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**TRANSCRIPT OF PROCEEDINGS**

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**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 KC  
ANNA CAPPELLANO**

**Court 34, Brisbane Magistrates Court,  
363 George Street, Brisbane.**

**Thursday, 6 October 2022**

1 COMMISSIONER: Yes.

2

3 <KATARINA CARROLL, recalled:

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5 <EXAMINATION BY MS O'GORMAN, continued:

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7 MS O'GORMAN: Commissioner, yesterday the Police  
8 Commissioner undertook to consider a matter in respect of  
9 LMRs and ESC, and it might be appropriate to start with her  
10 evidence in respect of that question this morning.

11

12 COMMISSIONER: Yes.

13

14 WITNESS: Thank you, Your Honour. So at Ethical Standards  
15 matters are assessed whether they should go back to the  
16 region or the district to look at. So the assessment - an  
17 appropriate - LMR is not made at that time. So it goes  
18 back to the district and the region, and the case manager  
19 at the region or the Command then makes an enquiry or  
20 investigation and then determines whether it should be an  
21 LMR.

22

23 COMMISSIONER: Okay. And what's the process by which  
24 Ethical Standards oversee that?

25

26 A. I did ask that question. Apologies, Your Honour.  
27 Because from --

27

28 MR HUNTER: We'll be in a position to assist on that last  
29 point, but we understand that there are - the extent to  
30 which the oversight is conducted is arguably inadequate.

31

32 WITNESS: Yes. From what I understand, very little  
33 because the LMR sits - in the districts gets elevated as an  
34 LMR, but the depth to which they're looked at is not  
35 adequate.

36

37 COMMISSIONER: Does that mean it doesn't happen?

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39 A. It may happen in some areas. It may not happen in all  
40 of them. But it's inadequate.

40

41 COMMISSIONER: All right. So it's --

42

43 A. There is not the highest level oversight.

43

44 COMMISSIONER: There's no concrete system?

45

46 A. Yes.

46

47 COMMISSIONER: It doesn't happen in every case?

1 A. That's correct.

2

3 COMMISSIONER: Sometimes it might happen, sometimes it  
4 might not?

5 A. But in essence there's no framework that looks at it.

6

7 COMMISSIONER: Yes. Okay.

8

9 MS O'GORMAN: Commissioner, after you gave evidence  
10 yesterday in respect of this topic of LMRs and the  
11 oversight that ESC may have from time to time, we were  
12 contacted by someone who is now a member of the public but  
13 who was previously a QPS member. He was one of the victims  
14 of systemic bullying which was found to have occurred in  
15 one of the districts. So that I'm not being so cryptic  
16 with you, perhaps I might show you which case study I'm  
17 referring to. It's case study 3, and I'll just find the  
18 tab for you. B17. Now, if you have a look in your folder  
19 rather than on the screen there, Commissioner, you'll be  
20 able to see the name of the district that we're talking  
21 about and it might be easier to recall which particular  
22 case we're referring to.

23 A. Sorry, bear with me. Yes, thank you.

24

25 Q. If you wouldn't mind just having a read of the very  
26 top part of that and just confirming for me that you recall  
27 which of the case studies we're now talking of?

28 A. Yes. Thank you.

29

30 Q. Thank you. So the person who contacted us last night  
31 was one of the three police officers who was found to be  
32 the subject of systemic bullying on the part of the  
33 officer-in-charge caught up in that broader investigation?

34 A. Yes.

35

36 Q. He informed us that once he was informed that the  
37 officer-in-charge was going to be dealt with by way of LMR  
38 he sought to appeal that decision to Ethical Standards  
39 Command, and he provided to us a letter that was written  
40 back to him by Ethical Standards Command. I think that's  
41 been provided to you this morning --

42 A. Yes.

43

44 Q. -- and you've seen that?

45 A. I have. Thank you.

46

47 Q. All right. So you can see in respect of that letter

1 that that victim was written to by an  
2 assistant commissioner at Ethical Standards Command in  
3 December of 2020, and he was informed that Ethical  
4 Standards Command had reviewed the matter and in particular  
5 had reviewed the outcome of LMR and had determined that  
6 Ethical Standards was satisfied that the investigation was  
7 complete, with the recommendations supported by facts  
8 established from the investigation, and Ethical Standards  
9 Command was also satisfied that the approach of applying a  
10 management response to treating the behaviours was  
11 consistent with the legislation and was the appropriate  
12 response in the circumstances?

13 A. Yes.

14

15 Q. All right. So in respect of that matter at least we  
16 know that, although the LMR might have been determined at a  
17 district level, it was brought to the attention of Ethical  
18 Standards Command?

19 A. Yes, in that case, yes.

20

21 Q. And Ethical Standards Command in that case  
22 independently reviewed it and concluded that LMR was  
23 appropriate for the systemic bullying by that  
24 officer-in-charge of three officers under his supervision?

25 A. They said that the outcome was appropriate, yes.

26

27 Q. All right. And the person who contacted us last night  
28 told us that as a result of this, how he was treated and  
29 the inappropriateness of - inadequacy of the response that  
30 he received, he retired on medical grounds?

31 A. Yes.

32

33 Q. And has not been able to get a job since?

34 A. Yes.

35

36 Q. So in respect of his matter it would seem that, not  
37 only was the conduct that he was subject to at first  
38 instance traumatic for him, but the lack of support  
39 afterwards was also traumatic and has had ongoing  
40 consequences for him?

41 A. Yes.

42

43 Q. All right. While we were talking about that  
44 particular case study yesterday you indicated that since  
45 receiving our material in recent times you then contacted  
46 three of the women who were found to have been victims as a  
47 result of that conduct as well?

1 A. Yes.

2

3 Q. And in respect of one of the women that you had  
4 contacted you said that you:

5

6 *... wished that it didn't fall through the*  
7 *cracks. I've been in their situation.*  
8 *I know what it's like, terrible, and*  
9 *I profusely apologise to them that it*  
10 *actually did.*

11

12 I wonder if you could tell us, firstly, what it was that  
13 you were referring to when you said that you've been in  
14 their situation?

15 A. A number of times throughout my career what happened  
16 to these women and other women exactly happened to me.

17

18 Q. Are you referring to the systemic bullying that  
19 occurred to that particular senior constable or are you  
20 referring to sexual harassment?

21 A. Sexual harassment by particularly - I'm just trying to  
22 think - senior officers early in my career and an officer  
23 who was just slightly senior to me.

24

25 Q. All right. When you say early in your career, are you  
26 referring to a time in the 80s?

27 A. Eighties and - well, happened three or four times -  
28 90s.

29

30 Q. All right. Now, on each of those occasions did you  
31 make a complaint in respect of what was being done to you?

32 A. Yes. The first time I made a complaint, and it was  
33 about a senior officer telling me I didn't deserve to be in  
34 the job, that someone took my job - sorry, I was taking a  
35 job of male colleagues and I was going to fail. So I went  
36 to the senior officer in that area. I felt safe to do so.  
37 It was in a station. He dealt with that. I was fine with  
38 that. That senior officer never ever said anything to me  
39 again. Another time in that same station I was pretty well  
40 attacked by what I would say was a sexual predator. On my  
41 first day of training in that area he took me to the forest  
42 and started taking my seatbelt off and I started running  
43 back towards the station, and my station called out --

44

45 COMMISSIONER: Commissioner, can I just stop you there and  
46 say you don't need to go into the details if it's painful  
47 to go into.

1 A. I just wanted to say that my station protected me.  
2 And then late 80s, early 90s I had another senior officer  
3 who kept pinching me on the arse every time he came to the  
4 watchhouse. Again, the men in that station protected me.  
5 So I reported it once, got dealt with. I didn't report it  
6 the other two times because I felt safe in the environment  
7 that I was in. But, you know, we could talk about a number  
8 of times after that as well, but I chose to report it  
9 sometimes and not others. But I felt when I didn't report  
10 it I was in a safe environment that I was supported.

11

12 MS O'GORMAN: I'm sorry to hear that that's happened to  
13 you, Commissioner. You would appreciate, I take it, given  
14 what you've said this morning, that it's very important for  
15 women to be protected within the QPS, that they be in a  
16 supportive station?

17 A. Yes.

18

19 Q. And I imagine that you would accept that it is much  
20 more difficult for women who find themselves in a station  
21 that is either not supportive or where the person who's in  
22 charge of the station is in fact the perpetrator?

23 A. The evidence clearly shows that the higher up you are,  
24 and if you're in charge of a station, the greater that  
25 damage is to not women, the entire station. That's the  
26 evidence. We clearly know that, and we know from the  
27 examples that we've seen that if it's a senior person, an  
28 officer-in-charge is doing that, it is by far greater  
29 damage.

30

31 Q. All right. And I take it also that you would accept,  
32 given what you've said about the fact that sometimes you  
33 made a complaint and sometimes you didn't, that you would  
34 readily accept that there would be women out there who do  
35 not from time to time make complaints?

36 A. Yes.

37

38 Q. All right.

39 A. Can I just go back to when I spoke to those women.  
40 I wasn't happy with the outcome. So I've gone back to  
41 Ethical Standards to tell them that I want that entire file  
42 reviewed, because I wasn't happy with the outcome.

43

44 Q. All right.

45 A. Thank you.

46

47 Q. I wonder if we could go now to a review of some of the

1 ways that women within your organisation have tried to  
2 bring this issue of sexism and misogyny to the attention of  
3 the organisation's leaders in recent years.

4 A. Thank you. What number are we --

5  
6 Q. Well, shortly we'll go to a document which is in B12  
7 of your folder. It's not a document which is publicly  
8 available, and it's subject in fact to a non-publication  
9 order.

10 A. Yes.

11  
12 Q. This particular page will be able to be discussed but  
13 the remainder of the document won't be.

14 A. Cool.

15  
16 Q. You might recall - I'm not suggesting that you were  
17 the Commissioner at the time, but given the material that  
18 we've provided to you - that the Senior Women's Collective  
19 within the QPS compiled a dossier of lived experiences of  
20 sexism and misogyny in 2017 and 2018?

21 A. Yes, yes.

22  
23 Q. And the material demonstrates that that dossier was  
24 provided to the QPS leadership, the Executive Leadership  
25 Team, in 2018 with the hope by the women who had spoken out  
26 about their experiences that it would lead to  
27 organisational change?

28 A. Yes.

29  
30 Q. I just want to go to two of the statements from women  
31 within that document. Neither of these statements could in  
32 any way identify who they are, but I might ask you whether  
33 it demonstrates the ferventness of their hope that  
34 organisational change would be forthcoming. One of them  
35 wrote:

36  
37 *The knowledge that officers have a safe*  
38 *place to share their story and that it will*  
39 *somehow be acknowledged by the organisation*  
40 *is so important. The organisation really*  
41 *needs to hear the voice of our victims,*  
42 *sworn and unsworn, and they need to know*  
43 *that what they say is being heard and will*  
44 *make a difference.*

45  
46 A. Yes.

47

1 Q. And another woman wrote:

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Q. *I hope this information is used to highlight the issues still faced by women in a male-dominated environment today. Despite recent efforts to look good to the media in relation to equality in the QPS, this does not change the boys club culture that has been around since its inception.*

A. Yes.

Q. The intentions certainly seem to be on the part of those women who contributed to that document that by sharing their story systemic change would be forthcoming?

