13, 67:36, 68:41, 71:20, 75:25, 77:8, 77:14, 79:30, 82:15, 88:38, 103:13, 110:16, 110:27, 132:1 leave [7] - 2:39, 5:47, 100:42, 101:44, 144:46, 145:1, 145:5</p>	<p>leaving [2] - 84:16, 84:21 led [3] - 13:28, 53:12, 103:29 left [8] - 9:26, 23:20, 26:43, 39:23, 81:20, 99:46, 119:9, 122:18 left-hand [2] - 9:26, 23:20 legal [5] - 3:21, 41:28, 41:32, 53:18 Legal [11] - 5:13, 6:43, 6:45, 7:20, 7:23, 37:25, 38:40, 80:22, 83:19, 154:23, 155:36 LEGAL [1] - 7:4 legislation [16] - 43:6, 43:10, 43:13, 43:14, 43:27, 43:37, 43:43, 98:28, 98:30, 99:4, 121:7, 140:42, 141:14, 144:6, 146:33 legislative [10] - 88:42, 97:35, 97:47, 98:10, 98:20, 98:26, 98:27, 98:34, 100:24, 146:24 legislatively [1] - 86:14 legitimate [1] - 4:22 lengths [1] - 62:16 lengthy [1] - 150:40 lens [3] - 38:37, 38:41, 113:18 lenses [1] - 37:32 less [7] - 4:29, 29:43, 58:1, 58:2, 62:1, 68:41, 129:10 lethal [1] - 38:32 lethality [5] - 17:43, 18:6, 18:9, 45:5, 96:7 level [80] - 1:34, 10:21, 25:9, 29:17, 29:20, 29:21, 29:33, 29:34, 30:5, 30:7, 30:32, 31:7, 31:27, 31:28, 31:32, 31:46, 35:42, 37:30, 38:37, 39:19, 48:20, 50:43, 51:18, 56:8, 56:10, 56:12, 56:16, 56:17, 56:33, 58:34, 60:45, 63:6, 63:38, 64:40, 67:40, 70:37, 70:40, 70:41, 75:12, 76:20, 79:5, 79:6, 79:32, 80:2, 81:18, 81:19, 82:30,</p>	<p>83:1, 83:16, 83:24, 83:29, 85:44, 87:45, 88:25, 88:35, 89:32, 95:6, 106:1, 106:7, 107:31, 107:32, 109:22, 109:41, 110:2, 110:37, 111:33, 111:45, 111:46, 118:12, 118:16, 127:31, 128:15, 128:33, 135:12, 136:22, 147:17, 147:26, 147:35 levels [8] - 22:31, 30:27, 31:1, 62:41, 125:19, 133:17, 133:46, 147:29 liaise [3] - 35:27, 84:2, 98:24 liaising [3] - 33:31, 33:43, 92:24 liaison [17] - 33:21, 34:5, 34:20, 34:44, 35:12, 36:3, 94:36, 98:24, 102:47, 106:11, 109:9, 115:44, 116:8, 118:12, 118:43, 135:42, 158:43 library [1] - 117:16 lie [1] - 45:19 life [5] - 33:4, 113:1, 125:39, 146:34, 149:6 life-threatening [1] - 113:1 lifting [1] - 76:11 likelihood [2] - 75:24, 113:27 likely [9] - 6:7, 6:45, 41:22, 57:36, 58:27, 119:30, 129:40, 130:44, 151:5 limit [2] - 104:17, 104:19 limitations [1] - 11:44 limited [11] - 5:27, 16:41, 34:12, 36:23, 36:27, 36:29, 69:20, 70:12, 74:2, 99:7, 112:43 line [25] - 6:27, 12:47, 13:10, 13:47, 24:47, 25:1, 25:3, 34:24, 46:15, 65:46, 89:11, 89:14, 98:37, 109:30, 127:30, 133:27, 134:45, 135:2, 140:18,</p>
<p style="text-align: center;">K</p> <p>Kebbell [1] - 57:4 keen [2] - 60:2, 60:35 keep [9] - 20:8, 26:7, 55:38, 94:41, 117:38, 125:13, 133:45, 134:23,</p>	<p style="text-align: center;">L</p> <p>labor [1] - 143:10 lack [7] - 10:34, 28:9, 28:15, 28:44, 28:47, 75:43, 124:37 laid [1] - 50:40 lands [1] - 158:29 Langham [5] - 44:44, 87:5, 89:8, 89:13, 120:4 language [1] - 156:45 laptop [1] - 106:40 large [11] - 17:12, 22:41, 46:31, 59:10, 73:28, 73:36, 89:43, 100:29, 106:8, 111:1, 151:3 largely [4] - 17:17, 108:33, 108:42, 122:18 larger [1] - 108:6 last [32] - 4:17, 10:9, 11:13, 12:29, 17:30, 30:15, 37:3, 49:47, 51:6, 51:45, 53:32,</p>			

<p>140:22, 140:25, 140:35, 140:39, 141:8, 141:12 lines [1] - 40:43 linguistically [1] - 91:25 link [2] - 58:28, 110:30 linkages [3] - 17:46, 37:24, 61:3 linked [1] - 115:24 linking [1] - 113:18 Linnet [1] - 15:4 list [3] - 7:7, 7:21, 7:25 listed [2] - 23:20, 23:24 listen [3] - 37:20, 120:36, 155:16 listening [1] - 155:15 literal [1] - 49:10 literally [2] - 72:7, 158:8 lived [1] - 94:2 lives [2] - 75:28, 112:7 living [1] - 138:3 load [3] - 27:20, 27:27, 70:6 lobbying [3] - 98:40, 98:41 local [14] - 25:6, 25:19, 61:12, 61:35, 61:36, 102:37, 103:31, 107:25, 110:43, 110:44, 115:11, 129:43, 129:45, 130:1 localised [1] - 64:24 locate [2] - 48:39, 65:41 located [10] - 23:28, 87:25, 104:35, 119:16, 119:38, 123:16, 123:41, 124:3, 124:24, 153:37 locates [1] - 124:6 location [11] - 5:28, 53:31, 53:47, 79:31, 87:32, 88:31, 93:39, 107:44, 108:43, 117:5, 119:38 locations [8] - 12:36, 13:8, 26:18, 88:27, 88:34, 89:17, 104:14, 120:11 lodged [5] - 66:13, 66:22, 68:40, 68:42, 68:44 lodging [4] - 66:14, 66:18, 68:30, 68:31 lodgments [1] - 68:37</p>	<p>Logan [19] - 25:13, 29:7, 29:40, 59:1, 59:35, 69:42, 70:8, 82:9, 89:12, 89:20, 89:21, 89:23, 100:16, 108:8, 108:23, 112:11, 113:16, 119:28 long-term [2] - 112:32, 119:35 look [37] - 4:17, 10:18, 13:30, 25:33, 26:28, 31:40, 43:3, 48:24, 55:22, 67:18, 67:28, 76:22, 76:28, 83:11, 85:17, 100:10, 102:33, 107:43, 108:22, 110:38, 115:28, 115:30, 117:33, 126:33, 126:42, 127:37, 127:40, 127:44, 128:10, 128:45, 139:12, 146:29, 150:11, 153:36, 156:4, 158:13 looked [9] - 36:20, 40:33, 41:16, 68:3, 68:8, 68:19, 99:42, 147:45, 151:15 looking [45] - 3:12, 19:8, 25:24, 26:7, 26:38, 27:14, 28:3, 33:32, 39:46, 40:27, 52:1, 52:30, 54:9, 54:13, 55:9, 60:29, 60:32, 65:28, 66:19, 71:28, 72:40, 74:42, 81:17, 82:15, 92:34, 93:40, 94:26, 94:46, 96:25, 97:46, 111:24, 117:12, 118:19, 126:32, 127:43, 128:1, 128:20, 129:21, 133:4, 133:33, 140:46, 146:27, 147:3, 147:27, 148:9 looks [3] - 10:46, 119:16, 131:38 loop [1] - 52:32 losing [1] - 145:6 loss [1] - 143:45 love [2] - 125:8, 152:20 loved [1] - 145:41 low [1] - 128:37 lower [2] - 91:43, 92:4 lower-trained [2] - 91:43, 92:4</p>	<p>lowly [1] - 62:14 luck [1] - 96:24 LUNCHEON [1] - 78:24 luxury [1] - 135:47</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>m'hmm [1] - 110:13 Mackay [1] - 25:14 magistrates [1] - 156:44 Magistrates [1] - 1:34 Magistrates' [1] - 99:8 main [1] - 41:9 maintaining [1] - 20:14 major [3] - 37:17, 71:29, 127:11 majority [4] - 31:17, 77:45, 144:26, 151:12 male [2] - 47:1, 149:1 males [3] - 47:1, 150:16, 151:12 manage [3] - 31:43, 129:38, 140:7 managed [4] - 115:11, 122:18, 149:26, 150:27 management [28] - 14:24, 24:23, 24:29, 24:37, 26:37, 36:16, 36:24, 56:19, 60:43, 64:24, 64:40, 70:6, 70:30, 70:31, 70:36, 71:3, 81:5, 85:19, 95:2, 110:23, 114:47, 117:2, 126:36, 126:38, 126:41, 141:17, 149:25, 152:39 manager [6] - 13:47, 14:18, 25:20, 25:31, 118:15, 150:1 managers [1] - 117:42 mandate [1] - 77:29 mandatory [10] - 102:42, 102:44, 103:8, 103:9, 105:4, 107:18, 107:20, 113:35, 133:18, 134:42 manned [1] - 108:14 manner [2] - 28:31, 113:8 manual [53] - 40:7, 40:11, 40:18, 40:20, 40:22, 40:40, 40:47, 41:4, 41:38, 41:41,</p>	<p>42:7, 42:18, 42:34, 42:43, 42:47, 43:6, 43:8, 43:10, 43:12, 43:19, 43:30, 43:35, 43:36, 43:37, 43:42, 44:10, 44:30, 44:34, 45:20, 46:25, 46:42, 47:12, 47:15, 47:18, 47:26, 47:32, 47:44, 47:47, 48:12, 49:2, 49:19, 49:22, 49:25, 52:12, 52:35, 120:18, 120:30, 121:2, 121:5, 121:14, 121:20, 121:22 manual" [1] - 120:23 manuals [3] - 43:25, 43:26, 120:43 map [2] - 25:37, 25:38 Maple [1] - 57:3 March [10] - 8:30, 8:44, 9:33, 9:38, 11:13, 12:10, 12:30, 37:14, 101:44, 109:44 mark [2] - 7:45, 72:20 Mark [3] - 2:36, 3:40, 111:3 marked [2] - 6:24, 6:38 MARTAIN [1] - 101:27 Martain [8] - 2:29, 14:28, 41:5, 70:25, 70:26, 97:45, 101:23, 122:36 Martain's [2] - 90:33, 92:18 massive [1] - 127:1 material [6] - 2:7, 2:9, 2:18, 6:23, 6:24, 31:18 mathematical [1] - 71:37 maths [2] - 62:1, 72:25 matrix [1] - 27:42 matter [16] - 6:7, 16:22, 18:3, 50:6, 55:2, 63:44, 64:21, 64:22, 80:41, 81:1, 81:24, 113:24, 126:39, 127:10, 127:15, 131:2 matters [22] - 7:18, 12:43, 23:43, 43:20, 45:34, 49:5, 51:2, 51:36, 53:5, 80:11, 82:47, 84:3, 84:12, 87:17, 115:42,</p>	<p>122:23, 128:20, 129:42, 137:32, 148:32, 156:37, 158:20 mature [3] - 34:26, 108:8, 112:12 maturity [12] - 30:27, 30:32, 30:41, 31:2, 31:7, 32:1, 35:28, 35:42, 36:13, 39:22, 70:1, 78:35 maximum [1] - 129:7 McCafferty [7] - 5:8, 5:9, 97:25, 97:27, 122:32, 139:25, 159:16 mean [31] - 20:2, 20:26, 20:31, 26:43, 29:23, 41:40, 44:2, 60:6, 62:47, 72:8, 75:32, 87:37, 89:45, 107:42, 109:14, 123:22, 125:21, 125:23, 127:3, 127:29, 130:10, 133:45, 134:39, 134:43, 135:1, 138:18, 139:8, 143:31, 153:24, 153:35 meaning [2] - 19:23, 39:46 meaningfully [1] - 34:18 means [21] - 8:15, 8:26, 12:23, 12:45, 19:24, 19:27, 19:34, 21:8, 22:23, 22:28, 42:18, 61:32, 76:20, 86:42, 90:42, 100:22, 101:34, 119:10, 126:22, 146:25, 151:28 meant [12] - 30:38, 32:21, 32:22, 38:15, 42:37, 42:39, 47:44, 50:22, 70:34, 78:7, 80:13, 83:24 measure [5] - 30:41, 44:23, 57:31, 59:30, 74:37 measured [1] - 152:37 measures [6] - 60:35, 74:36, 74:37, 96:7, 98:21, 151:7 measuring [3] - 67:44, 72:21, 74:40 medals [1] - 61:25 media [1] - 50:25 media-rich [1] - 50:25</p>
---	--	--	---	---

<p>medium ^[1] - 128:37 mediums ^[1] - 102:39 meet ^[9] - 32:35, 37:37, 44:15, 69:16, 133:19, 150:10, 150:34, 151:19, 155:24 meeting ^[6] - 10:9, 10:19, 10:23, 10:44, 102:11, 135:33 meetings ^[7] - 37:38, 37:45, 38:43, 39:14, 103:44, 114:26, 135:31 meets ^[1] - 37:35 Mel ^[1] - 2:40 member ^[10] - 11:10, 11:15, 11:18, 38:28, 47:6, 72:5, 93:39, 105:25, 105:43, 118:4 members ^[26] - 12:35, 29:18, 38:14, 38:36, 38:46, 39:23, 39:31, 43:14, 63:45, 75:7, 92:21, 104:38, 105:13, 105:21, 105:37, 105:45, 108:29, 112:41, 114:20, 114:22, 124:25, 128:25 membership ^[1] - 76:3 memorandum ^[1] - 53:28 memory ^[2] - 83:31, 101:46 men ^[2] - 148:43, 150:10 men's ^[1] - 148:41 mental ^[14] - 11:6, 14:23, 15:34, 16:38, 19:1, 57:29, 57:40, 58:7, 77:16, 122:25, 130:24, 130:27, 141:8, 153:37 mention ^[7] - 8:29, 54:26, 56:46, 61:42, 74:6, 147:12, 156:33 mentioned ^[26] - 12:16, 12:28, 14:26, 16:29, 18:6, 18:14, 27:37, 32:20, 33:30, 35:10, 45:45, 49:40, 75:19, 77:18, 86:46, 87:12, 91:21, 98:21, 108:45, 126:44, 127:47, 128:1, 130:12, 131:9, 138:46, 148:32 mentioning ^[1] - 18:40</p>	<p>mentions ^[1] - 49:37 mentoring ^[1] - 103:3 merit ^[5] - 56:25, 56:26, 56:30, 63:11, 77:13 merits ^[1] - 63:20 met ^[4] - 17:35, 57:32, 102:42, 149:45 Meta ^[12] - 148:43, 148:44, 149:1, 149:15, 149:20, 149:31, 149:39, 150:36, 150:37, 152:17, 154:45, 155:8 methodologies ^[1] - 44:41 metro ^[1] - 143:28 MHIP ^[1] - 104:32 Micah ^[1] - 56:14 Michael ^[1] - 3:8 middle ^[8] - 11:42, 49:47, 51:6, 116:4, 129:46, 133:37, 136:8, 141:5 might ^[145] - 6:11, 7:7, 7:13, 7:31, 7:32, 8:13, 9:8, 9:10, 9:15, 9:19, 12:1, 12:7, 15:44, 16:35, 17:1, 19:18, 21:17, 21:21, 22:47, 23:35, 23:43, 23:46, 24:16, 24:19, 24:43, 25:29, 25:30, 25:31, 27:39, 28:35, 29:1, 29:41, 29:43, 30:18, 31:36, 32:4, 33:6, 37:1, 39:2, 39:8, 39:10, 39:15, 39:45, 40:1, 40:16, 40:34, 41:33, 49:20, 50:46, 53:41, 54:11, 54:12, 55:8, 56:45, 57:25, 58:39, 60:6, 61:20, 63:24, 64:28, 65:5, 65:6, 65:8, 65:24, 65:38, 65:39, 67:7, 68:13, 69:3, 69:6, 69:12, 70:20, 70:46, 71:15, 71:36, 71:44, 72:33, 72:35, 73:20, 76:27, 76:40, 76:47, 78:26, 80:10, 80:17, 83:28, 83:30, 83:32, 86:41, 88:11, 88:17, 88:40, 89:26, 91:27, 92:4, 92:5, 93:28, 94:25, 94:28, 95:2, 95:7, 95:19, 97:36, 99:16, 100:5,</p>	<p>100:37, 102:33, 104:3, 104:34, 106:37, 108:22, 111:27, 113:45, 116:31, 116:32, 116:46, 117:3, 118:18, 120:21, 122:36, 123:5, 125:16, 125:29, 127:47, 128:22, 129:3, 130:14, 136:13, 136:15, 138:24, 139:43, 142:14, 151:18, 151:35, 151:47, 152:12, 155:3, 155:38, 157:18, 157:20, 159:20, 159:29, 159:30, 159:31 Might ^[1] - 6:27 mightn't ^[1] - 67:9 mile ^[1] - 132:33 mind ^[9] - 19:11, 21:11, 24:40, 62:19, 68:45, 69:32, 88:7, 117:38, 145:18 mindful ^[4] - 37:18, 69:6, 69:15, 122:47 minds ^[2] - 93:45, 98:13 mine ^[1] - 89:2 minimal ^[2] - 24:45, 70:42 minimised ^[1] - 99:2 minimum ^[3] - 79:8, 102:44, 134:14 minister ^[1] - 98:29 ministerial ^[1] - 98:24 minor ^[1] - 12:27 minute ^[3] - 7:34, 127:18, 129:12 minuted ^[1] - 38:24 minutes ^[3] - 52:41, 92:10, 152:2 mirrored ^[1] - 17:35 misheard ^[2] - 15:45, 104:34 misidentified ^[2] - 83:21, 84:13 misidentify ^[1] - 155:44 misidentifying ^[1] - 83:45 misprinting ^[1] - 18:24 miss ^[2] - 133:35, 157:32 missed ^[7] - 47:44, 59:5, 127:11,</p>	<p>157:19, 157:21, 157:27, 158:7 mistake ^[2] - 86:8, 157:34 mistakes ^[1] - 156:28 misunderstand ^[1] - 23:3 misunderstanding ^[1] - 18:25 misunderstood ^[2] - 22:47, 71:31 mitigation ^[4] - 65:3, 65:7, 81:7, 81:32 mobile ^[1] - 76:39 mode ^[2] - 61:5, 94:28 model ^[25] - 12:18, 27:42, 28:26, 30:15, 32:34, 53:6, 53:47, 76:27, 77:46, 78:9, 78:35, 81:17, 82:10, 86:6, 87:34, 90:5, 92:6, 113:9, 114:14, 114:20, 115:15, 119:28, 119:44, 119:46, 150:18 models ^[6] - 53:37, 54:19, 88:36, 119:33, 119:41, 120:2 moment ^[35] - 7:13, 9:19, 14:38, 19:28, 20:39, 20:43, 20:47, 21:6, 21:9, 21:46, 22:31, 22:38, 25:25, 26:8, 26:22, 34:12, 35:26, 38:5, 57:26, 65:40, 65:42, 78:6, 79:36, 83:39, 85:4, 86:4, 95:27, 97:34, 100:3, 113:40, 133:23, 145:34, 146:5, 149:23, 155:9 Monday ^[3] - 1:40, 6:25, 154:5 money ^[1] - 112:24 monitor ^[3] - 46:2, 70:41, 70:45 monitored ^[1] - 152:37 monitoring ^[10] - 38:35, 69:22, 70:13, 70:34, 70:39, 73:42, 75:42, 106:22, 147:15, 157:46 month ^[7] - 70:28, 70:35, 79:26, 138:33, 140:45, 144:47, 145:39 monthly ^[1] - 143:21 months ^[30] - 17:30,</p>	<p>22:44, 36:7, 36:36, 42:27, 68:16, 119:44, 124:29, 126:37, 128:6, 134:10, 134:11, 134:13, 134:15, 143:1, 143:26, 144:5, 144:39, 144:42, 144:45, 145:4, 145:7, 145:8, 145:37, 145:38, 145:39, 145:45, 146:42, 152:29 moratorium ^[1] - 103:15 moreover ^[1] - 114:27 morning ^[8] - 8:25, 46:26, 101:33, 125:46, 157:41, 158:7, 159:27, 159:31 Morton ^[1] - 109:45 most ^[24] - 23:14, 38:19, 51:21, 54:8, 67:32, 87:31, 93:43, 98:12, 103:44, 112:44, 118:23, 119:30, 119:43, 119:46, 125:6, 130:31, 131:5, 138:7, 138:8, 150:16, 151:5, 156:44, 157:47, 158:20 most-welcoming ^[1] - 54:8 mostly ^[2] - 113:22, 120:20 Mount ^[1] - 89:23 MOUs ^[1] - 53:18 mouthful ^[1] - 13:15 move ^[19] - 17:29, 20:7, 22:3, 22:32, 26:8, 26:26, 34:41, 36:42, 46:25, 48:12, 49:41, 52:37, 53:4, 67:46, 69:30, 94:31, 105:47, 111:28, 124:22 moved ^[3] - 26:41, 75:40, 125:17 movement ^[2] - 82:20, 142:40 moving ^[10] - 7:25, 11:14, 19:12, 20:4, 26:21, 27:47, 75:26, 77:13, 77:21, 77:22 MR ^[14] - 5:3, 5:8, 97:27, 97:31, 100:12, 122:32,</p>
--	---	--	--	--