A. Yes.

Q. One of the women has given her consent to us to make reference to her story, and so only that person's story will be placed on the visualiser now.

A. Thank you.

Q. That was the document that was up shortly. This particular woman wrote saying that when she received the invitation asking people to share their story she was initially sceptical and dubious because she had been asked many times in the past to share her story and essentially it had been done to no avail. I'm paraphrasing, but that's the effect of her first paragraph, isn't it?

A. Yes.

Q. If we can go down the bottom of the page and zoom in on the last five lines she says:

*There is a club of us unspoken of, unnamed, who either survived or got out of the job. I know off the top of my head five women who have been raped in the job. I know of no policewoman who has not been offended against in the job in one way or another. It is the scale of the behaviour that's different. It wasn't until I was talking with some other women that I realised how bad the problem is. We have minimised the behaviour in order to stay in the job that we love.*



1 You can see that that's what she said there?

2 A. Yes.

3  
4 Q. All right. If we go over the page, please,  
5 Mr Operator, to page 2, and go to the second paragraph, she  
6 essentially concludes that on reflection she would relay  
7 some of the experiences of her 28 years in the job, and we  
8 can see there that some of the things that she experienced  
9 was being called a slut, lesbian, talk about where does she  
10 fit in, she's had hands placed in her crutch to make sure  
11 she wasn't hiding anything in there more times than she  
12 could remember to count, she had been touched on the  
13 bottom, had her bra undone, had hands put down her front,  
14 told to pull up her shirt for a tit inspection, been bent  
15 over her desk forwards and backwards and then told that  
16 the police officers who'd done that were only joking, said  
17 she's been kissed in ways that were unwanted, she's been  
18 referred to as frigid, not putting out for the boys, not  
19 dressed as eye candy.

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When she was away on an away job on one occasion she was told to lock herself in the car because interstate detectives had bought cartons of beer. One of them said he reminded her of his daughter and he wouldn't want his daughter in her situation. She woke up with some pissed men licking the dew off the window of the police car, wanting to get in.

A. Yes.

Q. She goes on to say that on one occasion she was rostered to work with a serial groper to see which one of them - presumably the women - would last the longest before a roster request was made, said she wasn't touched because she wasn't his sort, but he did have a long list of victims. She said she's been subjected to stories where it's expected that she would laugh about it. She said one of them related to a fairly unpleasant story about a woman in the community having been raped by someone with a sexually transmitted disease.

She goes on to say that she was herself the victim of rape, but she says in respect of the story she had to endure one senior sergeant said to her about that, "What, we have to be precious around you because you reckon you've been raped? Fuck, must've been a dumb, ugly cunt to rape you," and a constable laughed and said, "They're all fucked in the head, these bitches." This woman said you don't

1 forget that stuff too quickly.  
2 A. Yes.  
3  
4 Q. I won't go through the rest of her statement, but it's  
5 pretty sad stuff?  
6 A. Yes.  
7  
8 Q. Now, that particular document then, as we understand  
9 the timeline, was reflected on by the Executive Leadership  
10 Team in about 2018 and into 2019?  
11 A. Yes, it was.  
12  
13 Q. And it was really the seed for the creation of what  
14 became Juniper?  
15 A. That's correct.  
16  
17 Q. Okay. Now, Juniper was created in April of 2019, as  
18 we know, and its intention was that it would eliminate a  
19 culture of gender inequality, sexual discrimination,  
20 harassment and predatory behaviour within the QPS?  
21 A. Yes.  
22  
23 Q. All right. Many women within the QPS must have had  
24 high hopes for Juniper given the sorts of stories that had  
25 been the genesis for it; correct?  
26 A. Yes.  
27  
28 Q. Okay. Juniper didn't last very long. The material  
29 demonstrates that it was decommissioned in September of  
30 2020?  
31 A. Yes.  
32  
33 Q. A review of Juniper that was conducted by the QPS in  
34 that year found that Juniper was seen as being, and  
35 I quote, "a toothless tiger"?  
36 A. Yes.  
37  
38 Q. And that review found that clients were, and I quote,  
39 "mostly unsatisfied" with its interventions?  
40 A. Yes.  
41  
42 Q. Including - and this seems somewhat ironic now,  
43 I would suggest - because the fact that so many matters  
44 were dealt with by local managerial resolution made it seem  
45 like, and I quote, "nothing changes"?  
46 A. Yes.  
47

1 Q. Against that backdrop I would suggest that it does  
2 seem that the continued use of LMRs, including in the last  
3 year or two, as we looked at yesterday, does run the risk  
4 of reinforcing to these women that it is true that nothing  
5 changes?

6 A. It's counterproductive, isn't it. So we create a  
7 haven for people to come and report because that's what we  
8 want.

9

10 Q. Yes.

11 A. And then people report and it's dealt with through  
12 managerial guidance, and then they're less likely to come  
13 and report.

14

15 Q. Yes.

16 A. So that is what's occurred.

17

18 Q. All right. Once Juniper was decommissioned it was  
19 essentially rebranded a couple of months later, that is in  
20 December of 2020, as two operational arms within the  
21 Communications, Culture and Engagement Division; correct?

22 A. Yes.

23

24 Q. And you referred to those yesterday. They are the  
25 Workplace Assessment and Support Team?

26 A. Yes.

27

28 Q. And the Cultural Transformation Team; correct?

29 A. Yes.

30

31 Q. Now, again, there must have been some significantly  
32 high hopes for both of those operational arms when they  
33 were established; correct?

34 A. Yes. I'd just like to touch on them, if you don't  
35 mind. So, as well as incorporating what Juniper wanted to  
36 achieve, the WAST, as it's referred to, we really wanted to  
37 be more proactive and preventative, and that's why we drove  
38 the survey results to get a good indication of what was  
39 happening in the organisation. The first time it had ever  
40 been done that we really aired, you know, what people were  
41 saying in the survey results. I would say some people  
42 found it difficult to - you know, to - when you read, you  
43 know, some of the qualitative data. But it really was to  
44 own, you know, what was happening in your patch.

45

46 And where WAST then came in and those results came in,  
47 they were used in the Commissioner's performance reviews.

1 So the Commissioner's performance review, which I brought  
2 in when I came into the organisation, would go into a  
3 district and into a region and look at many things. But  
4 one of them was the units that we could highlight that  
5 weren't functioning, and then there would be proactive  
6 strategies and initiatives put in place to address those.  
7

8 On top of that, not only is it driven then at that  
9 level; officers-in-charge also go into the unit as well as  
10 district officers, et cetera. So it was shifting to not  
11 just react; it was shifting to be preventative as well as  
12 reactive.  
13

14 Q. In those circumstances it must be particularly  
15 distressing that the review conducted of Communications,  
16 Culture and Engagement in May of this year found that it is  
17 operating in a deeply unsatisfactory way?

18 A. Yes. We commissioned that review on purpose because  
19 we felt when you look at the review - the strategic intent  
20 of that area is very, very sound, and then it's up to that  
21 area - the executive and the team to operationalise the  
22 strategic intent. When you look at it, probably the three  
23 biggest issues that sit around it is governance, capability  
24 and capacity to deliver what was asked of them.  
25

26 I stood up the CCE in March 20 - probably the worst,  
27 most difficult month in our entire policing history; it was  
28 the month the borders were shut down - and within  
29 milliseconds of putting temporary staff in CCE they were  
30 being drawn back out to work on the borders. Was there a  
31 more optimal time to do it throughout the following  
32 18 months? Probably not. But I was extraordinarily  
33 passionate to start doing some of the reform work in there.  
34 I would say it was met with a bit of hostility because  
35 I was taking operational staff to staff that area, to try  
36 and get it up and going. But, as I said, it was pulled at  
37 and pushed at for many, many months, and if you even look  
38 now in that WAST area, you know, they're operating at  
39 30 per cent, and they still - still - have a lot of  
40 temporary staff that I can't fill.  
41

42 Q. Yes, the review that was conducted in May of this year  
43 found that not only did the CCE Division generally operate  
44 at a suboptimal level but that both WAST and CCT needed  
45 significant improvement?

46 A. Yes.  
47

1 Q. That must be disappointing, mustn't it, for the women  
2 like this woman who contributed this story and others in  
3 the organisation who were so hopeful that Juniper would  
4 lead to organisational systemic change that we find  
5 ourselves still years later and now in October of 2022  
6 without a systemic or organisational current capability to  
7 be addressing these issues at its full capacity?

8 A. I think it would be for people in that situation. But  
9 it has - it's not been from a not want of trying, and it  
10 has been extraordinarily challenging. In a time where the  
11 organisation was challenged more than ever I was pushing  
12 extraordinary reform, and it was very challenging. But,  
13 I agree, for people that depended on this would find it  
14 disappointing that we haven't got to full capacity to  
15 achieve this.

16  
17 Q. Well, not even close to full capacity?

18 A. That's correct.

19  
20 Q. All right. I mean, I don't want to suggest that  
21 things are completely doomed, but there has been no real  
22 traction and movement forward in terms of the organisation  
23 's ability to address these problems at a systemic level  
24 when one looks at this chronology?

25 A. There's some traction. The other thing that came out  
26 of the review, it showed that this area is - the WAST and  
27 that is actually a very, very good concept. But it also  
28 needed to move - and this is - sorry. Sorry about that.  
29 What it also showed, though, it was disconnected from other  
30 support services. So we did the CCE review, which we did,  
31 and I had an external consultant, who's quite frank in his  
32 assessment, and I gave him open slather to talk to  
33 everyone, and you could see that from the report.

34  
35 I also asked that the safety and wellbeing area be  
36 reviewed as well because there was a lot of independencies.  
37 So WAST will now move into that area because what was  
38 really lacking was all of these additional support areas  
39 that are required in this area - that's chaplaincy,  
40 guidance officers, psychologists, you know, internal and  
41 external supports - and now there's recommendations here as  
42 well as the safety and wellbeing area that have been acted  
43 on as we speak.

44  
45 Q. What I'm hearing is that Juniper and then WAST and CTT  
46 were organised or established with the very best of  
47 intentions?

1 A. Yes.

2

3 Q. That things have been difficult for various reasons  
4 for your organisation and you still have good intentions of  
5 making improvements in the future.

6 A. Yes.

7

8 Q. I have heard that explanation now. What I would like  
9 to see is whether or not you can just give me a very simple  
10 answer to this question.

11 A. Yes.

12

13 Q. For the women who have been waiting for quite some  
14 time to see evidence of effective and successful  
15 organisational change, do you accept that the organisation  
16 has to date not achieved that?

17 A. I agree, because it's clearly that they have told me  
18 that.

19

20 Q. All right. Thank you. Now, one of the matters which  
21 might, one might think, help with improving the rates at  
22 which women feel that they are not supported by the  
23 organisation would be if there were in fact more women  
24 within the QPS generally; correct?

25 A. Yes.

26

27 Q. Rates of female representation as police officers  
28 still remain generally fairly low, particularly in the  
29 unsworn cohort; that's correct, isn't it?

30 A. Sorry, explain that to me again?

31

32 Q. Well, is it right that there's about 25 to 30 per cent  
33 of the organisation below commissioned officers who are  
34 female officers; is that - I'm sorry.

35 A. Sorry.

36

37 Q. Is it correct that at present women comprise  
38 approximately 25 to 30 per cent of the organisation?

39 A. Yes, I think it's around 29 per cent, yes.

40

41 Q. All right. It would be preferable, wouldn't it, if  
42 that rate was higher?

43 A. Yes, definitely.

44

45 Q. And you will recall that before your time as  
46 Commissioner there were efforts by the organisation to  
47 increase female representation within it?

1 A. Yes.

2

3 Q. You'll recall, won't you, that there was an  
4 investigation in relation to some of the strategies that  
5 had been implemented by the QPS in order to increase the  
6 rates at which women were being recruited?

7 A. Yes.

8

9 Q. Okay. The Crime and Corruption Commission  
10 investigated that matter and released a report in May of  
11 last year, didn't it?

12 A. Yes.

13

14 Q. And you would be well aware, wouldn't you, that one of  
15 the - in fact, the first recommendation made by the Crime  
16 and Corruption Commission in relation to procedural  
17 recommendations in respect of recruiting was that the QPS,  
18 and I quote:

19

20 *... engage the Queensland Human Rights*  
21 *Commission about the need to increase*  
22 *diversity in the QPS and develop and*  
23 *implement appropriate strategies to address*  
24 *this.*

25

26 Correct?

27 A. Yes, yes.

28

29 Q. Now, you would appreciate that it was an important  
30 thing that the QPS hear that recommendation and act on it  
31 if it was serious about wanting to increase the  
32 representation of women within the service?

33 A. That's correct.

34

35 Q. You would appreciate that we have directed the Human  
36 Rights Commissioner to advise us about how far the QPS has  
37 gone to engage it, the Queensland Human Rights Commission,  
38 about the need to increase diversity and about how it could  
39 go about implementing appropriate strategies to do that?

40 A. Yes.

41

42 Q. And you would see from the material that we've  
43 provided you that the Human Rights Commissioner has advised  
44 us that he had a conversation with you on 13 May, the day  
45 after the report was published, where he reached out to you  
46 indicating that he would be happy to work with you to  
47 develop a, and I quote, "properly planned and implemented

1 strategy to increase diversity"?

2 A. Yes.

3

4 Q. At that time, in essence, you informed him that you  
5 needed things to settle down before you could engage with  
6 him on that point?

7 A. Yes.

8

9 Q. All right. He then wrote to you, you would be aware,  
10 on 27 May following up on his offer and saying he looked  
11 forward to hearing from you?

12 A. Yes.

13

14 Q. He got no response from you?

15 A. I think --

16

17 Q. Well, that's what he's told us, is what I'm asking.  
18 You're aware that he's told us he did not get a response  
19 from you?

20 A. May not have got a letter, but I know the office was  
21 organising for a meeting, yes.

22

23 Q. He told us that he wrote again to you on 8 September  
24 2021 again in respect of this issue, and you'd be aware  
25 that he's told us that he got no response from you?

26 A. But a meeting was organised, yes.

27

28 Q. You'd also be aware that at that meeting he says  
29 matters in respect of any appropriate strategies weren't  
30 discussed at that point in time; rather, the discussions  
31 were around matters related to COVID and other issues?

32 A. No, I think the matters were touched on and that we  
33 would get back to him. So I went with Steve Gollschewski,  
34 who was in charge of that area, and I went back obviously.  
35 So what I understand, whilst I might not have taken up with  
36 the Commissioner again, there has been extensive work with  
37 his office.

38

39 Q. All right. Well, you would appreciate from the  
40 material that he's provided to us --

41 A. Yes.

42

43 Q. -- that his information is that to date there's been  
44 no engagement on this question of developing and  
45 implementing appropriate strategies to address increased  
46 diversification within the QPS; correct?

47 A. So in his correspondence, yes. But I am advised



1 by - and even the emails that I've got, that my office at  
2 the academy - sorry, the training at the academy has  
3 extensively worked with the Human Rights Commission.  
4

5 COMMISSIONER: About what?

6 A. About recruitment and selection standards, physical  
7 and psychological standards in recruitment, and as a result  
8 future strategies is in the strategy for PCAP. So it's  
9 also - bear with me, Your Honour - regarding proposed  
10 recruiting standards and the removal of age and gender  
11 discrimination. So it's not unusual that I would meet  
12 normally with the Commissioner and then the work gets  
13 pushed down to the area that's responsible for it, and in  
14 fact that happens often. So this was pushed to the  
15 academy, and I understand work was done and is being done.  
16 There is a downfall --

17  
18 COMMISSIONER: Who's been doing that work?

19 A. The recruiting and the academy.  
20

21 COMMISSIONER: Yes, but who?

22 A. It comes under - well, the exact people would be  
23 Renee Kurtz at the time, Charysse Pond was the Assistant  
24 Commissioner back then, and the Superintendent,  
25 Joe Jaramazovic.  
26

27 COMMISSIONER: And who were they dealing with?

28 A. I'm advised Director Mackayla Jeffries within - within  
29 the Human Rights Commission, and that - and the final draft  
30 policy with respect to this - there is a draft policy with  
31 respect to this. So from --  
32

33 COMMISSIONER: All right. And is that in an email?

34 A. It's just in the summary that I've got as to what took  
35 place.  
36

37 COMMISSIONER: Okay. Can you give us a copy of that,  
38 please?

39 A. Yes. So it's not unusual that I meet with  
40 commissioners to discuss strategy, and in fact it's how it  
41 normally happens, and then that would go to the area that's  
42 responsible. And I'll just give you two examples.  
43 Recently there were decisions around safety-hoods for  
44 children and adults. I met with the Children's  
45 Commissioner, and then that goes to the area of  
46 responsibility, who look at the strategy and do the work,  
47 and then I would either respond to the Commissioner or we

1 would act on it. It's actually how business is done. So  
2 I have been advised, Your Honour, that work has been done  
3 in that space.

4  
5 MS O'GORMAN: So if I can just bring you back to the topic  
6 of gender inequality then --

7 A. Yes.

8  
9 Q. -- and attempts to increase recruitment of females.  
10 When the Human Rights Commissioner advises us that he has  
11 reached out to you personally on a number of occasions to  
12 progress the issue of the development and implementation of  
13 appropriate strategies to increase diversity, and when he  
14 tells us that, despite his efforts to progress that, he's  
15 had really no traction with you in progressing it, is it  
16 the case that you're saying that you don't consider that  
17 that needs to happen at a level between you and him and  
18 that it seems the matter might have been sent to some other  
19 people to engage with other people in his office; is that  
20 right?

21 A. I think it's important to engage. I'm just explaining  
22 to you how the work is done. I can't do it in my office.  
23 I've got four people - four police officers and four  
24 administration staff. The work does go to other areas, to  
25 experts in the other areas. I'm advised that it was done.  
26 What we didn't do - what I didn't do is when obviously  
27 things were done I did not tie off the loop with the Human  
28 Rights Commissioner. As I said, this is not uncommon.  
29 I can give you many examples where I meet with  
30 commissioners or other CEOs and the work has to go to the  
31 area that is appropriate, because in my office capacity is  
32 just not there to do the work.

33  
34 Q. Does the information that you're referring to there in  
35 front of you, Commissioner, which I don't have at the  
36 moment, does it tell you how far progressed the QPS is in  
37 its engagement with the Human Rights Commission in the  
38 development and implementation of appropriate strategies?

39 A. So the initial correspondence at that next  
40 level - sorry, bear with me, I just have to - August last  
41 year, and there's ongoing emails and correspondence that  
42 then takes place in September, October, November, November  
43 again, and March this year.

44  
45 Q. Let me ask you this question, then. How close is the  
46 QPS to having developed and implemented appropriate  
47 strategies?

- 1 A. I think it's very close.  
2
- 3 Q. And what are you basing that on?  
4 A. Because there is a draft policy, from what  
5 I understand.  
6
- 7 Q. Have you read it?  
8 A. No, I haven't seen it yet. The challenge we have at  
9 the moment, we're not getting enough recruits through the  
10 pipeline. So, whoever passes the standards, everyone's  
11 being accepted by the organisation.  
12
- 13 Q. I don't think that really answers the question that  
14 I was getting at, which was about your efforts to increase  
15 diversification, not just to bring all recruits into the  
16 organisation. Do I understand you to be saying that you  
17 presently understand that there's a draft policy out there  
18 somewhere but that you have not yet seen it and can't  
19 comment on how appropriate it is or how well developed it  
20 is at this point in time?  
21 A. Yes, it's a policy specifically relating to selection  
22 around race, gender and diversity.  
23
- 24 Q. Is it a problem that we're in October of 2022 and back  
25 in May of 2021 the Crime and Corruption Commission  
26 recommended that the QPS engage with the Queensland Human  
27 Rights Commission to develop and implement these  
28 strategies, and that so far as you're aware you're not able  
29 to say how far those strategies are to being completed so  
30 many months after May of 2021?  
31 A. Difficult times. Very challenging times. A lot of  
32 people at the academy were taken to the frontline for COVID  
33 enforcement. This I think in the most optimal times would  
34 have been done so much quicker and so much easier. Yes, it  
35 is an extended period. Would I prefer that it was done  
36 quicker? Definitely. Definitely.  
37
- 38 Q. And as I understand it your evidence is that it hasn't  
39 been able to be progressed because the QPS has been  
40 operating under difficult times, being COVID?  
41 A. Difficult times, definitely, yes.  
42
- 43 Q. Okay. Due to COVID or due to other things?  
44 A. Can I touch on --  
45
- 46 Q. Would you mind just - sorry, Police Commissioner, I  
47 was just asking --

1 A. Yes, due to COVID and extraordinary amount of work at  
2 the academy as well where just the amount of people that  
3 are coming through the academy. We have to recruit 900 to  
4 1,000 each year over the next three years. And also the  
5 development of many new programs. The leadership program.  
6 The new constable program. So in that area as well there  
7 has been extensive reform over the last few years.

8  
9 Q. All right. So, as I understand it, the difficulty in  
10 progressing this particular issue with respect to engaging  
11 with the Human Rights Commissioner on diversification comes  
12 down to the difficulties in the QPS dealing with COVID and  
13 also the academy trying to deal with recruitment issues  
14 generally?

15 A. Recruitment and training issues generally.

16  
17 Q. The issue of the QPS, though, engaging with the Human  
18 Rights Commissioner about these issues shouldn't just fall  
19 to your academy, surely? Surely it's an issue that might  
20 be looked at at some higher or more central level by the  
21 QPS?

22 A. But they are high-ranking people that have met in  
23 relation to this.

24  
25 Q. All right. We might just go briefly to some of the  
26 2021 Working for Queensland results that you referred to  
27 yesterday, Commissioner?

28 A. Yes.

29  
30 Q. If I could ask for document B9 to be brought up on to  
31 the visualiser, please, Mr Operator, and could we go to  
32 page - well, it's pinpoint reference .0055. Could we  
33 please go to the questions and answers which appear sixth  
34 and seventh from the bottom of that page. I'm just  
35 checking that we're looking at the same page that I have on  
36 my version. I'm not sure that we are. If you can just  
37 bear with me, Mr Operator, I'll make sure that I'm looking  
38 at the same one. Sorry, I think it might be 57. If I can  
39 just explain something to my learned friend who I think  
40 can't find it in hard copy. Commissioner, as I understand  
41 it, the hard copy that's been provided to you is one which  
42 was provided to us by the QPS. However, what's on the  
43 screen is the one that's publicly available through the  
44 Working for Queensland site.