<p>122:34, 139:25, 139:29, 140:20, 140:24, 142:8, 159:16, 159:18 MS [81] - 4:47, 5:12, 5:21, 5:36, 5:45, 6:4, 6:16, 6:23, 6:35, 6:42, 7:6, 7:13, 7:18, 7:31, 7:39, 8:2, 8:7, 9:17, 14:26, 15:10, 20:42, 21:35, 23:12, 26:2, 39:13, 46:24, 52:9, 52:37, 52:43, 52:47, 61:41, 64:45, 66:2, 66:6, 68:22, 71:19, 78:18, 78:29, 78:31, 96:38, 97:23, 100:36, 101:1, 101:9, 101:14, 101:18, 101:22, 101:29, 105:4, 105:29, 106:46, 108:21, 111:12, 111:14, 111:27, 116:3, 122:30, 122:36, 122:47, 123:4, 123:9, 123:13, 124:22, 134:6, 134:29, 139:21, 142:13, 142:24, 142:29, 145:12, 146:8, 147:12, 148:29, 152:7, 154:13, 154:16, 154:18, 159:13, 159:20, 159:34, 159:42 Mt [5] - 3:16, 25:14, 89:33, 156:14, 156:17 multi [16] - 26:17, 38:15, 52:1, 76:45, 87:13, 87:25, 87:28, 87:34, 87:46, 88:6, 88:10, 88:27, 92:7, 111:20, 113:4, 113:5 multi-disciplinary [11] - 52:1, 76:45, 87:13, 87:25, 87:28, 87:34, 87:46, 88:6, 88:10, 88:27, 113:5 multi-function" [1] - 111:20 multi-jurisdictional [1] - 26:17 multi-question [1] - 92:7 multi-tiered [1] - 113:4 multi-way [1] - 38:15</p>	<p>multidisciplinary [4] - 119:38, 120:6, 120:11, 120:15 multifaceted [2] - 112:25, 121:32 multiple [5] - 7:6, 41:43, 108:9, 108:10, 139:38 must [8] - 3:46, 43:23, 46:37, 48:22, 56:8, 70:31, 102:42, 153:15</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name [7] - 4:47, 5:3, 5:8, 5:12, 5:28, 65:42, 123:36 names [3] - 20:27, 20:28, 21:19 narrative [1] - 50:19 national [2] - 46:14, 96:10 Nations [6] - 3:26, 4:13, 119:24, 148:39, 148:41, 149:4 naturally [1] - 156:25 nature [10] - 20:6, 20:17, 29:22, 42:16, 46:37, 58:5, 64:37, 87:18, 88:30, 89:44 navigate [1] - 4:23 near [3] - 51:45, 109:47, 150:30 nearing [3] - 40:12, 41:1, 41:12 nearly [4] - 45:15, 58:45, 67:41, 83:5 necessarily [20] - 3:24, 17:17, 40:28, 51:16, 54:7, 63:32, 68:26, 71:39, 76:5, 77:24, 84:24, 87:31, 88:35, 89:30, 90:5, 100:7, 125:6, 128:4, 133:7 necessary [7] - 6:30, 12:1, 15:30, 36:17, 83:36, 92:43, 132:5 necessitate [1] - 49:13 necessity [1] - 93:14 need [54] - 8:14, 8:18, 10:13, 18:23, 23:43, 28:25, 33:18, 34:14, 34:16, 36:15, 42:13, 42:23, 44:32, 47:36, 49:24, 52:28, 59:25, 60:6, 63:19, 64:2, 64:28, 65:40, 65:41,</p>	<p>66:32, 66:38, 67:24, 67:43, 69:19, 70:11, 70:20, 75:44, 76:2, 76:18, 76:40, 79:27, 87:40, 88:35, 90:9, 93:37, 98:12, 101:33, 101:37, 119:42, 119:46, 121:18, 127:2, 136:35, 136:46, 139:12, 144:7, 144:11, 145:29, 153:8, 153:44 needed [6] - 30:43, 32:28, 32:35, 35:43, 78:13, 138:34 needs [17] - 16:43, 35:28, 44:15, 59:7, 59:19, 60:13, 79:9, 83:27, 85:19, 87:40, 87:43, 88:22, 100:38, 136:43, 136:45, 147:8 negative [3] - 98:16, 99:32, 99:38 neighbours [1] - 91:28 Neil [3] - 2:31, 123:4 NEIL [1] - 123:11 network [1] - 55:7 never [8] - 32:33, 36:32, 119:31, 128:19, 145:29, 149:10, 149:12, 155:20 new [14] - 10:24, 10:27, 11:33, 12:1, 28:29, 42:6, 53:11, 61:7, 144:4, 144:22, 145:43, 147:1, 156:36 New [3] - 4:39, 40:35, 60:30 next [17] - 11:29, 25:32, 31:13, 33:4, 36:7, 39:34, 49:36, 57:15, 57:37, 79:26, 84:47, 96:32, 133:36, 133:37, 136:42, 151:10, 151:14 nexus [3] - 38:9, 38:31, 58:32 NGOs [5] - 51:41, 51:44, 54:11, 56:39, 96:3 nice [1] - 125:13 night [6] - 59:3, 129:46, 136:9, 154:4, 157:38,</p>	<p>157:40 night's [1] - 108:31 nine [3] - 108:1, 108:3, 109:45 Ninety [1] - 145:16 no-one [2] - 20:26, 157:26 No.3 [1] - 111:18 nobody [1] - 19:24 nobody's [1] - 19:28 noise [1] - 159:35 nomenclature [1] - 96:11 nominate [1] - 124:35 non [10] - 5:17, 5:18, 5:25, 38:32, 52:7, 55:32, 107:25, 108:29, 110:45, 113:20 non-consent [1] - 55:32 non-government [4] - 107:25, 108:29, 110:45, 113:20 non-lethal [1] - 38:32 non-police [1] - 52:7 non-publication [3] - 5:17, 5:18, 5:25 none [2] - 91:2, 103:13 nonetheless [1] - 71:45 normal [12] - 24:32, 35:16, 41:31, 52:31, 56:40, 86:43, 105:12, 113:1, 122:8, 138:26, 149:9, 149:12 normally [10] - 89:41, 126:8, 126:18, 128:21, 130:45, 131:4, 137:31, 138:40, 156:26, 156:29 North [8] - 56:13, 82:9, 89:23, 97:17, 108:9, 112:34, 135:29, 154:44 north [2] - 135:35, 152:17 northern [1] - 112:16 notable [1] - 10:47 notably [1] - 71:24 notation [1] - 21:37 note [2] - 8:19, 101:1 notebook [1] - 91:18 nothing [4] - 97:27, 112:38, 121:43, 126:15 notice [11] - 2:7, 7:26,</p>	<p>19:19, 21:11, 31:36, 47:37, 55:45, 64:20, 83:20, 127:38, 130:6 noticed [5] - 3:4, 29:19, 40:36, 66:34, 146:43 notify [1] - 157:20 notifying [1] - 139:17 noting [1] - 137:19 notion [24] - 37:30, 45:26, 49:7, 50:2, 51:4, 51:39, 51:40, 52:25, 52:26, 53:37, 62:21, 62:36, 73:20, 73:26, 73:39, 74:41, 79:28, 80:31, 82:34, 86:38, 88:16, 89:20, 89:28, 120:25 notwithstanding [1] - 43:18 nowhere [1] - 150:30 nuances [4] - 32:35, 79:11, 92:1, 138:2 number [63] - 3:31, 3:44, 10:3, 10:11, 11:8, 11:10, 15:11, 16:31, 22:41, 24:1, 24:16, 27:20, 29:27, 30:35, 35:35, 36:28, 36:46, 37:45, 37:47, 38:13, 43:1, 45:16, 46:1, 46:5, 48:27, 51:43, 52:47, 53:33, 54:8, 55:31, 65:35, 65:43, 66:12, 66:26, 67:15, 67:31, 67:38, 69:15, 69:38, 69:44, 71:20, 73:29, 73:36, 74:2, 75:40, 95:40, 109:43, 110:9, 110:18, 113:29, 116:46, 119:22, 123:40, 124:29, 124:40, 124:41, 125:38, 128:32, 134:22, 138:28, 138:31 numbers [7] - 55:21, 65:18, 72:17, 74:22, 75:35, 114:36, 145:3 numerical [1] - 97:2</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>o'clock [1] - 157:41 O'Gorman [2] - 4:47, 142:11 O'GORMAN [67] - 1:26, 4:47, 5:21, 5:36, 5:45, 6:4, 6:16,</p>
---	--	---	---	--

<p>6:23, 6:35, 6:42, 7:6, 7:13, 7:18, 7:31, 7:39, 8:2, 8:7, 9:17, 14:26, 15:10, 20:42, 21:35, 23:12, 26:2, 39:13, 46:24, 52:9, 52:37, 52:43, 52:47, 61:41, 64:45, 66:2, 66:6, 68:22, 71:19, 78:18, 100:36, 101:1, 101:9, 101:14, 101:18, 101:22, 101:29, 105:4, 105:29, 106:46, 108:21, 122:36, 122:47, 123:4, 123:9, 123:13, 124:22, 134:6, 142:13, 142:24, 142:29, 145:12, 146:8, 147:12, 148:29, 152:7, 154:13, 159:20, 159:34, 159:42</p> <p>objection [1] - 6:37</p> <p>objectives [6] - 110:19, 111:32, 111:33, 111:34, 111:44, 111:46</p> <p>obligation [2] - 43:33, 43:38</p> <p>obligations [7] - 50:1, 51:36, 51:37, 63:46, 88:14, 121:3, 121:4</p> <p>obliged [1] - 148:17</p> <p>observation [1] - 39:42</p> <p>observations [1] - 90:44</p> <p>observe [3] - 125:18, 125:26, 145:24</p> <p>observed [1] - 126:45</p> <p>observing [1] - 30:13</p> <p>obtain [3] - 21:19, 97:35, 117:17</p> <p>obtained [3] - 2:18, 65:31, 68:29</p> <p>obvious [2] - 40:2, 50:18</p> <p>obviously [40] - 10:18, 42:44, 65:41, 87:41, 88:4, 99:13, 125:33, 131:5, 144:3, 144:24, 144:31, 145:29, 146:40, 147:6, 147:9, 147:24, 147:31, 147:34, 147:43, 148:17, 148:43,</p>	<p>149:25, 149:46, 150:31, 150:41, 151:11, 152:17, 152:19, 152:43, 153:1, 153:42, 153:47, 154:39, 154:41, 154:45, 155:8, 155:16, 157:45, 158:18, 158:30</p> <p>occasion [3] - 79:30, 83:47, 155:44</p> <p>occasional [1] - 126:14</p> <p>occasionally [2] - 124:31, 130:26</p> <p>occasions [4] - 24:18, 68:42, 137:25, 139:38</p> <p>occur [7] - 7:23, 53:40, 56:20, 98:41, 128:5, 133:42, 136:44</p> <p>occurred [11] - 40:26, 45:38, 51:26, 53:31, 73:1, 92:36, 125:47, 128:4, 129:34, 130:14, 143:5</p> <p>occurrence [9] - 109:35, 113:27, 127:9, 127:37, 128:4, 128:6, 128:40, 144:9, 146:47</p> <p>occurrences [20] - 46:21, 69:36, 70:33, 74:10, 108:25, 108:31, 117:4, 118:35, 125:47, 126:26, 126:35, 127:34, 127:39, 128:2, 130:13, 138:31, 143:28, 143:33, 146:18</p> <p>occurring [5] - 63:2, 86:42, 113:28, 113:38, 117:8</p> <p>October [2] - 120:38, 141:18</p> <p>odds [2] - 71:21, 73:27</p> <p>OF [2] - 1:3, 1:11</p> <p>off-hand [1] - 114:42</p> <p>offence [8] - 51:14, 69:13, 72:30, 75:31, 86:7, 87:35, 129:44, 147:41</p> <p>offences [33] - 15:43, 49:38, 49:40, 49:44, 50:3, 50:18, 51:10,</p>	<p>51:15, 51:18, 51:23, 51:26, 52:12, 68:24, 68:31, 68:32, 68:39, 68:47, 69:8, 69:23, 75:18, 76:33, 77:19, 77:40, 77:41, 77:45, 80:9, 99:13, 108:41, 129:34, 129:41, 147:4, 148:10, 153:4</p> <p>offend [1] - 150:19</p> <p>offender [2] - 18:22, 153:44</p> <p>offenders [13] - 18:17, 47:2, 50:8, 71:11, 85:23, 86:7, 129:39, 147:13, 147:22, 147:39, 147:46, 148:1, 149:26</p> <p>offending [3] - 130:6, 148:7, 149:7</p> <p>offer [1] - 103:17</p> <p>offered [4] - 3:36, 29:17, 81:25, 132:19</p> <p>office [8] - 14:12, 16:27, 33:35, 72:39, 96:6, 124:6, 128:12, 131:24</p> <p>Office [1] - 46:11</p> <p>officer [90] - 11:9, 13:22, 16:38, 18:47, 19:1, 19:3, 22:15, 22:19, 22:26, 23:15, 25:22, 25:23, 25:25, 25:31, 25:34, 26:45, 27:23, 33:35, 43:16, 48:26, 48:28, 48:34, 49:18, 51:31, 52:7, 59:35, 62:45, 64:13, 69:41, 79:39, 80:36, 82:4, 82:5, 87:21, 91:7, 91:24, 91:46, 92:31, 97:9, 99:45, 102:47, 104:32, 106:13, 109:4, 109:8, 109:10, 109:17, 109:24, 109:30, 109:32, 112:44, 113:1, 114:18, 114:24, 115:44, 116:8, 118:1, 118:3, 118:12, 122:18, 123:42, 123:47, 127:2, 127:25, 127:29, 127:32, 127:41, 127:44, 128:14, 128:20, 128:33, 135:30, 135:31, 135:42, 138:1, 142:31,</p>	<p>145:17, 145:28, 145:38, 145:44, 154:39, 156:2, 157:21, 157:32, 158:43</p> <p>officer's [1] - 128:2</p> <p>officers [249] - 2:13, 2:24, 2:42, 2:46, 3:2, 3:3, 3:19, 4:2, 4:4, 4:27, 13:8, 13:24, 16:30, 22:45, 23:33, 23:34, 23:40, 23:46, 24:4, 24:11, 24:13, 24:16, 26:32, 27:32, 28:24, 33:11, 34:33, 36:2, 36:3, 36:5, 39:5, 41:23, 41:41, 42:1, 42:20, 42:25, 42:28, 42:35, 43:20, 43:22, 43:34, 43:39, 43:45, 44:8, 44:12, 44:22, 44:27, 44:40, 44:41, 47:27, 47:29, 47:33, 47:41, 48:2, 48:20, 48:46, 49:4, 49:10, 49:23, 50:6, 50:16, 50:44, 52:14, 53:15, 53:45, 54:10, 54:31, 56:23, 57:2, 57:18, 57:29, 57:32, 57:41, 58:2, 58:24, 58:28, 58:31, 58:44, 59:10, 59:16, 59:20, 59:24, 59:28, 59:30, 60:1, 60:5, 60:18, 60:26, 60:38, 60:46, 61:13, 61:17, 61:21, 61:43, 62:7, 62:12, 62:26, 62:28, 62:31, 63:5, 63:9, 63:12, 63:24, 63:33, 63:44, 63:45, 68:23, 70:29, 70:31, 73:19, 74:5, 74:39, 76:38, 79:17, 79:27, 79:31, 79:36, 79:44, 80:40, 82:16, 82:17, 82:21, 82:26, 82:28, 82:35, 83:5, 83:37, 90:28, 90:37, 91:2, 91:15, 91:44, 92:19, 92:24, 93:4, 94:1, 94:12, 94:36, 97:38, 98:8, 98:14, 98:24, 99:22, 99:28, 99:36, 99:43, 99:46, 100:1, 102:19, 102:34, 102:38, 102:40, 103:2, 103:10, 103:18, 104:25, 104:27, 104:36, 104:44,</p>	<p>105:33, 105:41, 105:42, 106:11, 106:12, 106:13, 106:30, 107:27, 107:33, 108:2, 108:11, 108:13, 108:28, 109:28, 113:31, 114:21, 114:24, 116:40, 117:41, 117:42, 117:43, 117:44, 118:43, 120:12, 120:45, 121:2, 121:39, 122:10, 122:22, 124:28, 124:40, 125:20, 125:31, 125:32, 125:36, 125:40, 126:31, 126:47, 129:9, 130:9, 130:43, 130:44, 131:46, 132:14, 132:22, 132:47, 133:6, 133:18, 135:44, 143:11, 143:20, 143:32, 144:1, 144:4, 144:16, 144:23, 144:34, 144:43, 144:46, 145:7, 145:12, 145:26, 145:31, 145:39, 145:41, 146:9, 146:11, 146:14, 146:40, 146:43, 147:30, 147:44, 148:12, 150:34, 151:24, 152:11, 152:13, 153:16, 153:17, 153:27, 155:5, 156:28, 157:30, 157:45, 158:13, 158:26</p> <p>officers' [1] - 42:40</p> <p>often [17] - 17:29, 43:27, 51:1, 56:34, 62:20, 75:18, 89:39, 91:9, 119:42, 126:46, 129:43, 146:35, 148:1, 148:18, 148:47, 149:15, 157:35</p> <p>OIC [3] - 135:26, 145:20, 157:34</p> <p>OICs [3] - 131:1, 145:3, 152:38</p> <p>OLP [3] - 141:14, 141:26, 141:29</p> <p>on-line [13] - 6:27, 65:46, 127:30,</p>
--	--	---	--	--

<p>133:27, 134:45, 135:2, 140:18, 140:22, 140:25, 140:35, 140:39, 141:8, 141:12 once [14] - 2:38, 31:44, 35:15, 45:25, 52:12, 52:13, 58:3, 86:12, 103:7, 105:7, 107:17, 150:41, 152:24, 156:26 One [1] - 28:42 one [187] - 2:12, 6:47, 7:13, 7:26, 9:17, 11:23, 13:19, 14:13, 14:20, 14:23, 14:24, 16:37, 16:38, 17:34, 17:44, 18:13, 18:19, 18:47, 19:39, 20:5, 20:26, 20:29, 21:4, 21:25, 21:28, 21:46, 22:7, 25:21, 26:10, 26:42, 27:26, 28:23, 30:26, 32:4, 32:33, 33:30, 34:9, 34:43, 35:3, 36:14, 36:16, 38:5, 38:28, 38:36, 39:25, 39:31, 40:24, 41:9, 41:44, 42:5, 44:20, 44:37, 45:17, 45:22, 47:42, 48:5, 48:17, 50:2, 52:5, 53:30, 55:35, 55:47, 57:9, 57:18, 57:42, 58:10, 58:34, 58:42, 59:26, 59:36, 59:38, 59:42, 60:25, 60:28, 61:27, 65:45, 66:4, 66:25, 67:11, 67:33, 68:2, 68:38, 71:42, 74:18, 76:7, 76:19, 77:22, 77:23, 79:14, 79:29, 80:10, 80:21, 81:6, 81:9, 81:37, 83:17, 83:29, 83:47, 85:21, 85:38, 87:24, 88:38, 88:45, 89:7, 89:20, 89:27, 91:42, 92:11, 92:13, 92:17, 93:11, 95:7, 95:40, 96:4, 96:33, 96:38, 97:15, 97:46, 98:41, 99:41, 100:17, 104:18, 104:26, 105:6, 105:16, 105:29, 107:13, 108:5, 112:5, 112:43, 115:6, 115:43, 115:44, 116:29, 117:39, 119:4, 119:8,</p>	<p>119:15, 119:16, 119:38, 120:2, 120:20, 122:11, 123:43, 124:7, 124:27, 124:36, 125:20, 125:27, 126:11, 128:8, 128:19, 128:31, 130:22, 130:31, 131:33, 132:1, 132:19, 133:4, 133:13, 134:9, 135:34, 137:36, 137:42, 138:20, 143:43, 144:3, 145:17, 145:38, 147:1, 148:39, 148:43, 149:34, 150:21, 150:44, 152:44, 154:33, 155:34, 157:17, 157:26, 159:6 one's [2] - 14:17, 14:18 one-off [2] - 35:3, 93:11 one-stop [1] - 87:24 ones [12] - 20:37, 22:33, 39:2, 53:11, 55:31, 56:33, 96:9, 96:33, 127:41, 137:7, 156:16, 156:32 ongoing [23] - 15:29, 24:22, 24:29, 26:12, 26:37, 27:15, 34:2, 34:6, 34:11, 35:9, 35:16, 35:36, 35:41, 35:47, 36:3, 36:5, 36:11, 103:7, 114:46, 129:42, 131:10, 153:26, 154:10 online [8] - 2:12, 93:13, 93:28, 93:31, 93:32, 93:44, 94:33, 94:41 Ontario [1] - 96:7 open [6] - 43:46, 55:40, 60:43, 89:40, 89:44, 114:41 openly [1] - 60:46 openness [1] - 98:45 operate [9] - 12:37, 13:21, 22:17, 27:8, 56:29, 88:39, 95:47, 110:37, 130:17 operated [2] - 21:8, 56:24 operates [2] - 4:21,</p>	<p>123:39 operating [2] - 19:3, 119:28 operation [11] - 2:30, 49:2, 105:31, 107:23, 149:23, 149:24, 149:42, 149:43, 152:8, 152:11 operational [18] - 10:40, 12:25, 12:31, 25:9, 28:4, 31:16, 31:28, 34:19, 34:31, 41:16, 43:10, 43:37, 46:17, 51:31, 56:32, 78:2, 78:6, 103:15 operations [5] - 9:41, 10:1, 79:17, 121:5, 149:22 OPERATOR [3] - 9:13, 65:45, 66:4 operator [2] - 57:16, 65:34 opinion [2] - 147:47, 156:31 OPM [4] - 43:13, 43:14, 109:3, 109:12 opportunities [3] - 37:32, 52:31, 61:11 opportunity [10] - 38:17, 42:23, 43:47, 49:14, 73:20, 126:17, 137:26, 138:34, 149:33, 154:1 opposed [5] - 29:45, 45:28, 65:13, 112:16, 127:14 optimal [3] - 11:40, 138:11, 138:16 option [1] - 81:23 optional [1] - 135:8 options [5] - 54:13, 76:40, 78:2, 78:8, 132:19 oranges [1] - 71:34 order [28] - 4:43, 5:23, 5:32, 36:12, 48:42, 48:43, 58:1, 60:1, 62:37, 63:7, 63:9, 63:10, 64:21, 64:27, 66:40, 68:17, 68:19, 73:8, 75:45, 116:12, 133:1, 133:3, 134:42, 150:45, 151:4, 151:9, 151:44, 156:45 orders [20] - 3:10, 5:17, 7:44, 62:31, 62:32, 62:36, 62:42,</p>	<p>62:47, 63:5, 64:11, 66:33, 76:15, 150:5, 150:47, 151:13, 151:26, 151:27, 151:37, 151:38, 156:42 ORDERS [1] - 7:47 organic [1] - 42:5 organisation [16] - 6:6, 6:8, 6:10, 22:34, 42:29, 42:36, 46:22, 46:34, 58:33, 59:14, 59:15, 62:13, 105:37, 108:29, 113:20, 150:39 organisational [12] - 4:12, 9:9, 12:7, 13:32, 17:5, 26:3, 26:27, 59:22, 86:21, 101:2, 104:31, 105:24 ORGANISATIONAL [1] - 21:33 organisationally [1] - 119:32 organisations [6] - 3:20, 3:32, 59:10, 103:37, 107:25, 110:45 organised [6] - 29:29, 29:33, 37:17, 77:20, 77:28, 81:45 orientation [2] - 144:2, 144:6 oriented [1] - 39:18 originally [2] - 6:4, 10:4 origins [1] - 41:6 OST [2] - 79:29, 145:5 others' [1] - 42:41 otherwise [8] - 9:14, 29:25, 35:11, 43:34, 52:5, 68:46, 77:15, 115:21 ought [2] - 48:2, 49:42 ourselves [7] - 21:24, 46:12, 67:11, 128:27, 146:41, 156:27, 158:24 outcome [1] - 31:9 outcomes [4] - 49:31, 93:45, 95:42, 119:35 outgoing [1] - 28:29 outlines [1] - 47:19 output [1] - 76:4 outs [1] - 155:7 outside [10] - 27:12, 52:31, 56:40, 77:35, 103:13, 107:26, 130:47, 153:40,</p>	<p>159:32, 159:34 outstanding [1] - 83:41 overall [4] - 79:7, 104:19, 119:17, 157:14 overarching [1] - 121:23 overcome [5] - 88:42, 112:9, 112:19, 119:26, 154:30 overlooking [1] - 99:36 overrepresentation [1] - 4:14 overseeing [1] - 120:29 oversight [3] - 117:47, 123:28, 123:31 overtures [1] - 109:46 overview [3] - 13:42, 64:22, 158:15 own [16] - 9:34, 9:47, 11:33, 17:24, 25:19, 30:32, 46:36, 50:19, 73:31, 98:6, 98:27, 99:4, 116:14, 124:9, 127:33, 152:13 owned [4] - 10:34, 54:43, 54:46, 98:32 owner [3] - 19:47, 20:2, 56:5 owners [1] - 54:47 ownership [1] - 10:43 owning [1] - 34:7 owns [2] - 10:32, 98:30</p>
P				
<p>package [1] - 131:25 PAF [24] - 90:13, 90:46, 91:14, 91:16, 91:42, 91:46, 92:32, 92:37, 93:14, 93:22, 96:2, 127:25, 127:30, 127:37, 127:44, 127:47, 128:9, 128:35, 146:45, 146:47, 147:23, 158:39 PAFs [1] - 128:32 page [33] - 15:41, 24:41, 24:42, 24:43, 26:7, 26:8, 26:9, 26:26, 28:39, 30:26, 30:34, 47:17, 48:14, 48:15, 48:16, 49:35, 49:37, 49:40, 57:15, 78:40, 78:41, 83:13,</p>				