45 A. Thank you.

46  
47 Q. I can reassure you that the data is exactly the same

1 in a slightly different form; that's all.

2 A. That's fine. Thank you.

3

4 Q. So could I ask you to have a look at the screen rather  
5 than your hard copy, and if we --

6 A. Yes.

7

8 Q. Thank you. I'm just trying to see here if I can find  
9 the questions about gender that I wanted to ask you about.  
10 Now I'm having some difficulty because I think my copy is  
11 different. But perhaps if we go about a third of the way  
12 down, Mr Operator, you can see question 32(b) and question  
13 32(g)?

14 A. Yes.

15

16 Q. You can see there that in 2021 only 55 per cent of  
17 the organisation considered that gender is not a barrier to  
18 success in the organisation?

19 A. Yes.

20

21 Q. And that's low not only when one has regard to the  
22 previous year's survey results because you can see on the  
23 right-hand side it's down one point from 2020?

24 A. Yes.

25

26 Q. But it's very low when one considers the survey  
27 results across the Queensland public sector generally  
28 because it's 14 points lower?

29 A. Yes.

30

31 Q. That ought to be of concern to the QPS, I would  
32 suggest?

33 A. Yes, it is.

34

35 Q. And the question underneath it asks or people have  
36 responded to the proposition that, "Women and men have  
37 equal access to work experiences that support career  
38 progression," and again only 55 per cent of the  
39 organisation agrees with that proposition?

40 A. Yes.

41

42 Q. Again that ought to be of concern to the organisation,  
43 given that that answer or that level of response is down  
44 12 points compared to the Queensland public sector  
45 generally?

46 A. Yes.

47

1 Q. We heard yesterday some examples of women whose career  
2 progression was hampered not just through perhaps general  
3 problems but you might remember the one woman in particular  
4 who didn't want to go and work with someone who had been  
5 sexually harassing her and so she didn't have to go and  
6 work there, but she was told by her superior - and not in a  
7 retributive way - that by failing to take that opportunity  
8 she would be stalled in her career progression by some six  
9 to 12 months?

10 A. Yes.

11

12 Q. That's a problem, isn't it, if those sorts of issues,  
13 that is if sexual harassment within the organisation is  
14 contributing to the fact that women's career progression is  
15 being stalled?

16 A. Yes.

17

18 Q. Could we have a look at the final question on that  
19 page. It's question 31(e). This is a question about  
20 recruitment and promotion decisions in the organisation.  
21 The proposition was that, "Recruitment and promotion  
22 decisions in this organisation are fair," and I would  
23 suggest rather startlingly only 25 per cent of your  
24 organisation consider that to be a true statement. Do you  
25 see that only 25 per cent agreed with that proposition?

26 A. Yes.

27

28 Q. And can you see that across the Queensland public  
29 sector generally that's down 13 points on how people  
30 generally respond to that question?

31 A. Yes.

32

33 Q. When one considers some of the difficulties and  
34 controversies surrounding, for example, the recent  
35 promotion of Mr Rohweder to chief superintendent, those  
36 sorts of problems only add to that perception about the  
37 unfairness of recruitment promotion decisions, don't they?

38 A. Yes, that may be the case. There was also a big  
39 change in promotion system I think just at this time or  
40 maybe in the previous six months. So, the only reason  
41 I say that, I would have to look at the qualitative data  
42 for this section to just get a real sense of why it's like  
43 that.

44

45 Q. Okay. I suppose the next - this year's responses will  
46 be out in due course and no doubt the organisation will be  
47 looking to see how it's tracking?

1 A. Yes.

2

3 Q. All right. Could we go then, please, to page - sorry,  
4 still on that page, question 32(f), which is about fifth  
5 from the bottom. This question is also relevant to much of  
6 our discussion yesterday about the rates at which people in  
7 your organisation complain about the conduct that they're  
8 subjected to. You can see that the proposition there is,  
9 "If I raised a complaint I feel confident that it would be  
10 taken seriously"?

11 A. Yes.

12

13 Q. Again it must be concerning, I would suggest, that  
14 only 50 per cent of your organisation agreed with that  
15 proposition?

16 A. Yes.

17

18 Q. Now, that's down two points on responses from the  
19 previous year's survey in 2020, isn't it?

20 A. Yes.

21

22 Q. And down six points across the organisation - not the  
23 organisation, sorry, but the Queensland public sector  
24 generally?

25 A. Yes.

26

27 Q. And some of what we touched on yesterday in respect of  
28 the reasons why women in particular don't complain about  
29 matters related to sexual harassment or other sexist  
30 conduct in the organisation might play into that kind of a  
31 response, mightn't it?

32 A. And I also believe that the way that LMR has been  
33 applied in the previous couple of years, that could  
34 contribute to that as well. And again a look at the  
35 qualitative data would give us further insight into that.

36

37 Q. All right. Could we go, please, two pages over,  
38 Mr Operator, to pinpoint reference 0059, and could we have  
39 a look at the question sixth from the bottom; it's question  
40 31(d). You can see that in response to the proposition,  
41 "In my organisation the leadership operates with a high  
42 level of integrity," less than 50 per cent agreed with that  
43 statement; it was 46 per cent who agreed?

44 A. Yes.

45

46 Q. That's down five points from the previous year in  
47 2020?

- 1 A. Yes.  
2
- 3 Q. Now, that alone must be concerning to you as the  
4 leader of the organisation?  
5 A. Yes, definitely.  
6
- 7 Q. And it's down eight points when compared to the  
8 Queensland public sector generally?  
9 A. Yes.  
10
- 11 Q. All right. I suggest it's not the case that recent  
12 matters surrounding comments or jokes made by some of your  
13 most senior leaders of a sexist kind is likely to increase  
14 people's responses or attitudes to the integrity of your  
15 leadership?  
16 A. Yes, certainly.  
17
- 18 Q. All right. Could we go to the second last question on  
19 that page. I think it might be the second last. It's  
20 question 31(a). You see there the proposition was, "In my  
21 organisation the leadership is of high quality"?  
22 A. Yes.  
23
- 24 Q. You can see that only 40 per cent of people responded  
25 to that in a positive way, that is only 40 per cent  
26 indicated that that was true, that they strongly agreed?  
27 A. Yes.  
28
- 29 Q. That's down six points from the previous year in 2020?  
30 A. Yes.  
31
- 32 Q. And down 11 points when compared across the Queensland  
33 public sector generally?  
34 A. Yes.  
35
- 36 Q. That also must be of concern to you as the head of the  
37 organisation?  
38 A. Yes, it is of concern. The month that this survey  
39 took place was also the month that I gave a direction for  
40 the vaccine mandate, and when you look at the qualitative  
41 data there was a lot of people very angry about that  
42 mandate. The data also shows that the organisation was  
43 tired and overworked and angry, because we're into the  
44 second year of COVID, and they honestly believed that the  
45 senior executive could not appreciate that the pressure  
46 was - what they were under. And on top of that - and this  
47 is, you know, from some of the qualitative data but also



1 from travelling and talking to the staff - that they  
2 couldn't meet demand already from two, three previous  
3 years, and here we were putting 12, 1,300 some days to  
4 COVID, and on top of that we were going through massive  
5 reform, and particularly also in areas like SDRP that had  
6 even more negative responses about leadership in that  
7 regard. So there was a lot of things that played into  
8 this. I knew the survey results were going to be very,  
9 very different this year, and it turned out exactly how  
10 I thought it would be. And if you look at - sorry, if you  
11 look at the survey results prior to that, '19 and '20,  
12 there was excellent increases in those previous years, and  
13 pleasingly, and then we hit this one and it's sobering;  
14 it's difficult to look at.

15

16 Q. Sure. We spoke yesterday about the fact that many  
17 people who have made submissions to the Commission of  
18 Inquiry made submissions about negative aspects of culture,  
19 including in relation to sexism and misogyny. Do you  
20 accept that there might be a cohort of people who have  
21 responded to that proposition who might be deeply  
22 disappointed by the way the leadership has dealt with the  
23 issues of sexism and misogyny?

24 A. There would definitely be a cohort; that's correct.

25

26 Q. All right. Before we move on then to the topic of  
27 racism can I just ask you this for completeness. Given  
28 everything that we've discussed over the last couple of  
29 days, I take it you accept that sexism and misogyny is  
30 alive and well within your organisation?

31 A. I accept that there are definitely areas of concern.  
32 I accept that there are individuals of concern. I've  
33 always accepted that.

34

35 Q. Well, I'm asking whether you accept that the issue  
36 goes beyond merely areas of concern and merely individuals  
37 of concern and whether you accept that it's a more  
38 extensive problem than simply pockets and simply  
39 individuals.

40 A. There are areas, and I need to explain this. So when  
41 you look at the survey results one of the questions that  
42 gets asked, and we ask this question to be pulled away from  
43 a bullying question, "How many of you were subjected to  
44 sexual harassment in the past 12 months," one per cent or  
45 two per cent consistently over the last two, three years,  
46 and in fact it doesn't matter whether 38 per cent answer  
47 the survey or 70 per cent, the rate is exactly the same.

1  
2 Working for Queensland is an area that I put a lot of  
3 faith in getting good results, because a large cohort  
4 answers it and people are very honest because it's  
5 confidential. And if you combine that with the 300 - just  
6 bear with me if you don't mind - out of the 1,600  
7 allegations that were called on, and this is over a  
8 two-year period, 300 related to discrimination, sexual  
9 harassment, sexual offence, racism, sexualised, misogyny,  
10 and homophobia, and then if you look at those two I can  
11 definitely see that there are areas of concern and  
12 individuals that do the wrong thing.  
13

14 If you then - can I just overlay that it's not 1,600;  
15 that it's 300. There is a lot more green in that heat map.  
16 I know that in stations, particularly where there are  
17 senior officers and you've mentioned quite a few of those,  
18 it has a much worse impact. I also know in the example  
19 that you gave me where that officer called his OIC a cunt  
20 that that is an exceptional OIC and an exceptional station  
21 and that individual is the problem.  
22

23 So if I'm - so I'm looking at the numbers across the  
24 entire organisation from sources that are quite frank about  
25 what they think. I know I have significant problems in  
26 some of those areas, and I know I have terrible individuals  
27 doing the wrong thing. But I can't tar all of those people  
28 with the same brush.  
29

30 MS O'GORMAN: Commissioner, no one is suggesting that all  
31 of your people are sexist and misogynist. No one. My  
32 question, though, was whether you accept that the QPS's  
33 problems with sexism and misogyny are extensive. As  
34 I understand your answer, it is that you only accept that  
35 there are pockets of areas and individual people who  
36 perpetuate the problems of sexism and misogyny within the  
37 QPS. Is that your evidence?

38 A. Extensive in some areas, not extensive in all areas.  
39 We're not going to agree on definitions. I am aware  
40 there's significant problems. But, whichever way you look  
41 at this, it still has to be tackled the same way.  
42

43 Q. Well, it can only be tackled - a problem can only be  
44 tackled, I would suggest, if it can be frankly acknowledged  
45 and stared in the face. I'm not wanting to get into a  
46 debate with you about semantics, but I am trying to  
47 understand what your evidence is on this point. Is it the

1 case that you say that you have a problem, a significant  
2 problem perhaps, with sexism and misogyny in some areas and  
3 because of some individuals; is that your evidence?

4 A. No, not some areas. I've said areas. I can - I could  
5 probably articulate - I just don't know how else you want  
6 me to explain it. It's prevalent. It is prevalent and of  
7 concern and persistent in particular teams and stations and  
8 districts and particular individuals.

9  
10 Q. And do you accept that you do not know, that is you  
11 personally do not know, and the organisation as a whole  
12 does not know the full extent of this problem?

13 A. Not the exact extent, and that's why I depend on all  
14 these metrics to give me a better picture of what is  
15 happening.

16  
17 Q. All right.

18 A. And when I refer to Working for Queensland, which is  
19 incredibly important, as I say, the rate is the same for  
20 sexual harassment whether it be in the Queensland Police  
21 Service or the public service.

22  
23 Q. You're not suggesting, though, are you, that sexual  
24 harassment is the only way in which sexism and misogyny is  
25 manifested?

26 A. No, no, I'm not. But I'm saying I have to look at a  
27 metric. Those figures are concerning in itself. I'd love  
28 that would be zero. And it's not. The numbers that I talk  
29 about are concerning.

30  
31 Q. All right. Do you accept that it would appear that  
32 the organisation has much more work to do to ensure that  
33 sexism and misogyny is properly and adequately addressed  
34 for all of your members?

35 A. I definitely accept that that is the case.

36  
37 Q. Thank you. Might then we turn to the issue of racism,  
38 Your Honour.

39  
40 COMMISSIONER: Yes. Just before you leave that, do you  
41 also accept that the local managerial resolution system is  
42 broken?

43 A. Definitely, Your Honour.

44  
45 MS O'GORMAN: Can we turn now to the issue of racism and  
46 the extent to which it's a problem for the QPS. You'll  
47 recall yesterday that we spoke of submissions received by

1 the Commission of Inquiry which indicate that some of your  
2 members at least consider that there are negative cultural  
3 attitudes with respect to racism. You remember we touched  
4 on that yesterday?

5 A. Yes, thank you.

6  
7 Q. Could I ask that document C1 be put up on the  
8 visualiser, please. When submissions were received by  
9 the Commission of Inquiry about matters related to racism,  
10 your officers, sworn and unsworn, relayed to us some of the  
11 language that they say they hear about First Nations people  
12 on a regular basis --

13 A. Yes.

14  
15 Q. -- and we've reduced some of those to writing here on  
16 the page for you so that you can see. We've been told by  
17 your officers that officers use language to refer to  
18 First Nations people as "black cunts", "stupid black  
19 cunts", "dumb black cunts", "smelly black cunts", "lazy  
20 black cunts", that kind of thing?

21 A. Yes.

22  
23 Q. Officers have heard QPS officers say "you're a coon  
24 lover" to police officers who - well, I don't know what  
25 they have done, but to police officers?

26 A. Yes.

27  
28 Q. We got told that officers have said things like "we  
29 should just napalm Aurukun", "we should drop a bomb on  
30 Yarrrie and the communities"; do you see that?

31 A. Yes.

32  
33 Q. "The QPS are just ticking the black fella box"; that  
34 was a reference to police officers being used in  
35 photographic circumstances?

36 A. Yes.

37  
38 Q. People have heard others say, "Bring out the black  
39 shiny shinies for NAIDOC so we can take photos for  
40 workplace"?

41 A. Yes.

42  
43 Q. "Get up here and get the black fellas off my  
44 esplanade. They're distracting my view. I don't want to  
45 see them"?

46 A. Yes.

47

- 1 Q. Police officers told us that no one wants to work with  
2 PL0s. That's police liaison officers, you'd be aware?  
3 A. Yes.  
4
- 5 Q. "We should sack all the PL0s and put the money into  
6 more police"?
- 7 A. Yes.  
8
- 9 Q. "We don't want to be in the car with the PL0s because  
10 then we can't talk shit about black fellas"; you see that?  
11 A. Yes.  
12
- 13 Q. "Why would we get the PL0s' cars, they would just  
14 stink them out"?
- 15 A. Yes.  
16
- 17 Q. And, "We don't want PL0s in the car because they stink  
18 like parkies"?
- 19 A. Yes.  
20
- 21 Q. Are you aware that language like that gets used by  
22 your members?
- 23 A. It has been brought to my attention, obviously, and  
24 it's absolutely disgusting.  
25
- 26 Q. All right. Could we bring up document C2, please.  
27 These are some extracts of complaints that were referred to  
28 yesterday, that is that bundle of complaints that have been  
29 made in the last two years in the QPS; correct?
- 30 A. Yes.  
31
- 32 Q. And you've had an opportunity to see these before?  
33 A. Yes.  
34
- 35 Q. All right. I won't go through them all in detail then  
36 for the sake of expediency, but I'll touch on enough of  
37 the subject matter that people who are watching this can  
38 understand. You can see that it was said that a senior  
39 sergeant from a particular region in December of 2022  
40 referred to a female Aboriginal colleague of his as a  
41 "smelly old dugong"?
- 42 A. Yes.  
43
- 44 Q. Now, in that matter, when it was complained about, it  
45 was found that there was sufficient evidence to proceed in  
46 respect of that and that police officer got LMR?  
47 A. Inappropriate.

- 1  
2 Q. Well, much more than inappropriate, I'd suggest?  
3 A. Unbelievable.  
4  
5 Q. Absolutely distressing?  
6 A. Yes, yes.  
7  
8 Q. That an Aboriginal woman in your organisation could be  
9 referred to in that manner by someone else in her station?  
10 A. Unbelievable. It's hard for me to read this.  
11  
12 Q. We can see that a senior constable from a different  
13 region in April of this year was asked to do an  
14 acknowledgment of country in a work setting?  
15 A. Yes.  
16  
17 Q. And did it using an accent?  
18 A. Yes.  
19  
20 Q. Thinking that was funny?  
21 A. Yes.  
22  
23 Q. Sufficient evidence to proceed in and that person got  
24 LMR?  
25 A. Inappropriate.  
26  
27 Q. Distressing for Aboriginal people to have to hear  
28 that?  
29 A. Absolutely atrocious.  
30  
31 Q. And distressing for First Nations people in our  
32 community to hear that that's the way that some of your  
33 officers are conducting themselves?  
34 A. Very distressing.  
35  
36 Q. An A03 from a different area, May of this year, used  
37 derogatory and racist language in conversation with another  
38 police officer; do you see that?  
39 A. Yes.  
40  
41 Q. See that the member asked a senior constable in front  
42 of the station's officer-in-charge, "Are you going in the  
43 boong car"?  
44 A. Yes.  
45  
46 Q. See that? Entirely inappropriate?  
47 A. Entirely.

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Q. To make it worse, if it could be worse, it's said in front of a member of the public?

A. Yes.

Q. Terrible that that's the sort of conduct or statement that would be made by one of your members not only at all but in front of a member of the public who might have to hear that?

A. Definitely.

Q. Sufficient evidence to proceed in respect of that matter and that officer got LMR?

A. Yes. Completely inappropriate.

Q. A senior constable in November of last year, administrator of a closed Facebook group - I'm not sure if this is the same closed Facebook group as the one that we were looking at yesterday or not, but it's a Facebook group attended by other police officers. The senior constable posted a picture of a dark-skinned baby sleeping with their arms behind their back captioned, "How cute. Baby dreaming about being arrested like his father"?

A. Absolutely disgusting, appalling. As I said to you before, when I read this I'm absolutely appalled.

Q. All right.

COMMISSIONER: And nothing even happened to that officer. Not a thing?

A. That's even worse.

COMMISSIONER: Not even an LMR on that occasion?

A. Yes.

MS O'GORMAN: For completeness with respect to that matter, it might be that it's linked to another matter. Potentially even the sexist conduct that also resulted in no further action might have been linked to something else that he had done as well and perhaps he did pay a price in respect of something else. But, to be clear in relation to this conduct, there was no further action?

A. Sorry, I don't know which matter you're talking about.

Q. All right. I'm just making the point, and I don't need you to answer for now, but we just don't know whether he was punished or whether there was a sanction in respect

1 of other conduct. But certainly there was no further  
2 conduct with this one.

3 A. Okay.

4

5 Q. Can we go to C04, please. Is that C04 that's on the  
6 screen? I just can't see it clearly.

7

8 COMMISSIONER: No, that's the other one before.

9

10 MS O'GORMAN: Sorry, C4. C4. Now, in an attempt to  
11 understand how some of the racist attitudes of some of the  
12 members impact on the way in which they interact with the  
13 community we can have regard to these two cases. You can  
14 see a senior constable from a particular region but not the  
15 same region as the one that we were looking at before?

16 A. Yes.

17

18 Q. Engaged in directing racist language to a male  
19 business owner during an incident that occurred in 2021?

20 A. Yes.

21

22 Q. Now, a sergeant from a different region was involved  
23 in speaking disgracefully to people of colour on two  
24 separate occasions last year in respect of some Indigenous  
25 prisoners. She referred to them as "coons" on a number of  
26 occasions; do you see that?

27 A. Yes.

28

29 Q. And in respect of other prisoners she referred to  
30 Sudanese people as "the black ones"?

31 A. Yes.

32

33 Q. Bad enough in any circumstances but particularly  
34 atrocious when those people that she was referring to were  
35 prisoners of the QPS; correct?

36 A. Yes.

37

38 Q. Now, none of those incidents or interactions with the  
39 public would meet community expectations, would they?

40 A. Definitely not.

41

42 Q. They highlight, do they not, the significant  
43 importance of addressing racist attitudes amongst those of  
44 your members who hold racist attitudes?

45 A. Yes.

46

47 Q. It's important not only to protect your own



1 First Nations officers, who deserve to feel respected at  
2 work, but also to ensure that members of the community are  
3 always treated fairly and respectfully?

4 A. Definitely.

5

6 Q. And not discriminated against on the basis of their  
7 race?

8 A. Definitely.

9

10 Q. We'll go to just one case example. Bring up C3,  
11 please. See here in respect of this matter that it relates  
12 to an investigation that was conducted by Ethical Standards  
13 Command last year?

14 A. Yes.

15

16 Q. The complaint related to bullying and unprofessional  
17 conduct by an officer-in-charge of a particular office who  
18 was responsible for supervising 13 police liaison officers?

19 A. Yes.

20

21 Q. There were 10 allegations in relation to bullying his  
22 staff and unprofessional conduct towards members of the  
23 community as well; do you see that?

24 A. Yes.

25

26 Q. The allegations had come to light because of a number  
27 of concerns that were raised with the acting district  
28 officer of that particular area at the time --

29 A. Yes.

30

31 Q. -- highlighting the officer-in-charge's relationships  
32 with his own work members and also members of the  
33 community?

34 A. Yes.

35

36 Q. Supervising officer prepared a report. The matter was  
37 investigated by Ethical Standards Command?

38 A. Yes.

39

40 Q. You can see that in July of 2022, that is this year,  
41 on recommendation from the Ethical Standards Command, the  
42 Chief Superintendent of the district referred the matter to  
43 the Office of State Discipline?