<p>84:46, 84:47, 110:11, 111:18, 111:20, 111:29, 116:4, 116:5, 117:33, 139:32</p> <p>pages [4] - 26:2, 121:15, 121:18, 136:10</p> <p>paint [1] - 16:35</p> <p>panels [1] - 21:5</p> <p>paper [3] - 139:8, 139:11, 151:38</p> <p>paperwork [3] - 4:40, 57:21, 60:27</p> <p>par [1] - 117:25</p> <p>paragraph [29] - 8:19, 8:29, 28:7, 28:13, 28:36, 28:37, 36:47, 40:10, 43:4, 55:7, 55:16, 56:46, 62:25, 62:29, 65:7, 65:14, 69:32, 69:33, 69:34, 71:7, 111:21, 111:25, 131:32, 131:43, 138:30, 139:32, 152:34, 153:31, 155:33</p> <p>paragraphs [2] - 36:47, 55:13</p> <p>parole [1] - 150:2</p> <p>part [74] - 7:9, 9:1, 11:47, 12:1, 16:1, 16:44, 25:40, 26:19, 31:47, 34:5, 34:7, 35:15, 36:33, 39:17, 40:23, 40:31, 42:43, 44:16, 44:17, 45:33, 48:25, 50:5, 50:33, 51:12, 53:27, 53:38, 58:43, 61:13, 64:30, 70:30, 71:1, 73:21, 73:34, 74:34, 74:35, 79:16, 79:23, 80:38, 82:35, 91:27, 95:9, 102:22, 103:46, 104:46, 112:10, 112:14, 112:18, 112:22, 113:17, 114:3, 114:8, 114:19, 114:25, 115:17, 116:9, 116:20, 116:22, 117:13, 117:38, 117:44, 121:31, 121:40, 121:47, 124:32, 126:24, 137:13, 140:25, 143:3, 151:13, 157:24</p> <p>part-time [2] - 121:40,</p>	<p>121:47</p> <p>partially [2] - 55:46, 85:31</p> <p>participant [1] - 114:34</p> <p>participate [5] - 38:14, 61:44, 62:2, 149:2, 155:17</p> <p>participation [1] - 61:42</p> <p>particular [32] - 3:25, 5:25, 17:21, 19:23, 25:30, 28:24, 36:6, 43:4, 44:30, 45:35, 48:1, 49:46, 64:11, 70:39, 72:13, 77:11, 81:16, 84:14, 85:18, 89:9, 91:10, 94:37, 107:30, 108:42, 115:39, 116:32, 117:4, 117:5, 117:35, 117:45, 123:28, 138:46</p> <p>particularly [24] - 10:8, 24:32, 29:27, 29:29, 32:4, 39:2, 41:47, 50:46, 51:14, 57:21, 60:7, 69:3, 72:47, 75:29, 75:30, 77:44, 80:28, 83:2, 84:7, 91:24, 100:2, 109:33, 119:23, 144:39</p> <p>particulars [1] - 5:18</p> <p>parties [13] - 6:26, 7:8, 7:22, 7:24, 7:26, 7:27, 7:32, 7:33, 65:40, 66:7, 111:7, 128:29, 136:31</p> <p>parties' [1] - 68:27</p> <p>partner [4] - 47:9, 63:30, 63:37, 150:26</p> <p>partnered [1] - 10:40</p> <p>partners [3] - 53:26, 56:6, 74:42</p> <p>partnership [6] - 12:18, 34:25, 53:19, 53:26, 61:2, 150:31</p> <p>partnerships [4] - 4:36, 55:2, 110:21, 110:44</p> <p>parts [12] - 50:45, 53:24, 53:36, 70:33, 77:2, 83:46, 88:32, 93:41, 112:34, 116:21, 116:26, 157:17</p> <p>partway [2] - 32:8, 45:10</p> <p>party [2] - 29:2,</p>	<p>128:31</p> <p>pass [3] - 94:42, 136:31, 136:47</p> <p>passages [1] - 40:17</p> <p>passed [1] - 46:19</p> <p>passionate [3] - 125:12, 125:13, 125:17</p> <p>past [9] - 23:8, 46:21, 61:23, 78:39, 80:38, 84:30, 91:16, 126:11, 157:38</p> <p>patch [1] - 85:19</p> <p>path [3] - 51:40, 88:21, 94:26</p> <p>pathway [1] - 83:19</p> <p>pathways [4] - 81:11, 81:16, 81:20, 154:26</p> <p>patrol [1] - 132:21</p> <p>Paul [2] - 3:18, 69:42</p> <p>pause [2] - 36:6, 120:33</p> <p>paused [2] - 34:3, 35:43</p> <p>pausing [1] - 92:34</p> <p>pay [1] - 142:41</p> <p>PCAP [1] - 54:46</p> <p>PCC [2] - 21:4, 22:8</p> <p>peers [1] - 57:30</p> <p>people [100] - 3:26, 16:8, 19:12, 19:43, 20:16, 21:6, 21:47, 22:10, 22:11, 22:18, 22:42, 24:17, 24:34, 27:27, 34:45, 37:10, 37:19, 37:26, 39:20, 40:30, 44:39, 45:11, 47:39, 48:5, 49:7, 50:45, 51:21, 51:44, 54:35, 54:36, 54:40, 59:41, 60:8, 62:21, 64:3, 73:29, 75:12, 75:26, 75:36, 75:40, 80:29, 81:11, 83:28, 88:11, 88:14, 89:4, 94:2, 96:12, 102:18, 104:8, 105:20, 118:20, 118:21, 119:39, 119:42, 124:28, 124:47, 125:7, 125:10, 125:12, 125:16, 125:21, 128:38, 128:46, 129:19, 129:39, 130:47, 133:11, 133:12, 134:15, 134:19, 134:22, 134:23, 135:7, 137:8, 137:30, 138:20,</p>	<p>138:21, 138:34, 142:2, 142:3, 144:26, 145:24, 146:11, 147:21, 148:39, 149:4, 149:9, 150:35, 151:15, 151:20, 151:26, 151:41, 151:47, 152:24, 152:30, 155:4, 157:10, 158:24</p> <p>People [1] - 54:46</p> <p>people's [1] - 21:18</p> <p>per [43] - 40:4, 50:15, 50:21, 50:22, 50:23, 54:45, 57:29, 57:30, 57:32, 57:34, 57:35, 58:1, 58:4, 59:1, 62:2, 68:42, 69:45, 71:9, 72:20, 72:26, 72:27, 72:35, 73:7, 73:13, 73:26, 74:28, 74:30, 74:36, 81:28, 82:37, 96:45, 108:5, 115:26, 137:46, 143:27, 143:33, 145:16, 146:20, 148:38, 150:16, 153:39</p> <p>perceived [2] - 154:29, 157:25</p> <p>percentage [4] - 72:19, 143:39, 143:40, 147:43</p> <p>percentages [1] - 148:7</p> <p>perception [3] - 62:9, 91:7, 113:22</p> <p>perceptions [2] - 99:32, 112:19</p> <p>perfect [1] - 145:8</p> <p>perform [3] - 110:17, 133:30, 135:25</p> <p>performance [11] - 33:35, 52:33, 58:41, 61:14, 61:29, 95:2, 95:4, 98:23, 117:45, 118:2, 118:16</p> <p>performed [1] - 105:43</p> <p>performing [1] - 127:34</p> <p>Perhaps [1] - 5:39</p> <p>perhaps [43] - 24:33, 28:23, 30:7, 31:31, 34:17, 45:36, 46:26, 49:40, 51:18, 58:40, 60:7, 63:20, 64:14, 67:22, 68:17, 79:21, 82:42, 83:44, 85:21,</p>	<p>85:43, 87:44, 88:2, 88:5, 91:38, 93:18, 94:16, 97:36, 98:45, 99:16, 113:4, 113:44, 114:14, 115:4, 116:31, 117:22, 119:19, 121:14, 125:43, 129:15, 131:1, 137:12, 138:33, 157:6</p> <p>period [13] - 3:45, 50:13, 66:15, 70:28, 70:35, 72:13, 73:12, 82:3, 101:44, 103:14, 112:29, 124:39, 130:18</p> <p>permanent [13] - 11:5, 11:8, 11:14, 11:16, 19:35, 19:36, 20:19, 22:42, 23:3, 123:41, 124:25, 129:37, 131:46</p> <p>permanently [9] - 11:20, 20:23, 20:31, 20:37, 22:9, 22:37, 23:10, 134:20</p> <p>permission [1] - 151:29</p> <p>permit [2] - 70:13, 70:38</p> <p>permitted [1] - 59:45</p> <p>perpetrated [1] - 63:44</p> <p>perpetrating [1] - 63:34</p> <p>perpetrator [8] - 38:38, 71:23, 72:29, 72:36, 100:8, 103:39, 148:41, 148:47</p> <p>perpetrators [7] - 73:13, 85:16, 121:26, 148:34, 148:37, 148:46, 149:11</p> <p>perpetuated [1] - 73:29</p> <p>Person [1] - 80:18</p> <p>person [40] - 19:35, 19:36, 21:46, 22:20, 25:20, 33:22, 35:11, 35:13, 35:26, 35:33, 35:40, 48:39, 51:15, 63:30, 64:26, 64:41, 83:30, 92:4, 94:34, 117:33, 125:5, 128:36, 128:44, 129:1, 129:8, 129:10, 129:13,</p>
---	---	--	---	--

<p>130:6, 130:8, 137:14, 137:38, 139:12, 148:4, 151:35, 152:44, 153:8, 155:15, 155:39, 158:17, 158:31 person-related [1] - 51:15 personally [4] - 42:27, 138:37, 141:37, 141:38 personnel [4] - 41:39, 59:10, 124:22, 125:29 Persons [3] - 26:4, 104:29, 104:47 persons [36] - 2:31, 8:21, 8:24, 8:31, 8:47, 9:3, 9:5, 9:23, 10:8, 13:14, 13:32, 13:46, 14:47, 27:31, 33:46, 57:7, 57:19, 82:2, 82:5, 94:34, 105:39, 107:24, 114:13, 115:13, 115:21, 115:23, 126:40, 129:37, 130:23, 130:30, 134:32, 134:41, 134:42, 134:43, 136:3, 138:47 perspective [12] - 2:45, 35:34, 37:32, 84:10, 88:38, 114:35, 131:20, 147:7, 150:12, 153:11, 153:39, 154:33 perspectives [1] - 96:13 pertinent [1] - 25:30 Peter [1] - 14:39 phase [5] - 33:5, 57:12, 57:27, 85:47, 151:14 phases [3] - 57:6, 96:31 philosophically [1] - 96:4 phone [13] - 23:46, 24:16, 26:31, 56:2, 89:47, 102:19, 127:12, 127:21, 137:37, 137:40, 137:44, 138:23, 158:22 phoned [1] - 137:30 phoning [1] - 137:45 phrase [2] - 118:19,</p>	<p>137:21 physical [8] - 60:10, 63:3, 88:30, 88:31, 95:13, 147:26, 147:33, 147:35 physically [6] - 58:44, 87:32, 90:37, 91:3, 102:18, 130:34 pick [3] - 45:4, 70:2, 158:8 picked [2] - 29:25, 50:22 picking [5] - 73:37, 111:16, 144:28, 144:29, 154:20 picture [1] - 16:35 pictured [2] - 15:41, 18:44 piece [4] - 67:17, 98:28, 139:8, 139:11 pieces [2] - 10:12, 91:32 pilot [8] - 53:31, 53:34, 53:43, 54:27, 99:10, 99:11, 114:4, 114:8 pilots [1] - 53:36 pinpoint [3] - 43:2, 48:13, 110:9 pivot [1] - 93:47 PJ [1] - 5:9 place [18] - 3:15, 5:29, 25:35, 43:33, 64:24, 64:41, 77:33, 79:35, 80:45, 86:28, 87:25, 100:26, 113:7, 113:14, 119:41, 133:8, 151:7, 155:23 placed [10] - 9:10, 12:30, 24:33, 24:44, 26:22, 30:18, 65:32, 77:35, 107:36, 153:22 placement [1] - 53:19 places [2] - 88:21, 89:24 plain [1] - 151:39 plan [11] - 2:20, 16:44, 17:35, 33:14, 39:4, 39:33, 39:34, 45:9, 79:24, 97:44, 111:47 planned [1] - 79:3 planning [6] - 17:3, 31:13, 31:47, 52:25, 82:36, 98:23 plans [6] - 33:3, 33:13, 33:23, 46:1, 54:18, 71:1 play [7] - 45:30, 55:22, 61:28, 73:21, 73:34,</p>	<p>147:31, 147:32 played [1] - 76:29 player [1] - 117:39 pleased [1] - 100:40 pocket [2] - 90:27, 90:31 pockets [3] - 40:30, 83:41, 84:7 point [67] - 8:39, 11:37, 12:8, 15:46, 34:43, 36:32, 36:38, 36:39, 43:44, 46:33, 50:26, 51:15, 58:46, 67:39, 72:38, 72:40, 72:43, 73:6, 73:33, 74:34, 74:45, 75:6, 76:47, 79:2, 81:26, 81:30, 81:31, 81:36, 82:26, 83:15, 83:44, 84:25, 84:47, 86:4, 86:10, 86:12, 88:37, 89:39, 91:29, 91:44, 92:39, 92:42, 107:19, 109:27, 109:30, 109:31, 109:32, 112:43, 113:13, 116:5, 117:33, 119:20, 121:9, 124:9, 128:39, 130:40, 131:28, 132:37, 136:39, 143:45, 144:20, 145:23, 151:44, 153:46, 156:23 point-in-time [1] - 91:44 pointed [1] - 16:18 points [12] - 48:33, 49:11, 58:30, 72:42, 72:45, 76:38, 76:41, 79:1, 80:8, 91:11, 91:12, 94:32 POLICE [1] - 1:11 police [259] - 2:3, 2:13, 2:19, 2:38, 2:43, 2:46, 3:2, 3:3, 3:4, 3:19, 3:27, 3:35, 3:36, 3:42, 4:11, 4:14, 4:25, 4:27, 4:35, 4:40, 8:22, 11:9, 11:18, 12:46, 13:12, 14:22, 14:23, 15:34, 16:1, 16:21, 23:29, 23:33, 23:34, 23:36, 23:40, 24:2, 24:15, 29:19, 33:11, 34:31, 34:34, 38:23, 41:39, 41:41, 41:46, 45:34, 45:39, 46:34,</p>	<p>47:33, 48:19, 48:26, 51:42, 51:46, 52:5, 52:7, 53:14, 54:3, 54:7, 55:6, 55:13, 56:23, 56:28, 56:44, 58:13, 58:24, 58:28, 58:31, 59:10, 60:26, 60:28, 60:41, 60:43, 60:46, 61:17, 61:20, 61:42, 61:43, 62:7, 62:30, 63:4, 63:9, 63:12, 63:24, 63:33, 63:36, 65:13, 65:15, 65:22, 65:24, 66:22, 66:41, 67:7, 67:10, 67:15, 67:23, 68:5, 68:12, 68:13, 68:23, 68:26, 68:37, 68:40, 68:42, 68:45, 71:12, 71:24, 72:16, 72:19, 72:29, 72:37, 73:14, 73:30, 73:31, 74:5, 74:23, 74:29, 74:30, 75:1, 75:5, 75:7, 75:25, 75:32, 76:12, 76:14, 76:25, 77:16, 79:6, 79:17, 79:44, 80:13, 80:23, 80:36, 81:3, 82:4, 82:5, 82:41, 83:20, 85:37, 85:41, 86:38, 87:21, 87:30, 87:41, 88:4, 88:5, 88:14, 88:17, 88:20, 88:43, 89:11, 89:42, 89:43, 90:2, 90:4, 90:12, 90:37, 92:19, 92:30, 94:32, 94:46, 95:38, 97:16, 98:11, 99:28, 99:45, 99:46, 100:1, 102:8, 102:14, 102:18, 102:25, 102:29, 103:38, 104:25, 104:27, 104:36, 105:32, 105:41, 105:42, 106:6, 106:14, 108:36, 110:20, 112:26, 112:30, 112:33, 112:38, 112:44, 113:1, 113:24, 113:25, 113:31, 113:32, 113:46, 114:21, 114:24, 114:27, 119:12, 119:23, 119:26, 120:11, 120:44, 120:45, 121:8, 121:24, 125:33, 126:25, 126:31, 126:32, 126:46,</p>	<p>127:35, 127:38, 129:9, 129:43, 129:47, 130:9, 130:46, 132:42, 132:43, 132:47, 133:3, 133:6, 133:7, 133:11, 135:29, 135:31, 136:29, 138:1, 144:9, 146:30, 146:42, 148:4, 150:6, 150:12, 150:34, 150:38, 152:22, 152:47, 153:2, 154:29, 154:35, 154:36, 155:5, 155:20, 155:24, 155:34, 155:40, 155:44, 155:47, 156:2, 157:21, 157:27, 158:29 Police [29] - 2:5, 2:25, 2:27, 3:7, 3:47, 4:3, 4:18, 5:6, 5:10, 8:44, 11:26, 12:30, 27:28, 28:8, 28:14, 53:32, 54:1, 59:18, 62:26, 66:26, 77:38, 104:39, 105:14, 105:21, 111:32, 112:42, 113:10, 135:23, 139:31 police-lodged [1] - 66:22 police-y [1] - 132:43 policies [7] - 42:19, 43:11, 43:43, 46:35, 50:10, 88:39, 113:31 policing [21] - 3:19, 3:23, 4:12, 4:37, 9:4, 9:24, 9:46, 10:8, 10:22, 10:39, 60:5, 64:47, 88:4, 106:22, 113:26, 114:18, 116:34, 119:31, 125:39, 133:20, 141:26 policy [17] - 12:40, 16:38, 17:3, 19:1, 19:2, 40:45, 41:16, 43:7, 43:28, 70:21, 80:42, 81:22, 81:29, 92:40, 93:1, 114:27, 146:25 PONI [1] - 4:31 poor [3] - 57:22, 152:47, 157:28 poorly [1] - 154:39 popped [1] - 115:29 popular [1] - 150:14</p>
--	---	--	---	--