44 A. Yes.

45

46 Q. Notwithstanding that referral, the Office of State  
47 Discipline declined to commence a disciplinary proceeding;

- 1 instead the matter was sent back for LMR?  
2 A. Yes.  
3  
4 Q. In relation to his behaviours, some of the particulars  
5 of his bullying were that he swore at his staff?  
6 A. Yes.  
7  
8 Q. He treated a particular PLO inappropriately, swearing  
9 and yelling at her in front of officers, leaving her  
10 feeling belittled and ridiculed?  
11 A. Yes.  
12  
13 Q. Threatened three police liaison officers over the  
14 security of their jobs, suggesting to them, entirely  
15 inappropriately, that if it wasn't for them they'd still be  
16 driving taxis. Now, they weren't taxi drivers, so that's  
17 particularly belittling of him; correct?  
18 A. Yes, yes, definitely.  
19  
20 Q. All right. In respect of the referral, the  
21 superintendent did note that the subject matter, that is  
22 this officer-in-charge, had assumed responsibility for the  
23 supervisory management of the PLOs back in 2013; do you see  
24 that?  
25 A. Yes, yes.  
26  
27 Q. And in the time between then, that is assuming  
28 responsibility, and the time of the complaint there have  
29 been significant, identified and corroborated instances of  
30 abuse towards PLO members; do you see that?  
31 A. Yes.  
32  
33 Q. Excessive use of obscene and threatening language  
34 coupled with intimidatory behaviour and threats to the  
35 livelihood and employment of certain PLOs?  
36 A. Yes.  
37  
38 Q. That superintendent considered that there was a clear  
39 abuse of power, being misconduct?  
40 A. Yes.  
41  
42 Q. And a failure to properly manage in a fair and  
43 equitable way members of the police community under his  
44 supervision?  
45 A. Yes.  
46  
47 Q. Now, on the basis of that referral, misconduct in

- 1 particular would have been entirely appropriate to be dealt  
2 with by way of disciplinary proceedings?  
3 A. Yes.  
4
- 5 Q. And not by way of LMR?  
6 A. Yes.  
7
- 8 Q. The system in this particular case really let those 13  
9 PLOs down, did it not?  
10 A. I would agree with you.  
11
- 12 Q. All right. We've heard in recent times and since you  
13 gave your evidence on the last occasion that a sergeant at  
14 the academy charged with teaching new recruits to the QPS  
15 as recently as late last year said of First Nations people  
16 to the group of recruits, "You can smell them before you  
17 see them"?  
18 A. Yes.  
19
- 20 Q. Do you understand we got told about that?  
21 A. Yes, yes, you did, yes.  
22
- 23 Q. And you understand that we requested some weeks ago  
24 recording of what she said?  
25 A. Yes, and I've listened to the recording.  
26
- 27 Q. Well, I've just been informed this morning that it is  
28 now available to us. I believe it was sent to  
29 the Commission this morning.  
30 A. Yes.  
31
- 32 Q. I have not had the opportunity to listen to it. I'm  
33 asking whether you, having listened to it, can confirm that  
34 that sergeant said those words, "smell them before you see  
35 them"?  
36 A. Yes, and mentioned a town.  
37
- 38 Q. The inference being that she was referring to  
39 First Nations people; correct?  
40 A. Yes.  
41
- 42 Q. Now, that must be, I would suggest, very disturbing to  
43 you?  
44 A. Extraordinarily disturbing.  
45
- 46 Q. You have a sergeant charged with teaching the formal  
47 curriculum and imparting the values of the QPS to your

1 newest recruits talking in that disgraceful manner about  
2 First Nations people as recently as late last year?

3 A. Absolutely horrific. Listening to it is horrific.

4  
5 Q. And what does that say about what your newest recruits  
6 are learning from the moment they start at the academy  
7 about QPS values and values of respect and fairness and  
8 dignity when you have a sergeant letting down your  
9 organisation in that manner by speaking in that way?

10 A. That sergeant is not living by the values of the  
11 organisation and should not be in that role because  
12 I expect her to live by the values of the organisation.

13  
14 Q. As we understand it, because we were informed about  
15 what had occurred privately, as we understand it, no one  
16 had made a complaint about what that woman said; do you  
17 understand that's right?

18 A. I don't - sorry, I'm not sure. I don't know how the  
19 complaint was - I'm not sure.

20  
21 Q. Well, I'm happy, if the Commissioner is happy, for  
22 your counsel to confirm that enquiries had been made and  
23 there hadn't been a complaint made in respect of that  
24 matter.

25 A. Thank you.

26  
27 MR HUNTER: We think that's right, but we'll just confirm.

28  
29 MS O'GORMAN: Thank you. Our understanding is that's been  
30 confirmed to us in a notice to produce. But I would just  
31 like this Commissioner to be informed about that by her  
32 lawyers before I proceed.

33  
34 MR HUNTER: Yes, there was no complaint made at the time  
35 until the matter was brought to the attention of the  
36 service by the Commission of Inquiry.

37  
38 MS O'GORMAN: Can I suggest that it's worrying on a number  
39 of levels. One, it shouldn't take a commission of inquiry  
40 and one of or more than one of your people to report that  
41 to us privately for something like this to be aired and  
42 addressed; correct?

43 A. Agree.

44  
45 Q. It's very worrying that you have at least until now -  
46 and if any of those recruits are watching these  
47 proceedings - you have recruits who went through your

1 academy at the end of last year and who are now presumably  
2 operating as QPS officers who have in the back of their  
3 mind that "a sergeant told me that you can smell  
4 First Nations people before you see them"?

5 A. Yes, it's disgusting. It's disgusting.

6

7 Q. And it's worrying?

8 A. Yes.

9

10 Q. About the way that these sorts of attitudes might be  
11 perpetrated and made prevalent within the organisation;  
12 correct?

13 A. Yes.

14

15 Q. Because you can't quantify the damage that was done by  
16 that one comment to that group of recruits; correct?

17 A. That's correct.

18

19 Q. All right.

20

21 COMMISSIONER: Is that officer still at the academy?

22 A. I would have to confirm what's --

23

24 MR HUNTER: We're told she's been moved to a different  
25 role. There's an investigation underway.

26

27 COMMISSIONER: So she's not doing any training at the  
28 moment?

29 A. No.

30

31 MR HUNTER: Correct.

32

33 MS O'GORMAN: Would you mind going to document C8.  
34 I don't need this brought up on the visualiser for the  
35 moment, thank you.

36

37 COMMISSIONER: Sorry, which number?

38

39 MS O'GORMAN: C8, Your Honour. You can see here,  
40 Commissioner, that this was an email which was sent to you  
41 on 7 September, a month or so ago?

42 A. Yes.

43

44 Q. It was sent to you by one of your Indigenous officers?

45 A. Yes.

46

47 Q. Who was at that time at the rank of sergeant?

1 A. Yes, correct.

2

3 Q. He wanted to formally inform you of his intention to  
4 separate from the QPS after 26 years of dedicated service  
5 to serving his people, including the First Nations members  
6 of our community; correct?

7 A. Yes.

8

9 Q. He said:

10

11 *As you are aware, I've been on sick leave*  
12 *since 28 March 2022 suffering cultural*  
13 *fatigue, cultural burnout. Whilst the*  
14 *symptomatic conditions diagnosed is*  
15 *cultural fatigue, it is acutely related to*  
16 *my personal, lived experiences of racism*  
17 *and discrimination, seen, heard and felt*  
18 *throughout the total expanse of my career,*  
19 *and the various areas I've worked at within*  
20 *the QPS.*

21

22 You see that?

23

24 A. Yes.

25

26 Q. He informed you that:

27

28 *Racism does exist in the QPS ...*

29

30 A. Yes.

31

32 Q.

33

34 *... and continues to thrive and be accepted*  
35 *as an organisational cultural norm. It*  
36 *presents in the form of micro and macro*  
37 *aggressions of racism.*

38

39 Yes?

40

41 A. Yes.

42

43 Q. He went on to say in his view:

44

45 *... it is evident in the daily experiences*  
46 *of this organisation's cultural experts,*  
47 *police liaison officers and Torres Strait*  
*Islander police liaison officers. The QPS*  
*has no insight into PLO experiences of*  
*racism as PLOs know that they are the most*

1           *devalued and unsupported cohort in the QPS.*

2

3

He went on:

4

5

*The QPS is dismissive of the fact that some of them are cultural leaders, traditional custodians, academics, and some hold high dignitary roles culturally and professionally across their communities.*

6

7

8

9

10

11

12

13

14

15

*I have borne and taken carriage of PL0, Indigenous and people of colour afflictions relating to micro and macro aggressions of racism for a long time, and it has broken me.*

16

Do you see that?

17

A. Yes.

18

19

Q. Over the page in the second paragraph he informs you:

20

21

22

23

24

25

*In 26 years I have not seen any Aboriginal or Torres Strait Islanders represented at executive level or higher than the rank of inspector.*

26

Do you see that?

27

A. Yes.

28

29

30

31

32

Q. You understand that that is accurate: there are no people who identify as Aboriginal or Torres Strait Islander presently above the rank of inspector within your organisation?

33

34

35

36

A. No, that's incorrect. Both leaders of the CCE came from an Indigenous background, an executive director and the acting executive director.

37

38

39

40

Q. Are you saying that those people identify as Aboriginal and Torres Strait Islander, are you, Commissioner?

41

A. I know that that is their background.

42

43

44

45

Q. I'm asking you whether or not you're saying that they identify as Aboriginal or Torres Strait Islander. There's a big difference between having a particular background and identifying?

46

A. I'm not sure.

47

1 Q. All right.

2 A. Yes.

3

4 Q. Well, I suggest to you that neither of them do  
5 identify as Aboriginal or a Torres Strait Islander. Are  
6 you prepared to accept that from me for present purposes?

7 A. For present purposes if that's the case.

8

9 Q. All right. This man went on to inform you that:

10

11 *The last Indigenous QPS inspector recently*  
12 *resigned from the QPS after 30-plus*  
13 *dedicated years of service. Did the QPS*  
14 *recognise and celebrate the service of this*  
15 *officer? Will there ever be another like*  
16 *that officer? There has only ever been*  
17 *five appointed inspectors who proudly*  
18 *identified as Indigenous in the history of*  
19 *the QPS.*

20

21 He goes on to say:

22

23 *This speaks volumes on how unsafe the QPS*  
24 *environment is for First Nations,*  
25 *Aboriginal and Torres Strait Islanders. If*  
26 *Indigenous persons or a person of colour*  
27 *never obtain leadership roles across the*  
28 *QPS, then how will there ever be*  
29 *progressive, authentic and genuine reforms*  
30 *to support its Indigenous and people of*  
31 *colour members internally.*

32

33 Do you see that?

34 A. Yes.

35

36 Q. You see he goes on to say:

37

38 *I no longer feel that the QPS affords a*  
39 *working environment that is culturally safe*  
40 *for me to bring my true authentic self to*  
41 *work as a recognised Indigenous person and*  
42 *person of colour.*

43

44 You see that?

45 A. Yes.

46

47 Q. Now, finally - I won't go through all of the rest of



1 the email, save for one more paragraph. He says:

2  
3 *Whilst my experiences have accumulated over*  
4 *the course of my service there has always*  
5 *been a genuine sense of fear and reprisal*  
6 *by coming forward and speaking up about my*  
7 *experiences of racism. The fear existed as*  
8 *the QPS has never established a culturally*  
9 *appropriate and culturally sensitive area*  
10 *or unit to support members coming forward*  
11 *to report instances. Existing reporting*  
12 *measures, the ESC, only causes fear,*  
13 *anxiety and trauma for Indigenous people*  
14 *and people of colour. How does an*  
15 *Indigenous person or person of colour feel*  
16 *confident coming forward to report racism*  
17 *when there is a high probability that the*  
18 *senior assessment investigating officer*  
19 *will be white? Where is there fairness if*  
20 *the member taking the complaint has no*  
21 *context or undertaking of racism,*  
22 *particularly from a member who's already*  
23 *marginalised by being Indigenous or person*  
24 *of colour?*

25  
26 Do you see that concern?

27 A. Yes.

28  
29 Q. Do you accept that his concerns, developed over a  
30 period of nearly 30 years, have some validity to them?

31 A. They would have some validity to them, yes.

32  
33 Q. Do you accept everything that he says?

34 A. I would have to look into everything that he said.  
35 There is a lot in those statements. I've known [REDACTED] for  
36 a long period of time. I think the world of him, and when  
37 I got this I was upset, I suppose, because I do know him  
38 very, very well. There is - sorry, anyway.

39  
40 Q. Well, while we're talking about this man, could I ask  
41 you to go to C8?

42 A. Yes.

43  
44 Q. Could you go to the last page in that document,  
45 please?

46 A. Yes, thank you.  
47

1 Q. Can you see he says that in August of 2020 he attended  
2 a meeting with you, the Commissioner, Katarina Carroll, the  
3 deputy commissioners named there - three of them; see that?  
4 A. Yes.

5  
6 Q. You can see that he says that a meeting was  
7 coordinated with you, the members of your executive  
8 leadership team and police members in order to share lived  
9 experiences of racism within the QPS; you see that?  
10 A. Yes, yes.

11  
12 Q. Do you recall this meeting?  
13 A. Yes, definitely.

14  
15 Q. Do you recall that a group of Indigenous officers and  
16 people of colour came and met with you to speak about  
17 entrenched racism within the QPS?  
18 A. They came to speak about their experiences within the  
19 QPS.

20  
21 Q. And that amounted to an experience of entrenched  
22 racism; correct?  
23 A. Each of them spoke about one or two of their  
24 experiences. I think there was four.

25  
26 Q. Commissioner, are you suggesting that at that meeting  
27 each of those officers only spoke to you of one or two  
28 experiences? Are you suggesting that they didn't talk to  
29 you about years and years of experience of entrenched  
30 racism within the QPS?  
31 A. Sorry, the meeting was two years ago. Four - I cannot  
32 remember the extent of the - the - every single thing that  
33 was said about - from each person. I think a couple spoke  
34 about incidents and others over long periods, longer  
35 periods. The meeting was arranged with the executive of  
36 that area to meet with myself and the deputies. It was a  
37 very important meeting. It was a moving meeting. What  
38 came from the meeting was the establishment of a state PLO  
39 coordinator --

40  
41 Q. Can I just pull you up there?  
42 A. Yes.

43  
44 Q. I'm not yet interested in what the organisation did  
45 after that meeting. I'm interested in seeing whether or  
46 not you can recall that the people who met with you, who  
47 included sergeants and senior sergeants who were either

1 Indigenous people or people of colour, relayed to you that  
2 in their collective experiences racism was entrenched  
3 within the QPS. Do you or do you not recall that that was  
4 what they relayed to you?

5 A. I don't know if the word "entrenched" was used. They  
6 gave us examples over periods of time. I'm sorry --  
7

8 Q. That's okay.

9 A. Yes. It's only because it was two years ago, and they  
10 were - it was an important meeting and it was  
11 extraordinarily moving.  
12

13 Q. Okay. Now, again, I'm not interested in getting  
14 bogged down in semantics, so I'm not worried about whether  
15 any one of them used the word "entrenched"?

16 A. Yes.  
17

18 Q. I'm just asking if you can recall that it wasn't just  
19 the case, as I think you said earlier, that they relayed to  
20 you one or two experiences; that in fact what was relayed  
21 to you was years worth of experiences of racism?

22 A. For some of them, yes, and what it did to me was cause  
23 me grave concerns.  
24

25 Q. Okay. Do you recall, as we can see here from this  
26 fellow's recollection, that some of the members were  
27 visibly upset at retelling their experiences?

28 A. Yes. It was very upsetting.  
29

30 Q. You can see here that this particular gentleman  
31 recounted his personal experiences of racism, he's talking  
32 about within the QPS, which he says was traumatic for him  
33 and it affected him emotionally and mentally having to  
34 share those experiences in front of high-ranking ELT  
35 presence for the first time; do you see that?

36 A. Yes.  
37

38 Q. You see that he says:

39  
40 *I was fearful of sharing but I did it*  
41 *despite the consequences, as I did it in*  
42 *the hope that it would improve the*  
43 *organisation, at a cost to my mental health*  
44 *and wellbeing.*  
45

46 You see that?

47 A. Yes.

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Q.  
*There was no cultural support provided by the organisation to me following having to recount my trauma.*

You see that?

A. Yes.

Q. And:  
*Members had to support each other following the meeting.*

You see --

A. Yes.

Q. Now, we've received an email from somebody else who was present at that meeting, and I might ask you to turn to that, please. It's in C7. Do you have C8 there in front of you?

COMMISSIONER: C7.

MS O'GORMAN: Sorry, C7 there in front of you? It's redacted on this screen, and if you could, Commissioner, we won't use names, just like we haven't for other police officers.

A. Yes, sorry. Thank you.

Q. Thank you. But we can see here that this particular senior sergeant, who was/is a person of colour, wrote to the people who were present at that meeting, including yourself, on 8 August; do you see that?

A. Yes.

Q. She addressed you, "Good morning, Commissioner", and the others, "Deputies, ED and Superintendent"?

A. Yes

Q.  
*Thank you all for making the time for us yesterday because we know how you are incredibly busy people. We truly appreciated how you made us all feel at ease, comfortable sharing our stories and enabling us to genuinely "speak truth to*

1           *power". We all walked out of that room*  
2           *feeling like we had been finally "heard"*  
3           *for the first time in years.*

4

5           A.    Yes.

6

7           Q.    She went on to say:

8

9           *We know it is a long road ahead.*

10

11          Now she's referring, if I can interject here, to  
12          improvements in race relations within the QPS?

13          A.    Yes

14

15          Q.

16               *However, we are all feeling positive that*  
17               *genuine change can come. Whilst things may*  
18               *move slowly, we are just happy to start*  
19               *moving in a direction that will create a*  
20               *better QPS for all.*

21

22          You see that?

23          A.    Yes.

24

25          Q.

26               *During one of my toughest times when*  
27               *I called out racism and misconduct in the*  
28               *workplace and people turned against me,*  
29               *I was so distressed that I literally became*  
30               *mute and didn't speak for four days.*  
31               *I could never have imagined that a few*  
32               *years later the very issue that silenced me*  
33               *would be the same issue that would help me*  
34               *find my voice with you all. That is why*  
35               *I will never forget 7 August 2020, because*  
36               *all the indignities that we had suffered*  
37               *over the years was finally turned into*  
38               *something that can be used for good to try*  
39               *and bring change.*

40

41          A.    Yes.

42

43          Q.

44               *I walked out of that room yesterday proud*  
45               *to be a Queensland police officer.*

46

47          A.    Yes.

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Q. *Thank you, and I truly look forward to seeing what evolves next.*

You see that?

A. Yes.

Q. A month later, in September of 2020, you might recall that an Indigenous elder died in custody?

A. Yes.

Q. And there were protests organised on the streets about the fact that she had died in police custody; you remember that?

A. Yes, yes.

Q. Whether or not that woman's death was caused by any wrongdoing on the part of QPS officers, I suggest to you it's entirely reasonable and entirely within the right of Indigenous people to protest when one of their own dies in custody; correct?

A. Yes.

Q. It's been reported in the paper that that day or the next you called a press conference and you said that you were upset to hear some protesters labelling the force as racist?

A. Yes.

Q. You remember that?

A. Yes.

Q. And in discussing that matter and in discussing that woman you said, "Sadly she did pass away. Sadly it was of natural causes. But we are in no way racist"?

A. Yes.

Q. Do you recall that?

A. Yes.

Q. Can we have document C9 put up on the visualiser, please, and page 3 of it. Could we zoom in on those large words next to the Police Commissioner?

A. Yes.

Q. Do you accept that it would have been an absolute slap

1 in the face for your most senior Indigenous officers and  
2 people of colour who had met with you the month earlier to  
3 tell you of their experiences of racism within the QPS to  
4 hear you say, "We are in no way racist"?

5 A. That is saying that 17 and a-half thousand members of  
6 the QPS are racist. That is speaking on behalf of 17 and  
7 a-half thousand people who are watching me.

8  
9 COMMISSIONER: You knew that there was racism in the QPS?  
10 A. Yes.

11  
12 COMMISSIONER: You had been told that a month before and  
13 you stand up and say, "We're in no way racist." You knew  
14 that was not true, Commissioner?

15 A. Yes.

16  
17 MR HUNTER: With respect, that's - the statement that is  
18 on the screen at the moment is not the full extent of what  
19 was said by the Commissioner on the subject.

20  
21 COMMISSIONER: Well, the Commissioner can reply.

22  
23 MR HUNTER: Well --

24  
25 COMMISSIONER: The Commissioner has a voice, Mr Hunter.  
26 She can reply.

27  
28 WITNESS: Thank you. And then I went on to say that there  
29 are a few that might say and do the wrong thing. I know  
30 I have racist people in the organisation. I know that.

31  
32 MS O'GORMAN: Well, why would you say, "But we are in no  
33 way racist"?

34 A. Okay. I could have chosen another word. But when you  
35 stand up and say that - and I should have chosen "the  
36 organisation as a whole is not racist".

37  
38 Q. All right, because language matters, doesn't it?

39 A. Yes.

40  
41 Q. And language matters when we're talking about race?

42 A. Yes, language does matter. Definitely. Yes.

43  
44 Q. All right. So you'd accept now, with the benefit of  
45 hindsight and being out of the glare of a press conference,  
46 that you could have chosen far more judicious --

47 A. Better words, yes.

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Q. -- and more accurate words than saying "we are in no way racist"?

A. Yes. Yes, definitely, in the benefit of hindsight. When I look at benefit of hindsight, I would have reframed it, because I know and did know we have racist people in the organisation. It was just saying that the whole organisation is not racist.

Q. Okay. But you would accept that that's not what was actually said on this particular occasion?

A. No, and how it would make people feel, exactly.

Q. Okay. Now, you did call this press conference yourself; you weren't just sort of ambushed by some journalists on this occasion, were you?

A. I can't recall. I can't recall, sorry.

Q. All right. Do you accept that it would have been more accurate if you wanted to comment on racism in the QPS to acknowledge that racism does exist in the way that you've just acknowledged now?

A. Yes.

Q. And do you accept that your comments on that particular occasion would have had the effect of shutting down any further attempts on behalf of those officers who had come to you and told you about racism in the part of the QPS from speaking out again?

A. Yes, definitely. You know, when you look back in hindsight, I think you always want to use better words. It was just - and I know I have racist people in the organisation, and I accept that saying it in that manner would have upset my people in the organisation.