<p>populated [1] - 3:24</p> <p>portfolio [16] - 10:1, 15:15, 15:19, 15:39, 15:42, 16:20, 16:29, 16:32, 17:31, 22:4, 23:20, 23:21, 26:30, 77:15, 106:15, 122:11</p> <p>portfolios [6] - 15:12, 15:40, 16:20, 17:18, 27:13, 27:14</p> <p>portion [4] - 57:18, 58:30, 111:1, 151:3</p> <p>position [55] - 7:40, 11:23, 13:29, 14:1, 14:3, 14:11, 14:23, 14:26, 14:28, 14:32, 14:36, 14:37, 15:1, 15:2, 15:6, 15:7, 15:28, 16:36, 18:47, 19:2, 19:27, 19:35, 19:40, 19:46, 20:3, 21:47, 22:37, 25:26, 26:21, 28:26, 46:27, 52:11, 52:19, 77:33, 101:41, 103:8, 104:27, 106:5, 106:47, 107:5, 107:9, 107:11, 108:45, 108:47, 109:13, 112:46, 115:28, 115:37, 117:31, 121:38, 122:5, 123:15, 142:32, 143:8</p> <p>positions [79] - 11:4, 11:9, 11:10, 11:15, 11:16, 11:18, 11:20, 12:46, 13:3, 13:7, 13:42, 13:44, 16:10, 16:30, 16:31, 18:44, 19:5, 19:9, 19:13, 19:39, 20:7, 20:16, 20:17, 20:23, 20:26, 20:27, 20:36, 20:38, 20:43, 21:12, 21:42, 21:45, 22:5, 22:8, 22:32, 22:39, 22:41, 22:42, 23:1, 23:7, 23:9, 23:14, 23:19, 23:32, 24:22, 24:46, 25:5, 25:14, 26:10, 26:11, 26:28, 26:29, 26:36, 26:41, 26:44, 26:45, 27:20, 27:37, 28:28, 33:30, 33:32, 36:28, 45:17, 102:8, 102:17, 105:6, 105:41, 123:23, 125:1, 143:10,</p>	<p>143:11, 143:14, 143:16, 143:47, 144:19, 144:22, 144:26</p> <p>positive [8] - 4:36, 43:33, 43:38, 125:42, 145:32, 150:15, 151:32, 152:31</p> <p>possibility [1] - 97:6</p> <p>possible [5] - 44:11, 51:32, 115:9, 133:13, 159:37</p> <p>possibly [9] - 51:21, 76:43, 77:37, 84:4, 126:10, 144:44, 154:6, 156:33, 157:7</p> <p>post [2] - 61:6, 76:46</p> <p>postcode [1] - 112:7</p> <p>postdates [1] - 9:38</p> <p>postgraduate [3] - 84:43, 84:44, 93:36</p> <p>posts [1] - 47:40</p> <p>potential [8] - 40:3, 63:25, 69:30, 77:7, 80:42, 102:27, 108:32, 129:33</p> <p>potentiality [2] - 72:45, 75:31</p> <p>potentially [5] - 63:10, 66:46, 73:18, 102:35, 113:1</p> <p>power [4] - 46:32, 76:40, 77:34, 149:4</p> <p>PPN [8] - 48:41, 49:9, 49:14, 50:7, 50:9, 92:39, 92:44, 133:2</p> <p>PPNs [4] - 98:6, 132:43, 155:37, 156:13</p> <p>practical [9] - 8:26, 40:46, 42:20, 49:4, 49:20, 89:19, 112:19, 127:28, 146:26</p> <p>practicality [1] - 18:3</p> <p>practice [25] - 38:26, 39:39, 40:42, 40:43, 40:46, 42:24, 46:7, 50:5, 52:16, 52:31, 60:13, 77:40, 89:18, 92:23, 95:5, 95:16, 99:17, 107:21, 107:42, 129:14, 129:18, 129:47, 156:36, 157:13</p> <p>practices [5] - 3:23, 42:6, 50:10, 117:7, 129:17</p> <p>pragmatically [1] -</p>	<p>94:25</p> <p>praises [1] - 145:27</p> <p>precipitated [1] - 10:10</p> <p>precisely [5] - 44:33, 44:34, 113:9, 114:2, 114:7</p> <p>predate [1] - 28:16</p> <p>predated [1] - 40:21</p> <p>predating [3] - 29:4, 41:8, 97:44</p> <p>predictive [3] - 18:14, 18:16, 85:42</p> <p>predominantly [3] - 47:1, 108:2, 126:32</p> <p>preface [1] - 71:13</p> <p>prefer [1] - 94:9</p> <p>preferable [1] - 11:36</p> <p>preferred [1] - 115:33</p> <p>pregnant [1] - 150:26</p> <p>preliminary [2] - 57:27, 60:23</p> <p>preparation [3] - 69:43, 120:28, 120:29</p> <p>prepare [2] - 21:24, 138:25</p> <p>prepared [3] - 120:20, 120:25, 158:14</p> <p>preparedness [1] - 93:3</p> <p>preparing [1] - 83:6</p> <p>prerequisites [1] - 105:5</p> <p>presence [2] - 61:4, 113:37</p> <p>present [12] - 8:18, 33:24, 36:23, 37:46, 49:39, 50:18, 61:30, 68:35, 69:40, 83:29, 85:38, 118:18</p> <p>presently [8] - 21:42, 23:2, 27:22, 35:13, 36:10, 109:42, 121:15, 142:35</p> <p>press [1] - 39:11</p> <p>pressed [1] - 39:8</p> <p>pressure [1] - 57:22</p> <p>pressured [1] - 122:22</p> <p>pressures [3] - 45:26, 75:32, 93:31</p> <p>presume [1] - 157:20</p> <p>pretending [1] - 83:39</p> <p>pretty [6] - 126:15, 128:16, 131:2, 134:2, 156:34</p> <p>prevent [4] - 8:23, 45:4, 70:32, 117:7</p> <p>preventing [2] - 73:21, 112:38</p>	<p>prevention [3] - 45:47, 110:20, 150:17</p> <p>previous [18] - 4:11, 11:32, 22:31, 25:21, 40:23, 40:24, 58:7, 102:46, 108:26, 108:30, 108:31, 126:33, 126:34, 126:37, 128:2, 128:4, 130:14, 150:22</p> <p>previously [12] - 9:24, 9:30, 10:29, 14:28, 29:5, 71:11, 123:21, 125:32, 128:32, 128:41, 128:45, 150:1</p> <p>primarily [3] - 24:31, 68:11, 87:35</p> <p>primary [6] - 13:23, 41:4, 42:24, 99:22, 99:26, 118:38</p> <p>principal [1] - 16:38</p> <p>principally [1] - 31:10</p> <p>priorities [6] - 17:1, 17:9, 38:34, 44:31, 44:33, 46:14</p> <p>prioritise [4] - 2:20, 45:18, 69:20, 70:11</p> <p>prioritised [2] - 44:29, 44:38</p> <p>priority [1] - 44:35</p> <p>prison [8] - 148:46, 149:11, 150:10, 150:15, 150:28, 150:39, 150:40, 151:27</p> <p>prisoners [1] - 150:14</p> <p>prisons [2] - 149:24, 150:25</p> <p>privacy [1] - 155:14</p> <p>private [20] - 65:13, 65:16, 65:22, 66:22, 66:26, 66:37, 66:41, 67:6, 67:14, 67:16, 67:20, 67:29, 67:38, 68:4, 68:18, 75:28, 130:4, 150:39, 155:13</p> <p>privately [1] - 76:16</p> <p>privy [1] - 86:43</p> <p>proactively [4] - 23:39, 23:44, 102:25, 108:39</p> <p>probable [1] - 57:33</p> <p>probation [1] - 150:2</p> <p>problem [9] - 47:15, 75:46, 76:5, 76:22, 112:8, 130:21, 143:45, 156:4,</p>	<p>158:33</p> <p>problematic [1] - 91:6</p> <p>problems [3] - 110:43, 115:4, 152:27</p> <p>procedural [2] - 95:16, 100:23</p> <p>procedures [15] - 3:9, 12:40, 42:6, 42:20, 43:10, 43:37, 43:43, 45:29, 49:2, 49:33, 70:21, 88:40, 110:20, 121:5, 124:43</p> <p>proceeding [2] - 50:4, 68:43</p> <p>proceedings [1] - 83:20</p> <p>PROCEEDINGS [1] - 1:3</p> <p>process [44] - 2:8, 7:39, 15:29, 16:2, 17:35, 20:22, 20:40, 22:38, 23:9, 31:42, 32:8, 32:13, 32:46, 33:1, 33:33, 33:43, 34:5, 34:10, 35:7, 38:26, 41:31, 50:7, 56:20, 56:38, 56:41, 62:3, 69:26, 81:23, 83:28, 97:43, 98:19, 102:46, 105:12, 105:34, 108:27, 113:17, 114:31, 115:40, 150:38, 151:14, 153:3, 156:19, 156:23, 158:36</p> <p>processes [8] - 44:17, 45:29, 46:35, 54:47, 81:10, 99:26, 129:46, 136:44</p> <p>prodged [1] - 91:31</p> <p>produce [1] - 2:8</p> <p>product [1] - 141:8</p> <p>products [1] - 93:13</p> <p>profess [1] - 37:12</p> <p>professional [1] - 64:23</p> <p>proficiency [3] - 79:17, 79:35, 94:13</p> <p>profile [1] - 45:37</p> <p>program [8] - 79:23, 79:25, 84:21, 93:8, 93:11, 94:34, 103:3, 140:35</p> <p>programs [5] - 38:38, 61:12, 148:41, 148:42, 148:47</p> <p>progress [3] - 10:13, 33:20, 120:35</p>
---	---	--	--	--

<p>prohibit [1] - 5:23 prohibiting [1] - 7:44 PROHIBITING [1] - 7:47 project [26] - 4:1, 22:14, 22:18, 22:20, 22:25, 23:14, 25:22, 25:23, 25:25, 25:31, 25:34, 26:44, 26:45, 27:22, 31:10, 33:38, 33:41, 35:15, 35:29, 35:44, 36:6, 36:10, 57:6, 59:38, 104:32, 104:44 Projects [1] - 56:14 promote [1] - 38:17 promoted [1] - 14:34 prompt [1] - 137:15 proof [1] - 42:38 properly [12] - 51:17, 51:19, 75:45, 76:30, 81:4, 81:31, 95:24, 114:11, 127:15, 132:31, 137:40, 156:19 proportion [5] - 58:12, 65:12, 65:21, 74:41, 143:38 propose [1] - 7:24 proposed [1] - 150:3 proposition [1] - 117:21 propositions [1] - 117:36 prosecute [3] - 99:29, 153:44, 155:37 prosecution [4] - 3:7, 84:19, 155:37, 156:23 prosecutions [5] - 84:12, 84:15, 102:8, 155:34, 155:41 prosecutor [1] - 156:3 prosecutors [8] - 83:16, 83:25, 83:37, 84:3, 84:20, 84:28, 84:31, 156:40 protecting [1] - 88:5 Protection [1] - 114:28 protection [14] - 48:42, 48:43, 64:20, 66:33, 82:16, 83:20, 85:30, 98:12, 100:8, 110:32, 127:38, 140:40, 140:47, 141:13 protective [1] - 90:16 protracted [1] - 156:23</p>	<p>proven [1] - 62:47 provide [34] - 2:15, 23:45, 24:12, 26:19, 43:19, 57:26, 59:4, 65:38, 65:42, 65:47, 68:15, 69:46, 75:33, 82:43, 84:24, 93:3, 101:35, 104:7, 110:22, 110:26, 114:26, 116:44, 117:17, 117:24, 121:8, 129:7, 131:44, 132:3, 132:8, 132:34, 135:23, 137:4, 143:27, 156:21 PROVIDED [1] - 7:4 provided [27] - 2:7, 6:44, 7:6, 21:15, 21:17, 21:36, 26:19, 28:17, 60:24, 64:5, 65:46, 66:6, 66:11, 66:30, 74:7, 74:26, 91:35, 101:32, 115:14, 116:7, 116:12, 116:25, 116:31, 116:32, 117:37, 136:2, 139:4 provider [4] - 56:7, 72:18, 139:5 providers [13] - 32:31, 32:32, 53:15, 55:14, 55:15, 55:17, 55:29, 55:39, 56:32, 56:40, 104:3, 148:34, 148:36 Providers [1] - 55:35 provides [4] - 108:33, 109:12, 114:33, 124:28 providing [9] - 64:1, 86:35, 102:28, 106:37, 113:18, 117:10, 119:34, 119:45, 132:13 proximity [1] - 99:6 psychological [12] - 56:47, 57:31, 57:41, 60:4, 94:23, 134:1, 139:43, 140:1, 140:35, 141:18, 141:22, 141:32 psychologically [1] - 58:44 psychologist [1] - 64:36 psychology [2] - 135:13, 135:16 PTS [1] - 58:2 PTSD [2] - 57:33,</p>	<p>59:17 public [6] - 2:1, 3:13, 3:15, 105:25, 133:20, 149:8 publically [1] - 5:27 PUBLICATION [1] - 7:47 publication [6] - 5:17, 5:18, 5:24, 5:25, 7:44, 52:13 publicly [1] - 5:34 published [2] - 5:26, 5:34 pudding [1] - 42:38 pulled [2] - 78:33, 90:32 purely [1] - 76:25 purple [1] - 26:28 purports [1] - 47:47 purpose [8] - 8:20, 8:25, 11:43, 35:29, 85:24, 99:27, 101:4, 136:28 purposes [9] - 8:19, 16:14, 41:43, 49:39, 68:32, 68:35, 101:45, 109:9, 116:14 pursuant [1] - 152:11 pursue [3] - 50:47, 51:2, 51:30 pursued [3] - 5:39, 6:17, 50:44 pursuing [2] - 49:9, 50:6 purview [1] - 53:3 put [20] - 12:14, 28:36, 35:4, 39:1, 44:26, 47:40, 50:19, 64:40, 76:30, 78:8, 100:26, 110:8, 117:32, 128:3, 132:20, 132:47, 138:23, 145:14, 147:5, 156:13 puts [1] - 64:24 putting [7] - 43:42, 45:21, 92:28, 112:46, 131:24, 145:43, 151:37</p>	<p>QPRIME [10] - 24:8, 66:30, 67:42, 70:30, 92:32, 127:1, 127:34, 144:9, 157:19, 158:14 QPRIME" [1] - 80:10 QPS [40] - 9:9, 11:35, 12:17, 12:24, 18:21, 26:19, 26:38, 27:3, 27:16, 28:44, 28:46, 43:10, 43:13, 44:6, 46:2, 46:20, 48:46, 57:19, 71:27, 75:36, 76:32, 78:14, 92:22, 103:33, 103:45, 110:19, 110:41, 111:47, 112:1, 114:20, 114:33, 114:35, 114:36, 117:16, 124:23, 130:40, 132:2, 139:34, 145:10, 149:20 qualifications [3] - 93:36, 102:44, 105:4 qualified [3] - 112:39, 152:26, 154:46 quality [12] - 20:15, 36:15, 36:19, 36:23, 36:29, 69:26, 71:2, 80:28, 80:33, 81:32, 109:22, 117:37 quantify [2] - 150:18, 152:38 quantum [1] - 104:20 quarterly [2] - 37:35, 37:37 Queen's [1] - 5:4 QUEENSLAND [1] - 1:11 Queensland [57] - 2:5, 2:25, 2:27, 3:7, 3:18, 3:47, 4:3, 4:18, 5:6, 5:9, 5:14, 8:22, 8:44, 9:27, 12:36, 13:12, 15:35, 24:2, 26:18, 27:28, 28:8, 28:14, 45:46, 46:11, 47:3, 59:18, 60:33, 62:18, 66:14, 66:25, 68:29, 74:10, 76:10, 87:24, 96:15, 96:16, 97:18, 98:32, 100:4, 104:13, 104:39, 105:13, 105:21, 111:32, 112:15, 112:16, 112:34, 112:41, 113:10, 117:15, 120:13, 120:44, 152:18,</p>	<p>154:44, 156:10, 156:44 queries [1] - 124:11 questioning [1] - 99:37 questions [53] - 8:13, 8:25, 12:15, 21:17, 23:34, 26:9, 31:22, 40:18, 46:24, 46:26, 48:12, 52:10, 65:11, 68:22, 78:18, 81:13, 83:33, 85:3, 86:19, 90:37, 91:3, 91:21, 100:12, 100:36, 101:34, 102:20, 109:37, 111:5, 111:7, 114:13, 114:16, 115:16, 118:33, 122:32, 124:13, 128:22, 128:26, 129:25, 134:7, 136:14, 137:15, 139:25, 142:13, 152:7, 152:33, 153:9, 153:46, 154:14, 154:20, 156:43, 159:14, 159:16, 159:18 quick [4] - 7:31, 37:19, 44:27, 133:29 quickly [5] - 17:29, 24:12, 70:19, 136:45, 156:34 quite [25] - 16:40, 18:25, 27:8, 46:44, 60:8, 62:20, 67:16, 69:10, 71:21, 86:15, 91:33, 98:35, 115:9, 117:25, 124:42, 125:43, 129:43, 138:31, 146:35, 148:1, 148:18, 149:15, 150:39, 156:18, 157:34 Quite [1] - 148:47 QUT [2] - 84:38, 131:17</p>
Q				
		<p>QAO [2] - 46:8, 46:10 QC [1] - 1:26 Qlite [6] - 45:19, 85:8, 92:32, 102:36, 102:38 Qlites [4] - 44:39, 90:42, 91:13, 91:17</p>		<p style="text-align: center;">R</p> <p>radar [2] - 73:36, 73:37 radio [2] - 23:45, 24:35 raise [2] - 38:47, 93:28 raised [6] - 39:13, 49:6, 71:31, 71:33, 83:18, 84:2 raises [2] - 62:37,</p>

73:19 raising [2] - 73:25, 73:33 randomly [1] - 97:14 range [13] - 34:31, 45:25, 54:12, 58:41, 60:5, 62:15, 102:39, 103:12, 117:6, 117:15, 117:17, 117:18, 122:26 rank [5] - 14:20, 14:22, 106:26, 106:33, 142:41 ranking [1] - 30:47 ranks [2] - 25:28, 25:29 rapes [2] - 153:6, 158:21 rapport [1] - 119:27 rare [1] - 127:16 rarely [2] - 127:8, 138:40 rate [6] - 4:6, 32:2, 61:43, 68:23, 105:32, 154:47 rates [1] - 51:14 Rathdowney [1] - 89:22 rather [23] - 22:11, 30:38, 32:37, 39:18, 43:22, 43:27, 56:35, 67:6, 72:26, 73:1, 74:39, 84:16, 86:7, 88:21, 95:14, 107:31, 113:25, 121:14, 129:15, 150:13, 151:42, 154:36, 156:20 ratio [1] - 65:21 rationale [4] - 29:26, 43:41, 66:32, 99:3 re [7] - 15:29, 87:39, 99:23, 99:29, 144:34, 150:19, 151:25 re-accreditation [1] - 15:29 re-educate [1] - 144:34 re-explain [1] - 151:25 re-offend [1] - 150:19 re-prosecute [1] - 99:29 re-traumatise [2] - 87:39, 99:23 reach [2] - 127:31, 145:29 reached [3] - 71:37, 71:38, 128:15 reaching [1] - 71:39	reactive [1] - 149:5 Read [1] - 3:8 read [8] - 43:9, 43:28, 72:23, 121:15, 127:43, 151:41, 151:43, 151:46 readily [2] - 70:2, 144:15 reading [6] - 57:27, 111:27, 128:23, 136:42, 146:46, 157:19 ready [3] - 86:1, 90:27, 123:5 real [8] - 19:14, 23:38, 24:34, 45:27, 59:6, 95:16, 97:7, 97:18 real-time [4] - 23:38, 24:34, 97:7, 97:18 realise [1] - 76:18 realities [2] - 89:19, 112:20 reality [3] - 49:12, 71:31, 86:28 really [45] - 20:8, 22:33, 27:2, 36:27, 39:19, 39:25, 41:41, 44:15, 67:17, 69:10, 74:45, 75:38, 76:32, 76:41, 77:22, 77:25, 78:38, 86:15, 88:26, 89:24, 89:37, 91:11, 91:43, 99:37, 101:36, 113:31, 117:12, 118:18, 120:34, 125:11, 125:25, 126:20, 130:15, 137:20, 138:40, 144:23, 145:1, 145:9, 150:5, 150:31, 151:38, 152:45, 156:45 realms [1] - 138:41 reason [13] - 10:31, 19:37, 22:22, 32:33, 62:23, 73:25, 84:14, 92:41, 98:34, 113:4, 142:22, 155:10, 158:6 reasons [5] - 63:39, 98:35, 99:3, 112:25, 119:22 recalled [1] - 100:38 receive [5] - 7:26, 105:23, 107:22, 113:33, 156:18 received [5] - 2:2, 17:31, 48:30, 86:14, 131:46 receiving [1] - 102:32	recent [7] - 10:3, 42:10, 42:27, 45:33, 71:10, 74:37, 109:46 recently [7] - 15:8, 23:14, 49:7, 49:47, 53:1, 87:36, 107:34 reckoner [1] - 90:27 recognise [8] - 47:28, 61:29, 69:11, 75:21, 79:43, 83:26, 92:1, 139:47 recognised [12] - 21:23, 28:14, 40:25, 40:44, 52:26, 69:13, 73:18, 77:38, 81:1, 84:8, 92:12 recognises [3] - 28:8, 41:47, 60:47 recognising [9] - 47:24, 51:4, 54:7, 61:22, 69:26, 70:10, 75:20, 82:46, 93:16 recognition [1] - 107:33 recollection [1] - 120:9 recommend [1] - 87:1 recommendation [4] - 39:30, 87:14, 87:19, 89:7 recommendations [17] - 2:16, 46:2, 46:17, 54:22, 76:44, 79:15, 85:22, 85:26, 87:11, 89:8, 92:13, 93:19, 95:36, 95:37, 95:40, 120:5, 144:42 record [9] - 48:47, 55:38, 59:30, 73:30, 90:40, 90:46, 113:41, 118:39, 149:30 recorded [13] - 4:39, 48:37, 49:31, 51:11, 72:43, 73:8, 80:10, 82:31, 98:39, 99:5, 114:3, 114:8, 118:39 recording [4] - 5:29, 50:17, 91:17, 128:14 recourse [3] - 106:40, 117:14, 121:4 recruited [1] - 103:18 recruiting [1] - 112:39 recruitment [1] - 2:35 recruits [1] - 2:36 rectify [2] - 126:45, 127:8 Red [1] - 38:29 red [5] - 19:30, 19:47, 20:37, 57:22	reduction [2] - 4:40, 67:20 refer [12] - 27:43, 36:46, 42:21, 56:44, 114:23, 123:20, 136:41, 146:35, 146:41, 149:14, 150:41, 152:42 reference [13] - 8:13, 10:11, 21:41, 37:35, 38:16, 41:38, 43:2, 48:13, 68:27, 93:13, 99:32, 110:10, 124:10 references [2] - 49:30, 81:3 referral [15] - 55:7, 55:14, 56:36, 56:38, 80:18, 81:10, 81:16, 81:19, 81:23, 81:25, 128:46, 154:3, 154:25, 154:28 referralling [1] - 108:37 referrals [20] - 15:34, 16:1, 16:2, 16:3, 16:21, 55:42, 56:1, 56:20, 56:40, 68:13, 77:16, 81:21, 104:17, 114:30, 114:33, 114:36, 146:39, 146:42, 154:22 referred [18] - 13:13, 31:43, 80:23, 86:9, 90:16, 92:5, 101:2, 103:40, 104:31, 113:24, 115:5, 115:8, 115:9, 128:46, 130:39, 147:14, 156:29, 158:12 referring [7] - 29:1, 68:27, 71:37, 81:11, 82:11, 85:7, 85:27 refers [1] - 47:42 reflective [2] - 52:16, 125:19 reform [7] - 97:35, 97:47, 98:20, 98:26, 98:27, 98:34, 100:24 reforms [2] - 140:40, 140:47 refuse [1] - 148:18 regard [6] - 2:30, 3:46, 38:7, 64:5, 70:15, 71:13 regardless [1] - 64:26 regime [2] - 62:18, 118:2	region [4] - 29:6, 37:15, 50:2, 117:46 regional [12] - 3:16, 3:21, 9:4, 9:24, 9:46, 17:22, 34:32, 37:14, 56:12, 56:16, 88:34, 100:3 Regional [2] - 3:18, 9:27 regions [3] - 10:41, 36:2, 61:14 register [2] - 85:27, 85:30 regression [1] - 116:15 regular [5] - 15:42, 36:12, 83:4, 83:47, 121:13 regularly [3] - 62:20, 84:3, 87:1 reinforce [1] - 51:9 relate [6] - 7:19, 65:11, 69:7, 69:12, 102:26, 109:34 related [17] - 16:20, 23:41, 46:21, 47:8, 49:38, 51:15, 68:39, 70:28, 72:10, 74:2, 74:37, 76:33, 80:9, 85:34, 108:41, 143:27, 150:24 relates [5] - 16:2, 67:29, 72:12, 77:9, 86:3 relating [4] - 44:44, 57:21, 63:43, 81:2 relation [35] - 2:19, 2:40, 3:42, 4:9, 5:24, 11:35, 27:15, 41:29, 47:12, 49:5, 52:12, 54:31, 58:14, 62:29, 64:13, 66:18, 68:29, 69:22, 75:37, 95:30, 102:20, 102:21, 105:31, 105:32, 109:37, 110:27, 117:18, 128:35, 130:41, 139:42, 139:43, 142:36, 149:38, 151:29, 153:29 relationship [13] - 17:45, 18:11, 18:12, 35:24, 51:40, 56:11, 56:15, 63:31, 67:10, 117:3, 125:38, 149:9, 149:13 relationships [6] - 47:4, 54:10, 56:28, 56:31, 56:35, 56:39
--	---	--	--	---

<p>relative [1] - 10:46 relatively [7] - 14:12, 15:8, 28:23, 43:24, 98:3, 112:28, 121:7 release [3] - 22:45, 48:35, 150:10 released [2] - 150:22, 150:41 relevant [12] - 4:9, 43:10, 43:12, 43:36, 47:4, 53:20, 56:6, 56:32, 85:16, 86:13, 98:25, 101:36 relied [2] - 71:26, 71:47 relieve [1] - 19:44 relieved [2] - 146:14, 152:4 relieving [14] - 15:6, 19:34, 19:37, 19:39, 20:3, 20:39, 20:44, 21:7, 21:47, 22:6, 22:33, 41:7, 69:40, 144:2 reluctance [4] - 68:46, 91:30, 98:37, 100:32 reluctant [1] - 50:46 rely [4] - 27:30, 85:41, 149:31, 149:34 relying [2] - 71:47, 74:33 remain [2] - 18:46, 42:5 remainder [1] - 111:5 remained [2] - 11:12 remaining [3] - 31:31, 63:21, 114:41 remains [2] - 76:9, 76:31 remember [5] - 33:36, 61:38, 90:22, 140:29, 140:32 remit [1] - 76:32 remote [5] - 3:16, 3:19, 3:21, 88:34, 112:34 removed [1] - 20:28 renamed [1] - 123:29 repeat [5] - 70:29, 70:35, 116:47, 147:12, 147:22 repeated [1] - 99:23 repeating [2] - 43:27, 43:28 replace [3] - 106:10, 120:43, 120:47 replaced [1] - 147:18 replacement [2] - 76:35, 76:37 replicate [2] - 47:44,</p>	<p>121:7 report [31] - 2:16, 10:17, 10:18, 12:38, 13:25, 13:44, 45:37, 45:46, 57:28, 58:19, 60:23, 60:25, 63:37, 71:15, 74:38, 75:27, 77:42, 80:14, 90:10, 90:41, 98:43, 108:37, 108:40, 113:33, 126:33, 127:35, 127:38, 127:43, 136:34, 137:3 reported [11] - 48:28, 51:14, 51:19, 60:26, 64:21, 77:45, 91:5, 109:24, 147:4, 148:10, 155:35 reporting [11] - 10:36, 59:16, 74:22, 75:11, 87:36, 117:27, 127:25, 127:29, 127:32, 128:33, 147:10 reports [15] - 14:27, 46:5, 46:8, 46:13, 58:10, 113:28, 113:30, 118:35, 122:15, 124:47, 126:36, 127:36, 128:13, 149:18, 157:37 represent [1] - 26:2 representation [2] - 10:21, 27:2 representative [3] - 16:31, 38:40, 103:32 representatives [4] - 37:8, 39:14, 124:4, 152:15 request [2] - 57:36, 102:13 requesting [1] - 145:15 requests [4] - 17:8, 17:22, 18:1, 131:6 require [7] - 65:6, 90:36, 99:44, 106:37, 108:24, 109:28, 128:38 required [21] - 54:32, 63:12, 70:29, 90:39, 90:45, 92:32, 92:37, 92:38, 92:40, 92:45, 92:46, 93:1, 105:5, 107:8, 111:30, 115:45, 117:34, 126:21, 141:44, 148:33</p>	<p>requirement [10] - 48:21, 80:30, 80:43, 81:28, 96:46, 107:13, 107:18, 107:20, 131:10, 131:11 requirements [2] - 98:10, 110:38 requires [3] - 48:46, 82:11, 121:19 requiring [1] - 118:7 research [37] - 15:22, 15:46, 15:47, 16:21, 16:29, 16:31, 16:33, 16:38, 16:41, 16:46, 17:2, 17:4, 17:5, 17:16, 17:18, 17:31, 18:5, 18:8, 18:40, 19:3, 19:8, 21:44, 21:45, 34:15, 34:16, 42:13, 42:19, 46:30, 52:29, 52:30, 59:22, 59:47, 60:18, 68:14, 69:27, 77:11, 117:34 researchers [1] - 16:37 researches [1] - 27:6 residence [1] - 118:30 residential [1] - 5:28 resolved [1] - 115:7 resource [5] - 31:13, 33:3, 34:27, 76:6, 93:38 resourced [2] - 73:40, 136:4 resources [35] - 11:44, 11:45, 24:31, 30:9, 33:18, 34:45, 35:43, 44:31, 45:2, 45:16, 46:4, 53:39, 60:28, 60:31, 69:37, 70:12, 70:38, 70:44, 74:2, 75:26, 75:32, 75:43, 75:44, 77:10, 77:22, 77:24, 77:27, 82:42, 89:30, 109:14, 110:5, 110:42, 112:15, 137:8 resourcing [9] - 35:28, 59:45, 70:21, 110:41, 112:11, 112:13, 112:22, 112:26, 119:11 respect [58] - 15:47, 21:12, 23:32, 24:23, 27:4, 28:10, 28:13, 33:43, 35:42, 36:9, 40:17, 42:40, 50:4, 52:11, 55:30, 63:46,</p>	<p>65:25, 68:33, 71:30, 72:24, 75:42, 80:7, 80:41, 84:46, 86:19, 87:10, 89:7, 89:13, 90:31, 90:36, 92:17, 93:25, 94:32, 94:45, 111:17, 112:4, 114:12, 114:30, 114:39, 115:13, 115:14, 115:31, 115:32, 115:42, 119:14, 120:2, 120:18, 121:10, 126:46, 131:43, 132:18, 135:11, 135:19, 135:23, 135:41, 156:42, 157:9, 157:11 respecting [1] - 51:34 respectively [1] - 141:19 respects [3] - 40:36, 82:25, 95:11 respond [22] - 2:27, 8:23, 10:29, 13:9, 30:4, 30:33, 31:7, 45:35, 45:43, 62:14, 70:18, 78:14, 82:35, 87:40, 112:43, 112:45, 120:46, 125:34, 137:32, 152:42, 154:42, 155:20 responded [6] - 24:20, 58:13, 58:32, 64:29, 145:19, 150:32 respondent [12] - 48:23, 48:38, 48:40, 49:5, 49:15, 83:21, 149:2, 155:40, 156:1, 156:21, 156:29, 156:45 respondents [6] - 48:47, 63:25, 151:18, 152:13, 157:2 responder [12] - 53:6, 53:37, 56:15, 79:44, 82:21, 99:18, 119:28, 119:33, 119:37, 119:44, 130:27, 153:38 responders [5] - 13:23, 57:46, 58:8, 59:39, 150:4 responding [16] - 10:23, 23:35, 39:33, 40:38, 41:42, 42:1, 43:20, 49:18, 57:1, 60:37, 61:18, 74:29,</p>	<p>75:1, 83:8, 121:10, 126:31 responds [1] - 59:14 response [54] - 3:5, 4:5, 4:12, 10:41, 12:26, 12:42, 15:4, 24:26, 24:30, 26:16, 27:3, 27:16, 27:28, 29:30, 41:39, 42:15, 43:7, 64:47, 76:37, 82:25, 86:39, 88:27, 90:12, 93:18, 94:28, 106:22, 109:23, 113:6, 113:7, 117:24, 117:47, 118:6, 119:12, 119:32, 119:39, 125:30, 126:25, 126:46, 132:34, 133:9, 133:20, 136:11, 136:14, 136:29, 138:11, 138:16, 147:14, 147:16, 150:16, 152:31, 152:47, 153:36, 155:27 responses [21] - 11:42, 12:17, 12:24, 17:37, 26:38, 28:2, 34:19, 34:31, 59:9, 84:9, 90:11, 91:40, 110:22, 112:6, 113:47, 114:15, 116:21, 116:24, 116:25, 137:16, 157:14 RESPONSES [1] - 1:12 responsibilities [5] - 42:41, 102:22, 121:25, 121:43, 122:11 responsibility [21] - 25:4, 25:41, 34:7, 34:23, 34:30, 36:21, 36:33, 37:13, 41:4, 44:10, 52:14, 52:20, 54:45, 63:43, 64:6, 98:31, 106:15, 109:4, 112:2, 112:4, 123:32 responsible [9] - 13:47, 29:6, 46:1, 54:36, 56:18, 98:28, 106:21, 120:28, 123:27 rest [3] - 24:37, 64:17, 111:1 resting [1] - 35:17 restricted [1] - 105:40</p>
--	--	--	---	--

<p>rests [7] - 10:41, 12:43, 34:32, 38:45, 46:3, 63:46, 76:11</p> <p>result [5] - 12:29, 15:30, 30:12, 53:34, 159:1</p> <p>resulted [1] - 29:17</p> <p>resulting [1] - 36:28</p> <p>results [10] - 3:46, 60:22, 60:25, 60:31, 93:22, 149:1, 150:18, 152:38, 152:45, 153:9</p> <p>resume [2] - 63:14, 64:14</p> <p>retain [2] - 12:25, 105:37</p> <p>retained [1] - 66:24</p> <p>retaining [1] - 144:20</p> <p>retaliatory [1] - 149:5</p> <p>retired [2] - 2:24, 3:3</p> <p>return [4] - 15:7, 31:14, 68:22, 150:28</p> <p>review [42] - 41:33, 47:6, 59:37, 65:23, 65:46, 66:27, 67:2, 71:14, 71:43, 72:1, 72:5, 72:12, 73:11, 86:47, 90:26, 96:6, 96:44, 97:4, 108:24, 118:8, 118:9, 118:10, 118:12, 118:14, 118:41, 125:46, 127:30, 130:5, 137:21, 137:22, 137:34, 143:32, 146:17, 146:19, 146:26, 148:3, 156:1, 156:4, 157:35, 158:6, 158:13</p> <p>Review [2] - 72:28, 73:11</p> <p>reviewed [5] - 48:29, 117:44, 133:36, 133:38, 146:23</p> <p>reviewing [4] - 97:16, 109:23, 128:12, 136:29</p> <p>reviews [11] - 52:33, 61:14, 117:45, 118:16, 118:19, 118:26, 118:27, 118:34, 143:27, 156:28</p> <p>revised [1] - 121:23</p> <p>revisit [3] - 5:39, 43:47, 93:17</p> <p>revisiting [1] - 93:22</p> <p>Ribbon [3] - 15:25,</p>	<p>15:29, 16:22</p> <p>rich [1] - 50:25</p> <p>RICHARDS [1] - 1:19</p> <p>richness [1] - 85:41</p> <p>right-hand [4] - 23:16, 78:42, 81:37, 83:15</p> <p>rights [1] - 75:13</p> <p>rigorous [2] - 18:30, 18:37</p> <p>rigorously [1] - 61:9</p> <p>ring [3] - 140:36, 153:9, 155:46</p> <p>rise [1] - 65:6</p> <p>risk [106] - 11:17, 12:35, 25:12, 26:11, 26:14, 29:30, 36:16, 36:24, 45:3, 64:25, 64:41, 65:2, 65:25, 69:25, 69:31, 71:3, 81:5, 85:2, 85:16, 86:20, 86:24, 86:29, 86:35, 90:10, 90:11, 90:12, 90:40, 90:41, 91:40, 91:44, 92:2, 92:3, 92:5, 92:7, 92:14, 92:28, 93:5, 93:6, 93:20, 95:30, 95:46, 96:2, 96:43, 100:1, 103:29, 103:41, 104:12, 104:16, 104:26, 104:28, 104:45, 105:31, 105:40, 105:42, 108:29, 108:32, 108:38, 113:7, 114:16, 114:17, 114:34, 114:39, 114:41, 114:45, 115:6, 117:23, 117:28, 118:46, 119:19, 126:39, 127:10, 127:24, 127:31, 128:15, 128:20, 128:21, 128:34, 128:36, 128:42, 129:24, 129:38, 129:40, 132:44, 135:12, 135:19, 135:44, 135:45, 136:15, 136:16, 136:22, 136:38, 136:39, 136:40, 136:43, 136:46, 137:32, 137:36, 139:4, 139:12, 146:34, 147:18, 147:23, 147:32, 157:18, 158:4, 159:6</p> <p>risks [4] - 18:6, 18:9,</p>	<p>65:6, 75:41</p> <p>risky [1] - 155:4</p> <p>road [6] - 9:3, 9:24, 9:46, 60:11, 130:27, 132:21</p> <p>robust [2] - 40:29, 71:2</p> <p>role [54] - 8:39, 8:40, 12:39, 19:24, 22:25, 22:26, 23:33, 24:23, 25:30, 25:32, 33:21, 35:16, 40:31, 42:44, 44:16, 46:47, 61:28, 63:4, 76:28, 88:4, 102:43, 103:19, 106:7, 107:5, 107:17, 107:39, 108:14, 109:18, 109:20, 116:14, 122:11, 123:29, 125:2, 125:45, 126:22, 127:34, 129:31, 129:42, 130:25, 130:29, 130:35, 133:13, 133:31, 135:41, 137:13, 137:42, 138:18, 147:32, 158:15, 158:36, 158:37, 158:43</p> <p>role-specific [1] - 107:5</p> <p>roles [6] - 14:24, 22:24, 25:28, 26:12, 105:43, 107:34</p> <p>roll [3] - 103:12, 153:21, 153:22</p> <p>roll-out [2] - 153:21, 153:22</p> <p>rolled [7] - 2:42, 18:20, 53:2, 53:11, 82:7, 96:31, 96:32</p> <p>rolling [2] - 31:47, 53:24</p> <p>rollout [2] - 29:9, 99:4</p> <p>Roma [1] - 29:43</p> <p>room [7] - 6:11, 52:5, 84:18, 120:21, 120:35, 136:13, 153:30</p> <p>Rose [1] - 38:29</p> <p>rosier [1] - 16:35</p> <p>rotate [2] - 144:3, 144:16</p> <p>rotated [4] - 134:37, 143:21, 143:47, 145:8</p> <p>rotates [1] - 125:26</p> <p>rotating [6] - 59:41, 143:25, 143:32,</p>	<p>144:24, 145:13, 145:31</p> <p>rotation [8] - 124:29, 125:15, 128:26, 129:38, 134:10, 134:19, 144:33, 145:20</p> <p>rotational [2] - 124:25, 125:5</p> <p>rotations [3] - 144:23, 144:47, 145:36</p> <p>roughly [1] - 138:31</p> <p>routinely [1] - 62:14</p> <p>row [3] - 55:26, 55:33, 67:28</p> <p>rows [2] - 55:23, 55:31</p> <p>royal [1] - 40:39</p> <p>RSPCA [1] - 17:45</p> <p>run [1] - 141:3</p> <p>running [3] - 124:40, 149:22, 149:44</p> <p>rural [1] - 100:3</p> <p>Ruth [1] - 4:47</p> <p>RUTH [1] - 1:26</p>	<p>scenarios [2] - 114:1, 119:8</p> <p>scene [2] - 91:17, 102:29</p> <p>scored [2] - 57:29, 57:30</p> <p>scratching [1] - 50:45</p> <p>screen [10] - 12:14, 13:31, 65:47, 78:34, 83:14, 88:24, 106:38, 111:16, 115:29, 117:32</p> <p>scrutiny [1] - 97:1</p> <p>se [3] - 40:4, 54:45, 115:26</p> <p>search [1] - 121:18</p> <p>second [24] - 18:5, 24:41, 24:42, 24:43, 26:9, 55:26, 57:9, 57:12, 69:33, 76:27, 77:42, 83:15, 84:47, 100:17, 111:21, 111:25, 112:18, 116:4, 125:36, 135:14, 150:44, 156:17, 157:24, 158:35</p> <p>secondary [1] - 113:13</p> <p>seconded [10] - 15:3, 16:39, 18:45, 19:4, 19:5, 31:11, 33:39, 33:44, 35:14, 35:33</p> <p>secondly [2] - 44:24, 159:5</p> <p>secondment [1] - 142:44</p> <p>seconds [1] - 9:14</p> <p>section [2] - 55:41, 98:24</p> <p>sections [1] - 80:32</p> <p>sector [6] - 37:9, 38:19, 39:14, 92:15, 95:46, 144:35</p> <p>sectors [1] - 95:43</p> <p>security [1] - 39:5</p> <p>see [92] - 3:36, 7:8, 7:24, 7:34, 9:25, 9:28, 9:38, 13:41, 13:43, 14:8, 15:10, 16:30, 17:47, 19:1, 21:38, 22:3, 25:12, 25:14, 26:30, 32:4, 32:18, 33:36, 34:42, 35:16, 36:9, 36:18, 36:22, 37:42, 41:19, 43:5, 43:45, 46:38, 48:27, 51:12, 55:9, 55:16, 55:21, 65:14, 65:17, 66:20, 76:23,</p>
S				
			<p>sad [1] - 45:38</p> <p>safe [5] - 129:10, 137:8, 155:11, 155:23, 155:25</p> <p>safely [1] - 28:31</p> <p>safer [2] - 129:10, 129:11</p> <p>safest [3] - 129:26, 129:27</p> <p>Safety [12] - 10:17, 16:39, 18:45, 19:6, 45:41, 53:12, 54:23, 58:11, 71:32, 71:44, 74:7, 74:27</p> <p>safety [9] - 71:38, 87:22, 87:23, 104:8, 104:45, 119:35, 120:12, 129:8, 146:34</p> <p>salary [1] - 105:23</p> <p>sat [5] - 8:45, 9:3, 9:24, 9:30, 136:8</p> <p>satisfaction [2] - 57:23, 57:34</p> <p>satisfied [1] - 57:34</p> <p>savings [1] - 99:27</p> <p>saw [5] - 39:4, 40:43, 44:35, 120:38, 150:27</p> <p>Scanlon [1] - 64:4</p> <p>scarce [1] - 44:31</p> <p>scenario [3] - 44:45, 88:6, 137:28</p>	

<p>76:37, 77:3, 79:2, 79:21, 80:22, 85:18, 92:13, 95:6, 100:7, 101:38, 102:6, 106:41, 106:43, 110:10, 111:20, 119:40, 119:42, 119:44, 123:41, 124:23, 124:35, 126:35, 127:44, 127:46, 128:45, 130:21, 132:27, 136:35, 137:3, 137:35, 138:1, 138:2, 142:21, 147:34, 148:1, 148:3, 148:11, 150:11, 151:20, 152:4, 152:45, 153:23, 153:25, 154:35, 154:38, 156:7, 157:32, 158:32</p> <p>seeing [12] - 34:18, 42:14, 59:12, 61:28, 67:13, 67:16, 67:20, 78:10, 78:11, 98:44, 119:28, 128:2</p> <p>seek [8] - 6:46, 21:18, 22:29, 43:15, 49:4, 68:18, 80:29, 99:23</p> <p>seeking [2] - 39:2, 102:43</p> <p>seem [6] - 48:14, 71:22, 98:3, 98:10, 98:15, 144:15</p> <p>selected [1] - 21:5</p> <p>self [7] - 31:6, 31:42, 31:44, 35:3, 35:13, 91:5, 139:44</p> <p>self-assessment [4] - 31:6, 31:42, 35:3, 35:13</p> <p>self-care [1] - 139:44</p> <p>self-diagnosed [1] - 31:44</p> <p>self-reported [1] - 91:5</p> <p>send [9] - 126:44, 127:4, 127:5, 127:13, 144:43, 147:6, 148:2, 148:12, 154:3</p> <p>sending [3] - 127:10, 127:12, 136:41</p> <p>senior [18] - 19:1, 19:2, 22:14, 22:19, 22:24, 22:41, 25:35, 25:45, 27:23, 58:47, 60:43, 69:42,</p>	<p>104:30, 106:33, 123:42, 123:46, 152:39</p> <p>sense [8] - 8:26, 18:7, 55:44, 56:27, 85:17, 108:38, 117:28, 146:26</p> <p>sent [5] - 2:11, 4:3, 145:41, 157:39, 157:43</p> <p>sentence [1] - 69:33</p> <p>separate [8] - 59:38, 66:35, 85:9, 85:10, 94:28, 105:10, 106:19, 129:42</p> <p>separately [2] - 25:39, 71:43</p> <p>separating [1] - 88:43</p> <p>September [4] - 9:9, 30:15, 141:18, 149:44</p> <p>Sergeant [8] - 2:31, 2:32, 3:8, 123:4, 134:9, 142:21, 150:43, 159:23</p> <p>sergeant [22] - 3:8, 22:14, 22:19, 22:25, 23:24, 25:45, 27:23, 69:42, 104:30, 106:26, 123:15, 123:42, 131:29, 139:31, 142:14, 142:17, 142:25, 142:31, 146:37, 150:44, 159:20</p> <p>sergeant's [2] - 123:29, 143:8</p> <p>sergeants [2] - 25:35, 123:43</p> <p>sergeants' [1] - 22:41</p> <p>series [3] - 65:11, 68:28, 104:47</p> <p>serious [14] - 75:8, 75:18, 75:21, 76:33, 77:19, 77:28, 99:13, 129:40, 129:44, 130:5, 153:4, 155:4, 158:3</p> <p>seriously [4] - 4:29, 50:26, 69:9, 147:45</p> <p>serve [1] - 76:13</p> <p>SERVICE [2] - 1:12, 7:4</p> <p>service [102] - 3:35, 4:26, 4:30, 10:33, 10:34, 10:37, 16:47, 17:25, 19:43, 22:30, 24:2, 24:31, 29:17, 29:19, 29:20, 29:21, 29:45, 30:8, 32:31,</p>	<p>32:32, 33:7, 38:26, 40:27, 40:45, 41:46, 42:2, 42:42, 45:34, 48:19, 53:15, 53:18, 55:14, 55:29, 55:39, 56:1, 56:2, 56:7, 56:14, 56:40, 58:2, 58:13, 59:5, 59:11, 59:37, 59:39, 63:21, 67:22, 70:28, 70:29, 70:35, 72:18, 74:29, 74:43, 75:25, 75:33, 76:20, 79:9, 80:33, 81:22, 81:29, 82:42, 83:9, 88:19, 88:35, 89:32, 89:47, 93:39, 95:38, 97:21, 97:35, 97:36, 98:2, 98:5, 99:43, 102:25, 104:3, 105:25, 112:8, 116:47, 124:6, 124:9, 124:19, 125:37, 128:47, 131:47, 136:2, 138:12, 138:16, 139:5, 146:45, 148:34, 148:36, 152:18, 153:40, 155:19, 155:20, 155:36, 155:46, 156:30, 159:2</p> <p>Service [32] - 2:5, 2:25, 2:27, 3:7, 3:47, 4:3, 4:19, 5:6, 5:14, 6:43, 6:45, 7:20, 7:23, 8:22, 8:45, 28:8, 28:14, 37:25, 38:40, 59:19, 66:26, 80:22, 83:19, 104:39, 105:14, 105:22, 111:32, 112:42, 113:10, 120:45, 135:23, 154:23</p> <p>Service's [1] - 27:28</p> <p>services [21] - 3:21, 10:40, 17:6, 60:5, 71:24, 76:30, 82:45, 87:39, 104:7, 112:8, 116:32, 116:34, 119:14, 128:27, 132:38, 137:6, 148:39, 149:31, 149:46, 152:25, 153:32</p> <p>servicing [5] - 2:24, 2:43, 3:2, 4:27, 100:4</p> <p>session [1] - 41:35</p>	<p>set [10] - 24:11, 48:33, 49:11, 49:20, 58:29, 60:23, 77:22, 96:11, 110:10, 135:26</p> <p>sets [5] - 18:16, 24:5, 30:26, 38:43, 48:25</p> <p>setting [8] - 72:30, 73:1, 73:19, 76:39, 93:44, 131:47, 135:27, 150:35</p> <p>settings [1] - 89:17</p> <p>seven [4] - 15:40, 95:38, 127:6, 145:38</p> <p>several [4] - 43:25, 115:1, 117:46, 118:11</p> <p>sex [6] - 18:17, 18:21, 18:27, 86:7, 87:35</p> <p>sexual [8] - 17:37, 17:39, 18:12, 60:10, 77:40, 77:45, 77:47, 119:30</p> <p>shall [2] - 5:34, 78:21</p> <p>share [4] - 91:32, 103:38, 103:41, 145:33</p> <p>shared [1] - 86:14</p> <p>sharing [13] - 26:20, 86:15, 86:25, 86:28, 86:34, 86:44, 86:46, 87:7, 87:10, 105:34, 135:11, 138:45, 146:33</p> <p>sheer [3] - 58:43, 59:27, 76:18</p> <p>sheet [2] - 4:4, 151:38</p> <p>shift [22] - 24:15, 42:13, 50:43, 59:1, 59:3, 86:39, 107:43, 108:2, 108:22, 109:29, 125:26, 125:45, 126:12, 126:19, 130:15, 130:17, 130:26, 138:32, 157:31, 157:38, 157:42, 158:19</p> <p>shoots [1] - 98:44</p> <p>shop [1] - 87:24</p> <p>short [4] - 45:28, 50:13, 101:44, 144:42</p> <p>SHORT [1] - 52:45</p> <p>shorthand [1] - 109:38</p> <p>shortly [3] - 40:17, 93:25, 97:19</p> <p>show [3] - 6:45, 47:7, 72:10</p> <p>shown [4] - 6:30, 14:3,</p>	<p>21:22, 121:30</p> <p>shows [1] - 68:36</p> <p>side [10] - 9:26, 13:44, 17:21, 23:16, 23:20, 25:21, 26:42, 81:37, 133:12, 137:43</p> <p>sides [1] - 56:16</p> <p>siege [2] - 150:23, 150:24</p> <p>Sierra [1] - 15:4</p> <p>sign [1] - 7:44</p> <p>signatures [1] - 98:4</p> <p>signed [1] - 100:24</p> <p>significant [23] - 3:44, 4:39, 18:20, 27:15, 34:16, 46:30, 50:42, 51:13, 57:45, 62:46, 68:45, 70:33, 73:16, 73:17, 74:18, 74:34, 76:28, 86:16, 112:14, 112:29, 114:35, 119:25, 119:29</p> <p>significantly [1] - 122:22</p> <p>silos [1] - 16:26</p> <p>similar [5] - 29:10, 53:36, 60:4, 151:10, 153:37</p> <p>similarly [6] - 25:34, 26:36, 46:4, 52:28, 60:33, 95:45</p> <p>simple [11] - 42:34, 42:37, 44:11, 44:13, 44:21, 44:27, 47:27, 98:3, 108:36, 121:27</p> <p>simpler [3] - 43:45, 44:42, 98:27</p> <p>simplification [1] - 43:19</p> <p>simplify [1] - 43:23</p> <p>simply [12] - 7:24, 14:20, 44:25, 46:35, 46:44, 62:9, 75:42, 76:34, 77:12, 80:17, 105:39, 121:6</p> <p>singing [1] - 145:27</p> <p>single [4] - 45:42, 79:18, 110:34, 138:13</p> <p>single-focused [1] - 45:42</p> <p>sit [14] - 2:22, 12:32, 12:46, 14:7, 16:26, 25:23, 77:17, 102:18, 135:30, 139:13, 151:21, 151:43, 152:1, 155:16</p> <p>sits [7] - 9:39, 13:40,</p>
---	---	---	---	---

<p>14:11, 14:27, 18:4, 79:28, 94:25</p> <p>sitting [10] - 13:41, 23:40, 26:46, 30:34, 52:5, 67:33, 90:43, 118:14, 126:12, 128:12</p> <p>situ [2] - 82:14, 91:15</p> <p>situation [17] - 82:24, 91:35, 108:33, 113:2, 114:23, 117:24, 119:39, 121:15, 128:3, 128:28, 129:2, 129:5, 136:9, 139:3, 154:6, 155:4, 155:22</p> <p>situational [1] - 90:45</p> <p>situations [1] - 102:27</p> <p>six [34] - 6:44, 11:24, 12:28, 12:45, 21:3, 22:43, 26:30, 26:36, 50:22, 65:28, 70:28, 70:35, 102:8, 102:14, 126:37, 127:6, 134:10, 134:15, 143:16, 143:20, 143:21, 143:26, 143:47, 144:4, 144:5, 144:45, 145:4, 145:6, 145:8, 145:37, 145:45, 146:1, 146:4, 146:41</p> <p>six-month [2] - 70:28, 70:35</p> <p>sixteen [1] - 2:23</p> <p>sizes [1] - 13:21</p> <p>skewed [1] - 47:9</p> <p>skill [3] - 18:15, 24:11, 83:10</p> <p>skilled [2] - 83:3, 87:45</p> <p>skills [3] - 24:6, 83:1, 145:6</p> <p>sleep [1] - 59:4</p> <p>slight [2] - 29:36, 79:38</p> <p>slightly [4] - 16:14, 29:11, 74:40, 85:24</p> <p>slower [1] - 146:38</p> <p>small [12] - 11:8, 11:10, 14:13, 27:7, 27:19, 28:23, 37:47, 45:11, 45:16, 46:3, 75:39</p> <p>smaller [1] - 13:19</p> <p>smallest [1] - 67:31</p> <p>Smudge [1] - 4:38</p> <p>SN [1] - 5:5</p> <p>social [25] - 54:3,</p>	<p>87:44, 89:10, 89:29, 89:33, 89:45, 90:4, 93:6, 112:39, 112:40, 112:47, 113:17, 113:25, 118:44, 118:47, 119:1, 119:18, 119:30, 122:26, 131:19, 133:9, 154:26, 154:40, 158:36</p> <p>society [1] - 46:33</p> <p>sociological [1] - 46:36</p> <p>solely [2] - 76:32, 119:31</p> <p>solution [3] - 77:8, 130:21, 133:14</p> <p>solutions [2] - 110:44, 130:22</p> <p>someone [23] - 20:43, 22:6, 33:42, 52:15, 54:34, 64:36, 80:12, 88:44, 103:7, 107:17, 112:7, 115:3, 119:10, 125:35, 125:37, 134:36, 136:41, 137:28, 137:46, 138:42, 150:36, 150:44, 155:24</p> <p>sometimes [27] - 17:9, 19:38, 29:21, 45:38, 51:37, 66:35, 86:42, 89:28, 91:33, 125:5, 125:27, 125:40, 126:9, 127:2, 128:2, 130:25, 133:23, 134:17, 138:20, 138:26, 154:28, 156:9, 156:18, 156:22, 157:18, 157:39, 158:3</p> <p>somewhat [1] - 57:35</p> <p>somewhere [6] - 29:42, 67:33, 74:30, 78:13, 115:8, 155:13</p> <p>soon [8] - 53:2, 54:28, 57:27, 65:35, 115:6, 133:26, 136:39, 148:2</p> <p>sophisticated [1] - 96:47</p> <p>sophistication [1] - 30:32</p> <p>sorry [41] - 11:47, 14:43, 15:44, 16:16, 19:15, 23:8, 23:10, 25:18, 38:7, 39:4, 46:11, 48:14, 48:29,</p>	<p>54:5, 63:27, 67:28, 82:27, 86:8, 86:13, 88:15, 89:9, 92:12, 96:38, 98:39, 100:21, 104:34, 105:19, 107:47, 108:19, 111:17, 114:11, 116:22, 117:31, 118:20, 122:28, 134:41, 140:20, 146:39, 147:42, 150:43, 155:30</p> <p>Sorry [2] - 14:17, 140:31</p> <p>sort [31] - 10:35, 19:25, 28:22, 29:42, 32:21, 34:37, 36:19, 42:14, 43:44, 46:12, 46:19, 52:4, 60:6, 61:5, 62:34, 64:39, 69:5, 70:21, 74:39, 77:1, 84:17, 89:1, 93:46, 99:17, 99:38, 131:14, 132:23, 134:22, 153:7, 156:7, 158:16</p> <p>sorted [1] - 51:43</p> <p>sorts [4] - 73:42, 98:20, 114:1, 136:22</p> <p>sought [4] - 99:11, 102:12, 102:45, 107:35</p> <p>sound [1] - 39:45</p> <p>sounding [1] - 38:20</p> <p>source [2] - 109:33, 118:38</p> <p>sources [1] - 74:33</p> <p>south [8] - 29:6, 29:42, 37:16, 50:1, 112:15, 124:27, 135:35, 156:44</p> <p>South [8] - 40:35, 56:13, 82:9, 108:8, 123:16, 123:39, 129:37, 135:29</p> <p>south-east [4] - 29:6, 37:16, 50:1, 156:44</p> <p>south-eastern [1] - 112:15</p> <p>south-west [1] - 29:42</p> <p>space [28] - 2:5, 10:3, 10:6, 10:14, 11:7, 16:7, 16:11, 16:27, 16:39, 18:28, 37:33, 55:17, 55:39, 57:42, 57:47, 59:43, 61:36, 66:38, 66:41, 83:11, 95:17, 97:6, 98:17, 98:26, 105:39,</p>	<p>112:35, 117:40, 122:21</p> <p>sparsely [1] - 3:24</p> <p>speaking [14] - 23:13, 57:7, 58:47, 59:35, 62:13, 71:4, 88:26, 91:24, 106:47, 119:23, 120:42, 137:45, 137:47, 138:6</p> <p>speaks [2] - 85:1, 92:18</p> <p>special [1] - 127:39</p> <p>specialisation [1] - 70:17</p> <p>specialise [1] - 144:35</p> <p>specialist [41] - 9:41, 10:1, 13:7, 28:22, 34:38, 47:29, 54:39, 82:43, 83:16, 83:25, 84:34, 87:21, 91:47, 94:35, 103:11, 103:17, 104:2, 107:14, 107:28, 107:36, 112:27, 112:31, 115:19, 115:24, 116:9, 120:12, 124:37, 124:44, 131:45, 131:47, 132:3, 132:5, 132:13, 133:12, 148:33, 153:14, 153:15, 153:19, 153:32, 154:34</p> <p>specialists [6] - 50:41, 79:4, 83:38, 90:2, 132:46, 133:7</p> <p>specific [16] - 17:7, 41:6, 60:34, 74:37, 79:11, 82:34, 92:33, 96:5, 107:5, 107:8, 116:7, 116:25, 135:24, 148:32, 148:42, 148:43</p> <p>specifically [24] - 16:10, 18:19, 18:26, 27:7, 38:12, 40:29, 41:30, 55:41, 60:19, 63:43, 69:39, 70:8, 72:9, 81:44, 82:20, 82:23, 82:39, 86:3, 86:6, 89:11, 99:17, 115:38, 138:42, 158:37</p> <p>speculate [1] - 22:23</p> <p>spent [4] - 49:45, 74:29, 124:42, 130:16</p> <p>spoken [7] - 47:38,</p>	<p>81:38, 84:16, 86:2, 87:18, 92:30, 104:45</p> <p>spot [1] - 73:45</p> <p>squeeze [1] - 122:17</p> <p>stability [1] - 20:8</p> <p>staff [22] - 11:10, 11:15, 11:18, 102:12, 104:37, 104:38, 105:13, 105:21, 105:43, 105:45, 112:24, 114:20, 114:22, 123:41, 124:24, 124:25, 124:31, 125:25, 128:25, 130:40, 131:10, 132:36</p> <p>staffing [1] - 133:17</p> <p>stage [19] - 5:37, 6:20, 6:21, 31:17, 32:46, 33:1, 33:16, 35:21, 49:43, 63:37, 80:39, 82:34, 87:29, 95:45, 129:47, 136:45, 156:31, 158:35</p> <p>staged [1] - 155:27</p> <p>stakeholder [4] - 28:43, 37:29, 52:26, 149:47</p> <p>stakeholders [4] - 37:24, 38:18, 38:20, 41:21</p> <p>stand [3] - 10:24, 11:38, 77:14</p> <p>stand-alone [1] - 77:14</p> <p>standalone [2] - 41:38, 42:4</p> <p>standard [11] - 32:33, 40:37, 43:24, 62:27, 62:28, 83:40, 84:19, 84:20, 88:40, 129:47</p> <p>standardisation [1] - 32:19</p> <p>standards [1] - 68:15</p> <p>Standards [6] - 4:20, 15:5, 63:47, 64:22, 68:11</p> <p>standing [1] - 10:27</p> <p>stars [1] - 19:30</p> <p>start [16] - 7:33, 12:3, 34:10, 49:32, 65:7, 78:26, 88:11, 94:47, 106:19, 110:34, 149:45, 150:11, 153:25, 157:44, 159:30, 159:37</p> <p>started [10] - 11:2, 37:24, 75:35, 83:4, 100:22, 131:34,</p>
--	---	--	---	---

<p>135:26, 149:43, 149:44, 150:24</p> <p>starting [10] - 11:47, 34:43, 36:32, 45:36, 51:17, 79:26, 105:29, 131:28, 134:38, 150:4</p> <p>state [65] - 3:25, 3:45, 8:46, 10:4, 13:4, 13:8, 13:24, 13:31, 23:42, 24:18, 24:20, 25:2, 26:11, 27:29, 27:32, 28:30, 29:10, 29:33, 29:40, 30:28, 30:43, 35:18, 36:15, 36:35, 37:16, 40:23, 51:8, 51:14, 53:25, 53:36, 53:44, 54:13, 54:14, 61:15, 61:35, 61:37, 62:17, 83:40, 83:46, 85:17, 88:30, 88:32, 88:36, 88:37, 88:41, 89:17, 89:18, 90:3, 101:42, 102:3, 104:14, 104:28, 104:36, 105:26, 108:16, 112:33, 116:21, 116:26, 118:44, 131:24, 135:37, 143:10, 157:30</p> <p>State [2] - 89:9, 104:46</p> <p>statement [82] - 5:33, 8:10, 8:14, 8:18, 8:29, 18:14, 27:43, 28:7, 28:35, 30:20, 36:46, 40:10, 40:11, 40:15, 41:37, 43:20, 43:24, 43:41, 43:46, 46:20, 53:31, 53:33, 54:26, 55:8, 56:45, 57:16, 58:30, 60:24, 61:41, 62:25, 63:18, 64:5, 65:5, 65:8, 69:32, 70:25, 71:7, 78:36, 85:3, 85:35, 90:9, 90:33, 92:18, 99:6, 99:19, 101:31, 102:7, 103:28, 106:1, 106:21, 106:37, 109:42, 111:2, 111:6, 120:19, 120:39, 123:20, 123:40, 124:23, 124:36, 125:46, 127:24, 130:39, 131:9, 131:32, 131:44, 132:18, 138:30, 139:31, 141:43,</p>	<p>143:4, 143:25, 146:23, 147:12, 147:24, 152:19, 152:34, 152:43, 155:33</p> <p>statements [8] - 6:28, 82:23, 86:9, 93:29, 99:24, 148:19, 154:9, 155:1</p> <p>states [1] - 64:46</p> <p>statewide [10] - 52:33, 84:14, 84:19, 85:13, 85:14, 88:26, 97:13, 99:12, 154:23</p> <p>Station [2] - 53:32, 54:1</p> <p>station [45] - 54:3, 54:7, 56:6, 80:13, 80:36, 87:13, 87:30, 88:6, 88:12, 88:14, 88:17, 89:11, 89:42, 90:4, 91:4, 106:12, 106:14, 106:15, 108:36, 108:47, 109:8, 109:10, 109:14, 113:23, 122:19, 123:25, 123:26, 123:31, 125:5, 126:41, 126:42, 127:6, 134:16, 144:44, 145:15, 145:27, 145:33, 146:9, 146:11, 155:24, 157:29, 157:30</p> <p>station-based [2] - 106:12, 108:47</p> <p>stationed [1] - 124:30</p> <p>stations [14] - 34:34, 56:28, 80:23, 87:20, 88:20, 89:21, 89:26, 89:29, 89:43, 108:13, 109:16, 117:42, 123:28, 158:28</p> <p>statistic [2] - 147:5, 148:13</p> <p>statistical [7] - 116:6, 116:13, 116:15, 116:27, 116:44, 117:1, 117:14</p> <p>statistics [3] - 80:12, 149:32, 149:37</p> <p>stats [1] - 47:7</p> <p>status [2] - 35:28, 70:42</p> <p>statutory [4] - 51:35, 51:37, 62:38, 88:13</p> <p>stay [7] - 20:16, 134:20, 144:5,</p>	<p>144:25, 145:40, 149:16, 155:13</p> <p>staying [1] - 64:26</p> <p>steady [1] - 67:14</p> <p>step [3] - 59:42, 116:29, 152:24</p> <p>stepped [1] - 115:10</p> <p>steps [2] - 48:27, 150:46</p> <p>still [25] - 11:2, 11:42, 21:19, 26:23, 31:47, 36:37, 39:21, 45:13, 50:44, 50:45, 64:28, 67:14, 73:28, 76:9, 77:26, 77:30, 78:6, 79:29, 81:1, 83:14, 88:45, 98:42, 109:43, 120:14, 144:12</p> <p>stood [8] - 9:4, 11:33, 30:47, 100:38, 102:7, 122:36, 122:43, 142:14</p> <p>stop [5] - 71:36, 87:24, 105:19, 107:47, 140:41</p> <p>stopping [1] - 48:38</p> <p>story [3] - 127:43, 127:45, 129:16</p> <p>straight [2] - 128:16, 136:41</p> <p>straightaway [2] - 80:24, 91:15</p> <p>straining [1] - 144:34</p> <p>strangulation [10] - 38:31, 38:32, 75:19, 96:5, 117:4, 128:6, 128:8, 128:42, 153:6</p> <p>strangulations [2] - 38:35, 158:20</p> <p>strategic [28] - 10:42, 12:23, 12:40, 17:35, 26:12, 26:37, 26:43, 27:2, 27:16, 27:28, 27:41, 28:2, 34:23, 36:24, 37:30, 37:33, 39:3, 39:19, 39:34, 56:5, 70:19, 73:45, 78:7, 110:19, 111:32, 111:44, 111:47, 118:16</p> <p>strategically [2] - 37:20, 46:16</p> <p>strategies [6] - 40:34, 64:40, 65:4, 70:32, 81:32, 110:22</p> <p>strategy [22] - 17:36, 33:34, 38:8, 38:10, 38:26, 39:26, 39:40, 40:27, 40:29, 45:10,</p>	<p>45:29, 45:47, 47:19, 47:39, 47:41, 52:10, 64:24, 64:46, 75:37, 81:5, 86:35, 112:1</p> <p>streamline [3] - 60:36, 97:20, 98:1</p> <p>streamlined [1] - 60:27</p> <p>streamlining [1] - 60:31</p> <p>Street [1] - 1:35</p> <p>street [2] - 72:33, 149:25</p> <p>strength [3] - 18:26, 27:36, 63:37</p> <p>strengthen [1] - 97:20</p> <p>strengthened [1] - 27:41</p> <p>strengthening [1] - 73:41</p> <p>stress [2] - 57:20, 133:46</p> <p>stressed [1] - 44:9</p> <p>stressful [1] - 91:35</p> <p>strike [2] - 6:19, 156:37</p> <p>strong [7] - 29:34, 39:32, 39:41, 61:4, 72:25, 87:45, 125:29</p> <p>stronger [1] - 22:37</p> <p>structure [14] - 2:26, 9:9, 10:22, 12:8, 13:33, 19:23, 26:3, 28:1, 29:12, 29:37, 40:24, 86:21, 103:24, 123:39</p> <p>structured [2] - 10:47, 29:44</p> <p>structures [6] - 9:2, 13:28, 29:16, 101:36, 102:2, 106:1</p> <p>struggle [1] - 46:38</p> <p>study [4] - 35:3, 56:44, 61:42, 61:43</p> <p>stuff [4] - 132:33, 132:44, 146:29, 153:7</p> <p>style [1] - 137:5</p> <p>subject [10] - 4:44, 18:29, 18:33, 18:35, 18:37, 55:2, 63:9, 95:22, 112:5, 128:32</p> <p>submission [1] - 74:27</p> <p>submissions [4] - 2:3, 33:4, 33:25, 71:32</p> <p>submitted [1] - 41:15</p> <p>subsequent [1] - 109:31</p> <p>subsequently [2] -</p>	<p>68:18, 123:29</p> <p>subset [8] - 55:26, 55:35, 72:7, 72:17, 72:18</p> <p>subsets [1] - 55:32</p> <p>substance [1] - 122:25</p> <p>substantial [6] - 16:1, 17:2, 22:30, 26:19, 27:8, 39:26</p> <p>substantially [3] - 46:45, 54:20, 127:9</p> <p>substantive [15] - 14:37, 14:43, 15:6, 19:2, 19:27, 19:47, 20:2, 21:46, 24:23, 25:26, 27:36, 142:32, 143:14, 143:16, 144:18</p> <p>subtle [2] - 63:3, 69:12</p> <p>success [8] - 131:37, 131:38, 131:43, 132:8, 149:19, 149:32, 149:38, 154:47</p> <p>successful [1] - 153:24</p> <p>suffering [2] - 59:17, 75:28</p> <p>sufficiency [2] - 51:29, 65:25</p> <p>sufficient [6] - 44:25, 48:41, 49:1, 60:16, 70:13, 106:38</p> <p>sufficiently [1] - 59:46</p> <p>suggest [13] - 41:5, 54:14, 62:6, 62:41, 66:31, 71:20, 71:22, 91:1, 91:5, 105:39, 109:29, 114:42, 140:10</p> <p>suggesting [5] - 60:27, 64:29, 117:46, 140:34, 141:4</p> <p>suggestion [2] - 60:41, 153:30</p> <p>suggests [3] - 43:30, 59:22, 71:45</p> <p>suicides [1] - 60:11</p> <p>suit [2] - 72:25, 94:25</p> <p>suite [3] - 98:7, 118:15, 121:19</p> <p>summary [1] - 103:33</p> <p>summits [1] - 46:15</p> <p>super [1] - 143:12</p> <p>superficial [1] - 83:29</p> <p>superintendent [13] - 9:2, 13:45, 13:47,</p>
---	--	--	--	--

<p>14:3, 14:26, 14:39, 26:46, 33:45, 36:4, 41:7, 121:35, 149:46, 150:3</p> <p>Superintendent [8] - 2:29, 41:5, 70:26, 101:23, 101:31, 122:36, 123:26, 148:27</p> <p>superintendent's [1] - 15:1</p> <p>supervising [1] - 130:26</p> <p>supervisor [5] - 95:6, 109:29, 118:3, 125:45, 130:17</p> <p>supervisors [1] - 131:1</p> <p>supplementary [1] - 157:37</p> <p>supply [1] - 135:29</p> <p>support [54] - 8:22, 9:4, 9:25, 9:47, 12:41, 17:24, 17:25, 30:9, 34:5, 34:8, 34:11, 36:18, 42:25, 56:24, 56:29, 59:15, 59:19, 60:18, 60:43, 76:29, 81:12, 82:17, 87:22, 87:37, 103:31, 110:18, 110:20, 111:31, 119:43, 119:45, 121:25, 124:4, 128:47, 131:45, 132:3, 132:14, 137:38, 146:19, 149:15, 149:16, 149:31, 152:21, 152:25, 153:8, 153:42, 154:7, 154:8, 154:10, 154:27, 154:31, 154:43, 155:20, 155:45, 156:30</p> <p>supported [5] - 29:31, 86:14, 96:41, 103:30, 153:10</p> <p>supporting [3] - 61:20, 87:37, 129:20</p> <p>supportive [1] - 91:38</p> <p>supports [3] - 59:15, 60:46, 104:7</p> <p>suppose [2] - 99:31, 153:25</p> <p>supposed [1] - 95:43</p> <p>supposedly [1] - 96:18</p> <p>surely [1] - 73:32</p> <p>surprise [1] - 58:6</p>	<p>surprised [1] - 93:21</p> <p>surprising [1] - 57:37</p> <p>surround [1] - 71:3</p> <p>surrounding [1] - 38:4</p> <p>survey [8] - 57:2, 57:3, 57:8, 57:12, 57:17, 60:42, 62:18, 62:19</p> <p>surveyed [2] - 57:32, 62:20</p> <p>surveys [4] - 2:12, 4:11, 62:15, 145:7</p> <p>survivor [1] - 52:3</p> <p>survivors [12] - 2:3, 2:12, 3:32, 3:37, 51:2, 51:35, 54:9, 54:11, 63:36, 68:12, 87:38, 88:20</p> <p>suspect [2] - 71:36, 151:3</p> <p>suspected [2] - 50:18, 147:39</p> <p>sustain [2] - 76:19, 76:23</p> <p>sustainable [6] - 76:6, 77:1, 77:3, 78:10, 90:5, 130:17</p> <p>sustained [1] - 76:24</p> <p>sweeping [1] - 62:33</p> <p>sworn [4] - 8:5, 101:27, 123:11, 142:27</p> <p>symptomology [1] - 58:3</p> <p>symptoms [2] - 59:17, 139:47</p> <p>synthesis [1] - 95:14</p> <p>system [31] - 3:38, 4:15, 4:21, 4:31, 10:43, 24:8, 32:39, 51:46, 52:5, 55:14, 56:19, 56:37, 66:30, 67:23, 77:5, 77:25, 85:8, 85:47, 87:42, 90:46, 95:41, 98:45, 99:41, 99:46, 100:8, 102:37, 132:42, 148:1</p> <p>systemically [1] - 76:22</p> <p>systems [7] - 23:44, 54:47, 59:29, 70:1, 73:31, 86:4, 86:43</p>	<p>T</p> <p>tab [2] - 127:40</p> <p>table [10] - 7:19, 30:34, 55:9, 55:16, 55:20, 55:23, 78:9, 80:7, 86:20, 111:7</p>	<p>TAFE [1] - 84:37</p> <p>tag [1] - 94:16</p> <p>tag-on [1] - 94:16</p> <p>tailor [2] - 32:35, 32:39</p> <p>tailor-made [1] - 32:39</p> <p>talks [2] - 32:30, 111:18</p> <p>Tamborine [1] - 89:23</p> <p>Tango [4] - 149:23, 149:24, 149:42, 152:8</p> <p>tango [1] - 149:23</p> <p>tape [1] - 57:22</p> <p>Tara [1] - 50:14</p> <p>taser [1] - 94:22</p> <p>task [15] - 35:32, 92:29, 108:36, 126:4, 127:4, 127:10, 127:13, 128:25, 130:16, 137:28, 137:39, 138:42, 148:12, 157:39, 157:43</p> <p>tasked [9] - 12:2, 15:46, 17:1, 35:11, 75:33, 75:36, 82:17, 92:13, 95:45</p> <p>Taskforce [11] - 10:17, 16:40, 18:45, 45:41, 53:12, 54:23, 58:11, 71:33, 71:44, 74:8, 74:27</p> <p>taskforce [14] - 15:4, 18:46, 19:6, 46:5, 50:29, 50:30, 50:33, 71:38, 72:12, 77:42, 85:21, 90:10, 91:39, 92:12</p> <p>taskforces [1] - 11:43</p> <p>tasking [2] - 25:5, 77:28</p> <p>taskings [2] - 16:8, 74:38</p> <p>tasks [10] - 59:31, 99:43, 126:17, 126:18, 126:44, 126:47, 127:6, 127:13, 137:45, 147:6</p> <p>taught [1] - 149:10</p> <p>Taylor [3] - 3:18, 38:29, 39:38</p> <p>tea [1] - 159:31</p> <p>teal [1] - 16:9</p> <p>team [29] - 10:10, 26:19, 33:47, 51:8, 86:20, 86:24, 86:29, 87:25, 102:11, 103:46, 104:18,</p>	<p>104:26, 104:28, 108:30, 108:38, 114:16, 114:17, 114:19, 114:39, 114:41, 114:45, 115:6, 115:7, 120:6, 136:43, 137:29, 144:12, 147:18, 153:36</p> <p>teams [18] - 11:17, 12:35, 25:4, 25:12, 26:11, 26:14, 26:20, 92:6, 96:2, 103:29, 104:12, 104:16, 104:35, 105:32, 105:40, 105:42, 114:35</p> <p>technically [1] - 127:3</p> <p>techniques [1] - 116:16</p> <p>technology [1] - 97:19</p> <p>telephone [2] - 118:29, 138:5</p> <p>template [1] - 96:32</p> <p>tempo [1] - 29:12</p> <p>temporaries [1] - 66:36</p> <p>temporarily [6] - 19:37, 21:7, 22:1, 22:17, 22:28, 22:43</p> <p>temporary [11] - 11:4, 19:13, 20:6, 20:17, 22:10, 22:11, 22:20, 23:6, 23:8, 48:42, 66:33</p> <p>tend [3] - 43:22, 130:46, 134:21</p> <p>tender [11] - 6:24, 6:27, 6:35, 6:46, 9:11, 21:18, 21:28, 65:33, 101:4, 115:39</p> <p>TENDER [1] - 6:40</p> <p>tendered [1] - 101:32</p> <p>tent [2] - 77:33, 77:35</p> <p>term [8] - 39:38, 40:40, 45:28, 45:30, 82:38, 112:32, 119:35, 123:35</p> <p>terminology [1] - 137:6</p> <p>terms [69] - 2:39, 6:23, 10:2, 10:46, 11:22, 13:7, 14:21, 15:3, 17:38, 24:36, 25:3, 25:5, 26:42, 27:41, 30:3, 31:1, 32:47, 33:17, 35:9, 37:34, 38:16, 39:22, 40:38, 40:46, 42:29, 43:1, 44:20, 53:45, 57:28,</p>	<p>57:33, 59:12, 60:31, 67:38, 68:45, 73:17, 73:40, 76:6, 77:34, 81:31, 83:44, 98:33, 99:21, 99:28, 104:11, 104:19, 105:7, 105:23, 106:15, 107:23, 109:22, 110:7, 112:13, 112:27, 112:42, 113:30, 113:32, 113:34, 114:27, 116:17, 119:44, 121:19, 122:23, 122:24, 123:22, 127:28, 131:36, 146:9, 149:19, 151:26</p> <p>terrified [1] - 153:46</p> <p>terrorism [1] - 9:41</p> <p>tertiary [1] - 131:19</p> <p>test [1] - 76:27</p> <p>tested [1] - 22:33</p> <p>tester [1] - 95:23</p> <p>testing [7] - 94:33, 94:40, 94:45, 95:3, 95:12, 95:22, 134:1</p> <p>THE [6] - 7:4, 100:46, 122:45, 142:19, 159:25, 159:46</p> <p>themselves [22] - 23:43, 30:35, 31:16, 31:27, 31:32, 31:43, 32:2, 32:3, 32:13, 34:20, 43:35, 45:40, 61:4, 83:33, 84:17, 84:31, 90:44, 104:35, 118:22, 125:38, 144:7, 150:14</p> <p>there [1] - 98:47</p> <p>thereabouts [2] - 73:13, 74:15</p> <p>thereafter [4] - 24:31, 24:37, 79:27, 97:19</p> <p>therefore [2] - 73:21, 97:15</p> <p>they've [6] - 72:47, 84:4, 113:44, 121:6, 144:18, 157:44</p> <p>thinking [3] - 113:44, 140:43, 157:45</p> <p>third [6] - 3:29, 5:37, 77:37, 86:13, 125:37, 157:29</p> <p>thirds [1] - 110:11</p> <p>thorough [3] - 92:6, 144:2, 158:30</p> <p>thoroughness [1] - 86:5</p>
--	--	--	---	--	--

<p>threat [3] - 29:28, 38:33, 75:9</p> <p>threatening [1] - 113:1</p> <p>three [55] - 2:41, 3:45, 11:29, 16:30, 18:43, 20:37, 21:7, 21:45, 22:10, 22:39, 22:43, 27:26, 31:13, 33:4, 33:24, 37:38, 37:45, 45:10, 55:34, 57:6, 57:22, 58:29, 68:16, 70:27, 70:36, 79:25, 84:33, 93:8, 93:25, 96:31, 114:6, 116:47, 123:43, 126:36, 133:40, 134:11, 134:13, 136:10, 143:11, 143:21, 144:5, 144:39, 144:41, 144:47, 145:1, 145:39, 145:40, 145:41, 145:46, 151:19, 156:11</p> <p>three-day [5] - 2:41, 79:25, 93:8, 93:25, 114:6</p> <p>threshold [2] - 57:33, 69:17</p> <p>THReT [6] - 18:19, 18:25, 18:30, 85:35, 85:47, 86:6</p> <p>THRET [1] - 85:36</p> <p>threw [1] - 44:37</p> <p>throughout [5] - 13:23, 23:41, 25:1, 104:14, 104:35</p> <p>throwing [1] - 45:1</p> <p>thrust [1] - 132:32</p> <p>Thursday [1] - 3:1</p> <p>tick [3] - 127:2, 129:23, 146:31</p> <p>ticked [4] - 127:4, 127:45, 127:46, 146:45</p> <p>ticking [2] - 138:6, 146:29</p> <p>tie [1] - 93:24</p> <p>tied [1] - 45:9</p> <p>tiered [7] - 36:21, 90:11, 91:39, 92:29, 113:4, 136:14, 155:27</p> <p>time-consuming [2] - 97:37, 138:8</p> <p>time-critical [1] - 44:15</p> <p>timeframe [2] - 96:28, 96:30</p>	<p>timeframes [1] - 98:34</p> <p>timely [1] - 102:28</p> <p>title [3] - 25:32, 55:35, 106:5</p> <p>titled [2] - 13:31, 120:22</p> <p>TO [1] - 1:12</p> <p>today [10] - 2:25, 6:23, 6:29, 6:44, 7:21, 69:43, 74:14, 103:25, 121:22, 133:34</p> <p>today's [2] - 19:10, 101:4</p> <p>together [7] - 2:18, 4:35, 26:2, 37:31, 103:37, 131:25, 154:35</p> <p>tomorrow [6] - 2:34, 2:43, 5:43, 111:4, 159:27, 159:44</p> <p>took [8] - 29:24, 37:13, 50:7, 81:9, 86:20, 101:44, 108:37, 133:3</p> <p>tool [35] - 18:19, 18:22, 18:25, 18:28, 18:29, 18:30, 18:35, 18:36, 31:12, 32:21, 32:22, 33:28, 34:9, 34:43, 36:18, 42:24, 42:34, 42:37, 44:21, 44:41, 47:27, 47:36, 85:25, 90:20, 91:43, 92:47, 96:19, 104:45, 105:8, 105:11, 132:45, 147:23</p> <p>tools [10] - 18:15, 18:20, 35:36, 42:44, 42:45, 44:17, 45:3, 85:40, 96:11, 96:40</p> <p>Toowoomba [3] - 53:32, 54:1, 54:2</p> <p>top [6] - 14:8, 21:37, 57:15, 133:26, 139:32, 148:7</p> <p>topic [3] - 18:5, 46:25, 52:38</p> <p>topics [4] - 4:9, 7:19, 7:21, 71:6</p> <p>tortures [1] - 153:7</p> <p>total [2] - 55:31, 104:37</p> <p>totally [1] - 155:21</p> <p>totals [1] - 55:20</p> <p>touch [2] - 80:10, 158:21</p> <p>touched [1] - 130:9</p> <p>towards [18] - 30:41,</p>	<p>33:27, 34:30, 48:16, 57:18, 57:19, 58:33, 64:14, 74:42, 82:3, 82:20, 82:36, 87:28, 93:47, 99:37, 109:46, 111:20, 125:42</p> <p>Townsville [15] - 3:14, 84:1, 142:32, 143:5, 147:17, 147:25, 148:39, 150:46, 151:16, 152:36, 153:39, 154:24, 155:34, 156:4, 156:17</p> <p>track [5] - 64:39, 69:4, 85:23, 95:18, 149:20</p> <p>tracking [2] - 67:11, 68:45</p> <p>traditional [3] - 50:5, 76:2, 77:2</p> <p>traditionally [1] - 86:38</p> <p>tragic [1] - 50:14</p> <p>train [6] - 82:26, 133:30, 144:32, 145:42, 157:11, 157:12</p> <p>trained [20] - 76:39, 82:22, 82:29, 87:45, 91:43, 92:4, 92:20, 95:24, 99:44, 112:40, 112:47, 113:46, 132:36, 132:38, 133:10, 135:47, 139:38, 139:47, 153:42, 158:37</p> <p>trainers [1] - 145:43</p> <p>training [138] - 2:35, 2:37, 2:39, 2:41, 2:45, 12:41, 22:15, 22:25, 23:15, 26:45, 27:23, 38:34, 47:39, 54:31, 54:33, 54:37, 54:38, 54:39, 54:42, 54:43, 54:45, 79:3, 79:5, 79:6, 79:14, 79:16, 79:28, 79:29, 79:32, 79:36, 79:42, 81:17, 82:20, 82:30, 84:15, 84:19, 84:34, 91:7, 92:19, 93:4, 93:15, 93:17, 93:20, 93:26, 93:36, 93:40, 93:41, 94:4, 94:23, 94:34, 95:10, 95:41, 95:44, 96:40, 100:19, 100:21, 103:3, 103:8, 103:9,</p>	<p>103:15, 103:17, 103:18, 104:43, 105:1, 105:5, 105:8, 105:11, 105:12, 105:20, 105:22, 105:25, 107:8, 107:10, 107:19, 107:23, 111:2, 111:5, 112:25, 114:2, 114:6, 114:9, 115:14, 115:16, 115:17, 115:21, 115:24, 115:25, 116:7, 116:10, 117:25, 120:44, 121:14, 121:31, 121:33, 124:33, 124:44, 131:10, 131:14, 131:23, 131:25, 131:26, 131:29, 131:35, 131:39, 131:47, 132:5, 132:13, 132:14, 133:6, 133:18, 134:31, 134:32, 134:37, 134:41, 134:43, 135:2, 135:24, 136:20, 137:4, 139:33, 140:11, 141:26, 141:36, 141:44, 142:2, 142:3, 142:6, 142:36, 144:28, 145:5, 153:14, 153:15, 153:19, 153:20, 153:27, 155:6, 157:13, 158:44</p> <p>Trainor [1] - 5:33</p> <p>TRANSCRIPT [1] - 1:3</p> <p>transfer [3] - 57:23, 57:36, 145:15</p> <p>transition [2] - 53:9, 82:3</p> <p>transitioned [5] - 9:6, 9:34, 9:46, 11:32, 15:2</p> <p>transitions [1] - 14:46</p> <p>translate [4] - 3:24, 39:41, 40:45, 42:19</p> <p>translated [2] - 39:15, 45:46</p> <p>translates [1] - 42:23</p> <p>translating [2] - 46:17, 60:12</p> <p>transposed [1] - 131:22</p> <p>trauma [24] - 4:11, 4:13, 39:39, 39:43,</p>	<p>39:47, 40:2, 59:9, 59:12, 59:23, 60:10, 60:11, 77:39, 83:28, 83:35, 87:44, 119:25, 119:27, 119:34, 129:14, 129:17, 132:34, 134:3, 154:41, 156:22</p> <p>trauma-informed [7] - 39:39, 39:43, 39:47, 119:34, 129:14, 129:17, 132:34</p> <p>traumatic [2] - 59:31, 60:9</p> <p>traumatise [2] - 87:39, 99:23</p> <p>treat [3] - 75:7, 75:8, 128:40</p> <p>treats [1] - 4:28</p> <p>trend [5] - 65:23, 67:13, 67:15, 69:2, 70:18</p> <p>trending [1] - 82:3</p> <p>trends [10] - 65:28, 68:46, 69:22, 69:27, 70:47, 73:43, 75:42, 76:24, 149:21</p> <p>triage [1] - 113:17</p> <p>triages [1] - 51:42</p> <p>trial [6] - 49:31, 54:27, 54:32, 54:33, 98:40, 144:33</p> <p>triated [3] - 18:21, 53:44, 86:1</p> <p>trials [4] - 53:6, 53:23, 54:19, 82:31</p> <p>tried [2] - 45:24, 136:9</p> <p>tries [1] - 21:25</p> <p>trigger [5] - 86:24, 108:38, 117:1, 128:37</p> <p>triggered [1] - 113:30</p> <p>trouble [2] - 152:3, 152:5</p> <p>trust [1] - 4:13</p> <p>truth [1] - 73:14</p> <p>try [22] - 25:27, 36:35, 42:39, 69:5, 98:25, 102:27, 117:7, 119:9, 119:26, 130:25, 134:14, 134:21, 134:23, 138:28, 148:46, 152:1, 153:1, 153:43, 158:23, 158:32, 159:30</p> <p>trying [32] - 9:17, 14:45, 18:15, 22:38, 22:43, 43:34, 44:45,</p>
--	--	--	--	---

46:16, 46:46, 49:29, 51:15, 51:32, 51:33, 51:38, 54:6, 57:8, 59:38, 62:34, 67:21, 68:10, 73:27, 89:45, 90:22, 96:46, 97:20, 122:16, 146:29, 147:7, 150:12, 151:15, 152:29, 153:10 Tuesday [1] - 154:6 TUESDAY [1] - 159:46 turn [10] - 2:34, 27:42, 40:6, 50:20, 70:24, 78:39, 78:41, 83:13, 84:46, 103:21 turning [2] - 24:40, 143:13 turnover [1] - 105:32 turns [1] - 125:26 twice [1] - 59:23 two [71] - 2:11, 3:2, 3:3, 3:6, 3:30, 4:8, 5:36, 7:35, 9:39, 11:9, 13:44, 14:7, 14:21, 16:36, 17:33, 18:44, 19:4, 20:36, 21:8, 21:47, 22:12, 26:2, 27:21, 27:26, 28:23, 30:6, 31:15, 31:27, 38:15, 50:3, 55:23, 57:6, 57:19, 58:2, 59:27, 67:33, 76:1, 77:2, 78:22, 79:36, 80:8, 84:33, 99:8, 100:15, 102:1, 102:13, 110:11, 119:40, 123:23, 123:46, 124:28, 124:32, 128:6, 129:37, 129:38, 132:19, 133:40, 141:3, 144:22, 144:23, 144:25, 145:1, 145:37, 148:38, 149:22, 155:27, 158:19, 158:35, 159:6 two-staged [1] - 155:27 two-thirds [1] - 110:11 two-way [1] - 38:15 twofold [1] - 44:22 type [4] - 12:41, 53:47, 64:17, 136:14 types [4] - 24:3, 29:10, 69:6, 91:21 typically [8] - 80:36, 103:44, 106:12, 107:22, 108:25,	109:23, 118:14, 122:10 tyre [1] - 94:23 tyre-deflation [1] - 94:23 U ultimately [4] - 73:22, 147:3, 148:9, 155:11 unable [1] - 49:8 uncomfortable [1] - 119:23 uncontroversial [2] - 74:47, 75:5 uncovered [1] - 4:10 under [30] - 2:7, 7:40, 9:6, 9:40, 9:47, 11:6, 13:21, 18:37, 19:1, 22:30, 26:22, 26:29, 43:5, 47:2, 51:3, 53:2, 55:35, 77:23, 77:32, 78:1, 78:42, 83:35, 86:12, 86:31, 95:44, 111:29, 121:25, 146:32, 159:10 undergo [1] - 155:5 undergoing [2] - 32:17, 114:14 underlined [1] - 55:32 underneath [1] - 25:22 underreporting [3] - 63:24, 63:27, 63:38 underscores [2] - 4:28, 74:21 understandably [1] - 54:9 understood [4] - 12:4, 37:4, 45:20, 108:46 undertake [7] - 30:31, 36:29, 48:28, 54:32, 63:12, 99:43, 117:27 undertaken [11] - 31:6, 31:42, 32:12, 36:10, 36:11, 53:1, 53:47, 54:19, 54:27, 70:37, 71:43 undertaking [2] - 32:8, 60:1 undertook [3] - 31:41, 140:11, 140:34 underway [3] - 34:2, 40:7, 59:37 unduly [1] - 37:1 unequivocal [1] - 120:39 unfamiliar [1] - 24:9 unfolding [2] - 24:24,	26:32 unfortunately [5] - 99:45, 150:19, 152:18, 154:37, 157:42 unidentified [1] - 50:3 uninformed [1] - 83:5 Union [1] - 5:10 unique [3] - 60:7, 63:19, 79:5 unit [49] - 8:47, 9:1, 9:23, 9:30, 9:33, 9:45, 10:4, 10:29, 10:47, 11:3, 11:32, 11:39, 13:36, 13:40, 17:47, 18:11, 29:25, 35:18, 40:23, 50:32, 64:18, 77:26, 82:2, 82:5, 94:34, 107:24, 110:32, 114:13, 115:13, 115:21, 115:23, 125:10, 126:40, 129:37, 130:23, 130:30, 131:24, 134:32, 134:37, 134:41, 134:42, 137:39, 138:47, 144:20, 145:2, 149:20, 157:10 Unit [2] - 104:29, 104:47 unit" [1] - 13:32 units [9] - 2:31, 13:14, 13:18, 27:31, 28:30, 29:10, 81:39, 109:41, 155:37 University [2] - 56:47, 57:7 university [2] - 84:40, 135:16 unless [3] - 27:5, 91:9, 91:31 unnecessarily [1] - 87:39 UNTIL [1] - 159:46 unusual [1] - 137:36 up [116] - 4:8, 8:36, 9:4, 9:34, 10:24, 10:27, 11:33, 11:38, 13:30, 20:28, 22:40, 28:35, 28:46, 29:26, 30:18, 32:33, 33:7, 39:1, 40:34, 44:40, 45:3, 45:4, 45:39, 47:23, 49:11, 50:22, 50:26, 50:33, 50:42, 50:43, 51:33, 51:35, 52:15, 52:21, 59:40, 59:46, 62:13, 64:16,	65:34, 67:28, 70:2, 70:16, 73:37, 73:41, 74:30, 74:39, 75:1, 76:21, 76:44, 78:34, 78:36, 79:45, 82:26, 89:22, 92:14, 92:34, 93:26, 96:11, 96:47, 102:7, 106:38, 111:16, 114:6, 115:29, 115:30, 116:1, 117:25, 117:32, 126:9, 126:40, 126:47, 128:22, 130:7, 130:14, 130:25, 130:28, 131:45, 131:47, 132:3, 132:9, 132:30, 132:44, 133:30, 135:27, 136:35, 137:30, 137:37, 137:44, 137:45, 144:7, 144:28, 144:29, 145:14, 146:4, 149:6, 149:11, 149:33, 150:9, 153:1, 154:20, 155:10, 156:10, 156:13, 156:16, 156:34, 156:38, 156:47, 157:11, 157:12, 157:13, 157:42, 158:4, 158:8, 158:30 update [7] - 21:15, 46:19, 79:10, 79:28, 146:45, 157:18, 157:20 updated [3] - 19:11, 93:12, 101:1 updates [2] - 61:7, 85:7 updating [1] - 52:35 uploaded [1] - 65:36 uploading [1] - 101:4 uploads [1] - 97:13 ups [1] - 155:8 upset [5] - 113:43, 149:12, 157:35, 157:45, 158:31 upskill [1] - 82:31 uptake [1] - 151:20 urbanised [1] - 88:32 useful [7] - 38:30, 39:21, 40:26, 56:45, 65:8, 96:41, 99:12 uses [1] - 49:3 usual [1] - 125:2 utilise [1] - 110:21 utilised [1] - 156:37	utility [1] - 69:6 V vacant [6] - 19:24, 20:39, 20:43, 22:5, 22:12, 22:15 valid [3] - 81:31, 91:11, 98:35 validation [1] - 31:46 value [10] - 23:45, 24:35, 40:2, 40:44, 98:11, 98:16, 100:7, 120:44, 136:2, 137:13 values [1] - 105:24 variance [3] - 67:29, 67:37, 125:30 variation [1] - 92:42 variations [2] - 66:34, 66:37 varies [2] - 108:6, 108:42 variety [1] - 125:40 various [12] - 13:8, 16:4, 19:13, 25:1, 26:10, 46:15, 55:17, 58:39, 62:35, 99:26, 103:45, 132:1 vary [2] - 109:15, 114:42 version [6] - 13:19, 19:11, 21:23, 49:5, 49:8, 49:15 versus [1] - 65:22 vetted [1] - 2:36 via [2] - 102:36, 118:29 vicarious [1] - 134:3 vicinity [1] - 155:14 victim [39] - 2:3, 2:12, 3:32, 3:37, 39:39, 51:1, 51:34, 51:42, 52:2, 52:3, 54:9, 54:11, 63:36, 68:12, 71:23, 72:9, 72:28, 72:36, 77:39, 83:27, 84:4, 88:19, 90:38, 95:19, 99:6, 99:19, 100:7, 103:39, 119:34, 150:30, 153:45, 154:7, 154:33, 155:14, 155:23, 155:46, 156:30, 159:8 victim's [1] - 154:32 victim-centric [3] - 39:39, 83:27, 119:34 victims [24] - 15:35, 47:1, 48:7, 50:46,
--	--	--	--	--

<p>50:47, 73:13, 83:2, 87:38, 91:31, 99:23, 99:37, 118:36, 119:22, 119:35, 119:43, 119:45, 121:26, 146:40, 146:43, 148:18, 152:46, 154:10, 154:38, 159:1</p> <p>Victoria [6] - 40:35, 40:37, 77:37, 77:38, 77:46</p> <p>Victorian [1] - 87:34</p> <p>video [8] - 49:31, 80:43, 82:31, 98:39, 99:5, 114:3, 114:8, 114:11</p> <p>video-recorded [5] - 49:31, 82:31, 98:39, 99:5, 114:3</p> <p>view [29] - 10:20, 11:37, 16:43, 50:27, 58:43, 59:18, 62:6, 62:30, 63:11, 70:26, 75:6, 76:10, 84:18, 87:26, 89:40, 93:7, 99:2, 99:44, 113:26, 121:7, 130:7, 131:11, 131:37, 132:15, 132:23, 136:39, 143:45, 144:20, 145:23</p> <p>viewed [2] - 70:46, 86:24</p> <p>viewing [1] - 130:13</p> <p>views [3] - 22:23, 27:39, 155:3</p> <p>Violence [3] - 26:4, 104:29, 104:46</p> <p>VIOLENCE [1] - 1:12</p> <p>violence [274] - 2:5, 2:28, 2:41, 2:45, 3:6, 3:10, 3:33, 3:37, 3:43, 4:26, 4:29, 4:37, 4:41, 8:20, 8:24, 8:31, 8:45, 8:46, 9:5, 9:23, 10:7, 10:12, 10:19, 10:30, 10:39, 11:8, 11:24, 11:36, 12:18, 12:25, 12:28, 12:42, 13:9, 13:13, 13:18, 13:23, 13:31, 15:15, 15:39, 15:42, 15:47, 16:4, 16:11, 16:19, 16:32, 16:34, 17:30, 17:37, 17:38, 17:39, 18:7, 21:4, 22:4, 22:7, 23:27, 23:37, 24:10, 24:20, 26:29, 26:32,</p>	<p>27:16, 27:29, 28:3, 28:10, 28:22, 28:30, 29:22, 29:27, 30:5, 30:15, 30:33, 31:8, 36:42, 37:3, 37:11, 37:22, 38:4, 38:32, 40:30, 41:40, 42:2, 42:15, 43:8, 44:23, 45:47, 46:29, 46:31, 47:3, 47:8, 47:14, 47:31, 47:34, 48:8, 48:22, 48:29, 49:18, 50:17, 50:30, 51:10, 51:18, 53:15, 54:43, 55:15, 55:30, 56:23, 57:1, 57:21, 57:47, 58:15, 59:2, 60:10, 60:44, 61:1, 61:19, 62:31, 62:35, 62:37, 63:1, 63:3, 63:26, 63:34, 63:36, 64:46, 65:1, 65:12, 65:16, 65:17, 65:26, 66:13, 67:9, 68:25, 68:30, 69:9, 69:36, 70:27, 70:47, 71:8, 71:10, 71:12, 71:14, 73:15, 74:6, 74:23, 75:2, 75:8, 75:17, 75:22, 75:27, 75:37, 75:47, 76:11, 76:34, 77:43, 77:47, 78:1, 78:15, 80:3, 80:9, 80:14, 81:12, 82:21, 82:23, 82:28, 82:29, 84:30, 84:32, 84:37, 86:36, 86:41, 87:21, 87:37, 89:27, 90:1, 91:9, 92:31, 92:36, 94:35, 98:31, 102:26, 102:30, 102:47, 103:4, 103:11, 103:16, 103:18, 103:19, 105:38, 106:11, 106:16, 106:23, 106:30, 107:22, 107:24, 107:27, 107:36, 108:10, 108:11, 108:25, 108:28, 108:33, 108:35, 108:41, 109:9, 109:25, 109:35, 112:1, 112:35, 112:40, 112:45, 113:33, 114:28, 115:44, 116:8, 116:9, 116:18, 117:2, 117:13, 117:19, 117:30, 117:40, 118:11,</p>	<p>118:13, 118:23, 118:40, 118:43, 119:29, 119:30, 120:23, 120:39, 121:1, 121:11, 121:37, 121:44, 122:21, 122:25, 123:30, 124:6, 124:8, 124:19, 125:42, 125:47, 129:41, 131:17, 131:21, 132:40, 137:14, 139:5, 139:34, 139:42, 140:12, 140:15, 140:40, 140:47, 141:13, 141:25, 142:37, 143:8, 147:26, 147:29, 147:33, 147:35, 148:15, 148:16, 149:5, 150:29, 150:47, 152:18, 152:36, 153:40, 154:45, 157:14, 158:42</p> <p>violent [1] - 69:9</p> <p>visibility [1] - 98:36</p> <p>vision [1] - 23:41</p> <p>visit [3] - 148:45, 152:5</p> <p>visiting [1] - 149:45</p> <p>visits [2] - 132:44, 148:44</p> <p>visual [2] - 5:29, 24:46</p> <p>visualise [1] - 24:44</p> <p>visualiser [4] - 9:11, 30:19, 65:32, 110:8</p> <p>voices [1] - 37:9</p> <p>volume [4] - 41:24, 76:18, 89:31, 122:23</p> <p>voluntary [1] - 98:39</p> <p>VP [2] - 101:42, 109:41</p> <p>VPU [75] - 69:42, 82:2, 84:1, 91:47, 108:7, 108:23, 109:47, 110:36, 112:11, 112:12, 112:28, 114:22, 114:25, 115:25, 123:16, 123:39, 123:41, 124:3, 124:24, 124:29, 124:38, 124:39, 124:42, 125:1, 125:4, 125:18, 125:27, 126:39, 129:31, 130:38, 130:40, 130:42, 131:11,</p>	<p>131:28, 131:33, 131:37, 131:38, 131:45, 132:3, 132:8, 132:14, 132:25, 133:16, 133:19, 133:46, 134:31, 134:37, 134:45, 135:7, 135:26, 135:28, 136:28, 139:5, 142:32, 143:5, 143:9, 143:14, 143:21, 143:27, 143:32, 144:20, 144:27, 144:34, 145:10, 145:28, 146:13, 147:13, 147:21, 148:32, 150:45, 152:12, 152:13, 152:34, 152:37, 153:16</p> <p>VPUs [18] - 13:15, 55:4, 56:31, 61:3, 70:5, 82:8, 82:14, 92:22, 109:38, 109:43, 110:17, 110:28, 110:38, 110:46, 113:15, 131:44, 132:19, 135:29</p> <p>VRE [3] - 54:26, 99:21, 100:18</p> <p>vulnerabilities [2] - 16:7, 130:24</p> <p>vulnerability [1] - 48:1</p> <p>vulnerable [37] - 2:31, 8:21, 8:24, 8:31, 8:47, 9:3, 9:5, 9:23, 10:7, 13:14, 13:32, 13:46, 14:46, 27:31, 33:46, 40:30, 82:2, 82:5, 83:2, 91:30, 94:33, 95:19, 105:38, 107:24, 114:13, 115:13, 115:21, 115:23, 126:40, 129:37, 130:22, 130:30, 134:31, 134:41, 134:42, 134:43, 138:47</p> <p>Vulnerable [3] - 26:4, 104:29, 104:47</p>	<p>walk [1] - 151:30</p> <p>walking [1] - 46:15</p> <p>wants [2] - 16:33, 119:15</p> <p>warrant [2] - 62:46, 150:28</p> <p>warranted [2] - 68:25, 129:32</p> <p>wary [1] - 157:47</p> <p>WAS [1] - 159:46</p> <p>watch [1] - 144:11</p> <p>water [2] - 133:23, 133:45</p> <p>ways [8] - 30:6, 44:42, 47:38, 47:45, 86:25, 95:15, 96:47, 100:10</p> <p>weapons [1] - 95:10</p> <p>website [1] - 68:29</p> <p>Wednesday [1] - 3:1</p> <p>week [17] - 2:22, 2:24, 3:12, 3:29, 3:30, 4:8, 4:17, 58:47, 59:36, 69:36, 69:41, 69:45, 79:37, 89:28, 93:30, 124:7, 135:30</p> <p>weekly [2] - 103:44, 150:27</p> <p>weeks [10] - 2:1, 2:14, 3:12, 3:45, 119:43, 124:32, 145:1, 145:5, 150:27, 156:11</p> <p>weight [1] - 44:38</p> <p>welcoming [1] - 54:8</p> <p>wellbeing [2] - 57:41, 60:4</p> <p>west [2] - 29:42, 130:47</p> <p>western [1] - 112:16</p> <p>what'd [1] - 133:45</p> <p>whereas [2] - 12:41, 78:7</p> <p>whereby [3] - 108:39, 119:22, 119:43</p> <p>whichever [3] - 119:15, 119:16, 132:45</p> <p>whilst [13] - 12:37, 15:6, 17:8, 20:7, 22:15, 28:46, 35:39, 36:36, 38:13, 40:22, 42:4, 62:32, 76:28</p> <p>White [3] - 15:25, 15:29, 16:22</p> <p>whole [27] - 25:40, 45:8, 45:25, 58:38, 58:41, 62:17, 73:34, 79:9, 81:29, 85:17, 88:37, 93:20, 95:41, 95:46, 98:7, 98:13,</p>
			W	
			<p>wait [3] - 129:12, 133:40, 156:25</p> <p>waiting [1] - 100:27</p> <p>Wales [1] - 40:35</p>	

<p>99:41, 117:6, 117:15, 117:17, 117:18, 118:2, 122:26, 129:16, 129:17, 138:43, 149:6 whole-of-sector [1] - 95:46 whole-of-service [2] - 79:9, 81:29 whole-of-state [1] - 88:37 whole-of-system [1] - 95:41 Wide [1] - 108:9 Wilkinson [1] - 81:2 Williams [1] - 5:5 winners [1] - 61:36 wisdom [1] - 39:2 wish [2] - 117:22, 135:14 wished [3] - 7:20, 57:23, 80:40 wishes [2] - 51:34, 51:42 with" [1] - 43:29 withdraw [4] - 84:3, 155:38, 156:13, 156:16 withdrawing [4] - 83:45, 84:12, 155:41, 155:43 withdrawn [1] - 156:3 WITHDREW [4] - 100:46, 122:45, 142:19, 159:25 Witness [1] - 5:19 WITNESS [5] - 100:46, 122:41, 122:45, 142:19, 159:25 witness [11] - 5:24, 5:26, 5:33, 5:42, 7:41, 41:33, 53:5, 64:4, 65:38, 66:10, 100:40 witnesses [15] - 2:23, 2:43, 3:2, 3:6, 4:19, 6:29, 6:31, 6:44, 6:46, 7:21, 13:29, 28:17, 48:36, 91:28, 120:3 witnessing [1] - 59:13 woman [1] - 156:20 women [8] - 48:6, 83:18, 91:8, 113:22, 120:40, 154:22, 154:25, 155:35 WOMEN'S [1] - 7:4 Women's [23] - 5:13, 6:42, 6:45, 7:20,</p>	<p>7:23, 10:17, 16:39, 18:45, 19:6, 37:25, 38:40, 45:41, 53:11, 54:22, 58:11, 71:32, 71:44, 74:7, 74:27, 80:22, 83:19, 154:23, 155:36 women's [1] - 84:10 won [1] - 61:27 wonder [2] - 9:10, 100:37 wondered [1] - 39:6 wonderful [1] - 138:6 word [7] - 15:11, 30:7, 30:37, 44:13, 57:26, 90:23, 119:37 words [6] - 39:45, 49:3, 84:6, 119:15, 133:45, 157:11 workable [1] - 90:6 worker [20] - 54:3, 87:22, 89:10, 89:29, 89:45, 90:4, 113:17, 113:25, 118:47, 119:1, 119:18, 124:5, 126:19, 129:1, 129:4, 129:13, 139:17, 153:42, 154:27, 158:36 workers [12] - 87:44, 89:14, 89:34, 93:6, 112:39, 112:40, 112:47, 117:10, 118:45, 119:30, 133:9, 154:40 workload [3] - 27:9, 124:9, 137:20 workplace [4] - 33:25, 44:43, 47:41, 63:11 Workplace [1] - 61:5 works [6] - 12:18, 108:43, 127:28, 145:10, 148:6, 154:47 workshop [1] - 140:47 world [2] - 60:9, 60:10 worn [17] - 80:31, 80:35, 80:43, 81:6, 96:40, 96:42, 96:45, 97:5, 97:9, 97:17, 99:19, 100:15, 113:36, 113:41, 113:47, 121:30, 144:11 worry [1] - 96:15 worrying [1] - 59:4 worst [2] - 130:29, 152:29 worth [4] - 6:11,</p>	<p>53:24, 78:3, 119:46 worthwhile [2] - 61:22, 83:11 worthy [4] - 65:23, 66:27, 67:1, 75:41 would-be [1] - 48:23 wrap [1] - 76:30 wrap-around [1] - 76:30 write [2] - 151:43, 151:47 writers [1] - 60:25 written [3] - 43:26, 72:33, 151:29</p> <p style="text-align: center;">Y</p> <p>yard [1] - 155:12 year [41] - 10:9, 11:13, 14:33, 29:41, 30:15, 37:3, 39:28, 46:21, 49:47, 50:24, 51:7, 53:32, 57:37, 61:27, 65:15, 66:14, 66:19, 66:20, 67:12, 68:36, 68:41, 71:15, 74:9, 74:18, 74:28, 79:18, 79:37, 80:4, 80:29, 80:39, 91:12, 94:17, 99:42, 101:41, 124:31, 124:33, 125:37, 135:14, 141:29, 141:33, 149:44 yearly [1] - 33:13 years [23] - 10:3, 10:4, 11:29, 28:29, 31:13, 33:4, 42:10, 42:27, 45:10, 45:33, 57:41, 58:2, 58:3, 65:28, 71:10, 83:5, 84:33, 93:35, 96:32, 97:43, 115:1, 146:28, 152:43 yesterday [3] - 133:38, 140:29, 140:32 yielding [1] - 60:30 Yip [3] - 149:23, 149:24, 149:42 yourself [6] - 9:35, 14:11, 26:46, 49:19, 137:27, 140:1 youth [1] - 151:11 Yumba [12] - 148:43, 148:44, 149:1, 149:15, 149:20, 149:31, 149:39, 150:36, 150:37, 152:17, 154:45,</p>	<p>155:8</p> <p style="text-align: center;">Z</p> <p>Zealand [2] - 4:39, 60:30 zero [3] - 45:4, 85:15, 85:18 zeroing [1] - 96:47 zoom [1] - 48:15</p>
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