Q. Okay. Your Honour, I'm going to move onto a slightly different topic soon. I wonder if it is possible to take the morning break now?

COMMISSIONER: Yes.

MS O'GORMAN: If we take maybe 15 minutes rather than 10, it will give us some time to get a coffee, if that's all right?

COMMISSIONER: Okay.



1           **SHORT ADJOURNMENT**

2  
3           COMMISSIONER:    Yes.

4  
5           MS O'GORMAN:    Thank you, Your Honour.  Commissioner, can  
6 I ask you to describe how it is that you would express your  
7 understanding of the extent of racism as a problem within  
8 the QPS, please?

9           A.    I would say there's definitely racism in the QPS.  
10 You've outlined the instances to me.

11  
12          Q.    Well, I haven't purported to outline all of them, to  
13 be fair.

14          A.    You know, instances.  From, you know, what's been told  
15 to me from the complaints that come in that there is  
16 definitely racism in the QPS, and it's an issue that we  
17 need to deal with.

18  
19          Q.    All right.  Let's have a look at how it is that the  
20 organisation is grappling with that issue in recent times.  
21 We were speaking before the morning break about the  
22 Communications, Culture and Engagement Division within the  
23 QPS?

24          A.    Yes.

25  
26          Q.    And you've already given evidence that you  
27 commissioned a review of that division, a report was  
28 returned in May of this year, and it found that that  
29 division's operating in the red as per that review, that is  
30 badly?

31          A.    That's correct.

32  
33          Q.    All right.  The First Nations and Multicultural  
34 Affairs Unit sits within that division, doesn't it?

35          A.    Yes, it does.

36  
37          Q.    It's made up largely of temporary positions, isn't it?

38          A.    Yes, it is.

39  
40          Q.    And that review found that it is neither well  
41 organised, nor structured, nor governed well, nor has good  
42 capacity or capability; correct?

43          A.    Yes, that's what the review found.

44  
45          Q.    So much work needs to be done by the organisation in  
46 order to strengthen the capability, capacity and governance  
47 of the First Nations and Multicultural Affairs Unit; right?

- 1 A. Yes, it does.  
2
- 3 Q. And that's very important that that be done, isn't it,  
4 so that any issues of racism within the QPS can be  
5 appropriately addressed moving forward; correct?  
6 A. Yes.  
7
- 8 Q. All right. Now, I want to talk now about the  
9 organisation's establishment and treatment of what's  
10 referred to as the First Nations Reference Group. Do you  
11 understand which group I'm talking about?  
12 A. Yes.  
13
- 14 Q. It was established, wasn't it, in September of last  
15 year in order to advise you as the Police Commissioner to  
16 inform and guide strategic decision making with respect to  
17 First Nations issues; correct?  
18 A. Yes.  
19
- 20 Q. You would know, wouldn't you, that the members of that  
21 reference group are esteemed community members with strong  
22 ties to cultural groups across Queensland?  
23 A. Yes.  
24
- 25 Q. You'd also be aware, wouldn't you, that they were  
26 approached and asked to be part of this group and that they  
27 are part of this group in an entirely unpaid capacity?  
28 A. Yes.  
29
- 30 Q. All right. You'd be aware from material that we've  
31 provided to you that that group considers that they have  
32 not been treated well by you or by the organisation since  
33 its inception; correct?  
34 A. They were upset that a number of times that I did not  
35 take up with them over a certain period of time.  
36
- 37 Q. Well, that's not the full extent of it but it's part  
38 of it. So as we have seen from material provided to you,  
39 or to us and then to you, that group says that it took many  
40 requests on their part to organise a meeting with you,  
41 which didn't then happen until 16 December 2021; do you  
42 recall that that's the case?  
43 A. Yes, but I would have to check whether every request  
44 came through to the office or whether the First Nations  
45 group or CCE group met with them initially.  
46
- 47 Q. Okay. In any event, they did meet with you --

- 1 A. Yes.
- 2
- 3 Q. -- or some of their members did meet with you on  
4 16 December 2021?
- 5 A. That's correct.
- 6
- 7 Q. As a group they expressed their concerns to you about  
8 the QPS's lack of cultural capability; correct?
- 9 A. Yes.
- 10
- 11 Q. They wanted to share their views with the Executive  
12 Leadership Team directly and develop an action plan to  
13 assist the QPS to engage with those issues; correct?
- 14 A. Yes.
- 15
- 16 Q. You gave them three assurances, firstly that you would  
17 have the reference group meet with the Executive Leadership  
18 Team by no later than February 22; do you remember that?
- 19 A. Yes.
- 20
- 21 Q. Also, that you would ensure that a public announcement  
22 of the group was made in early 2022; you recall that?
- 23 A. Yes.
- 24
- 25 Q. And, finally, that you would ensure that reference  
26 group members were networked with the relevant Executive  
27 Leadership Team members; correct?
- 28 A. Yes.
- 29
- 30 Q. Now, none of those things happened, did they?
- 31 A. No, and I need to explain why. February 2022, after  
32 just finalising things with the pandemic, we had the  
33 floods, and that extended through February and March. It  
34 was very difficult to meet with anyone. There were issues  
35 within the First Nations and CCE about the representation  
36 on the reference group not being representative of all the  
37 geographic areas in the state. I asked Steve Gollschewski  
38 to start chairing the meeting to look at what the issues  
39 were, and as a result - he went on sick leave for an  
40 extended period, but the acting deputy was informed that  
41 certain processes had to be followed through guidelines  
42 from DSDSATSIP, and the reference group were very upset,  
43 many of them, in fact, you know, about the process and the  
44 processes, and there is now still in terms of that work  
45 still is - I believe is still being done.
- 46
- 47 Q. I'm not sure that I follow all of that. You had made

1 assurances to the group that they would meet with the  
2 Executive Leadership Team and that there would be a public  
3 announcement of the team by February of 2022. As  
4 I understand it, you've said now that there was the issue  
5 of COVID and then there were floods in 2022; correct?

6 A. I told you about the other issues behind the scenes.  
7

8 Q. Well, I don't think that they came to light until  
9 after February 2022, but correct me if I'm wrong about  
10 that?

11 A. No, but there was still - I knew of issues behind the  
12 scenes.  
13

14 Q. All right.

15 A. Yes.  
16

17 Q. Now, in terms of those issues behind the scenes, as  
18 I understand material that we've obtained from your  
19 organisation and from the group, concerns were raised by  
20 the QPS or at least some members of the QPS that this  
21 First Nations reference group, who had been approached  
22 personally and asked to be involved in the group to advise  
23 you in your capacity as Commissioner, had had the  
24 appropriateness of their positions called into question  
25 because they weren't representative of all areas in the  
26 state; right?

27 A. Yes.  
28

29 Q. But you would see from material that we have put  
30 together that those members represent not only all areas of  
31 the state geographically but represent community ties right  
32 throughout the state; correct?

33 A. Just depending on what's been told to me by my senior  
34 executive --  
35

36 Q. I'll just show you the document that I'm referring to,  
37 because we have provided it to you. If you could go to  
38 C20. I don't need this brought up on the visualiser,  
39 thanks, Mr Operator. Do you have C20 there in front of  
40 you, Commissioner?

41 A. Yes, I'm sorry, I'm getting there.  
42

43 Q. No problem.

44 A. Thank you.  
45

46 Q. All right. Thank you. That blue map represents the  
47 regions from which the members of the First Nations

1 reference group come from, and you can see that they come  
2 from all areas of the state; correct?

3 A. Yes.

4

5 Q. If you have a look over the page at the green shaded  
6 map that represents their community connections across the  
7 state, and you can see that the members have community  
8 connections right across the state?

9 A. Yes.

10

11 Q. And if you go over the page, just for completeness,  
12 the community - the members of the group have put together  
13 their own backgrounds. If you cast your eyes over that  
14 list of backgrounds from which they come, you would agree  
15 that they are not only highly esteemed people, highly  
16 respected people, but they also come from all sorts of  
17 backgrounds and are entirely representative of our  
18 community; correct?

19 A. Yes.

20

21 Q. There's academics there, there's sportspeople  
22 there --

23 A. Definitely.

24

25 Q. All right. All right. Now, I don't want to get too  
26 bogged down in this or too nitpicky, but could you go,  
27 please, to document C15. Again, I don't need this brought  
28 up for the moment. This is an executive briefing note  
29 provided to you, if you turn to page 3, on or after  
30 15 February 2022; can you see that?

31 A. Yes.

32

33 Q. It was in this executive briefing note that it was  
34 raised with you that certain members of the QPS considered  
35 that the group did not provide adequate geographical  
36 representation or diversity of awareness; see that?

37 A. Yes.

38

39 Q. So by this time, when you're advised about those  
40 particular problems, the time by which you had promised  
41 this group that you would announce their existence and  
42 engage them with the ELT had come and gone, hadn't it?  
43 We're in February now?

44 A. Yes.

45

46 Q. And your ELT, despite COVID and despite the floods,  
47 continued to meet every month, didn't it?

1 A. Many of the meetings were - I'd have to check with  
2 that.

3  
4 Q. Well, I'm not asking whether they met personally every  
5 month, but there were meetings, whether by video link or in  
6 person, every month, were there not?

7 A. I would have to check, because it was a difficult  
8 period and I can't recall.

9  
10 Q. All right.

11 A. Very difficult period.

12  
13 Q. In any event, I think you could probably accept based  
14 on this material that there was opportunity for you to  
15 ensure that you link up this group with the ELT prior to  
16 February 2022; am I right about that?

17 A. No, it was very difficult.

18  
19 Q. All right.

20 A. It was extraordinarily difficult.

21  
22 COMMISSIONER: Was there an opportunity for you to  
23 announce they existed?

24 A. Your Honour, I was --

25  
26 COMMISSIONER: One of your 38 members of your media team  
27 perhaps could have put out a press release?

28 A. Your Honour, there were issues about the  
29 representation of the group that I was starting to become  
30 aware of.

31  
32 COMMISSIONER: There's no real issues about representation  
33 in the group, Commissioner?

34 A. No, Your Honour, the process about expressions of  
35 interest rather than direct approaches. There were issues  
36 that I was advised that we needed to revisit the membership  
37 of the group. I can only depend on the executive brief  
38 that I get to do that.

39  
40 MS O'GORMAN: I understand from some of the material we've  
41 been provided with that there was a suggestion at a high  
42 level that perhaps this establishment of the group didn't  
43 comply with Jobsmart requirements; do you recall that being  
44 raised with you?

45 A. I don't know if it was Jobsmart, but it was definitely  
46 about the process not being followed.

47

1 Q. All right. Do you understand that when you have  
2 voluntary and not paid members of a specialist group  
3 advising you directly about strategic matters of importance  
4 that it's not a requirement that they advertise - that is,  
5 that you, the QPS, advertise - these positions on Jobsmart  
6 or in any other way? You're entitled to accumulate a group  
7 of people who can provide advice to you without going  
8 through Jobsmart?

9 A. I wasn't aware of that. I depended on the advice that  
10 I got with respect to the group.  
11

12 Q. All right.

13 A. The group I wanted, the group I wanted to work with,  
14 it was so important. But I understand there were enquiries  
15 made with DSDSATSIP in terms of processes to follow.  
16

17 Q. Okay. Do you understand that the members of the group  
18 who were initially asked to form this group still are  
19 members, it hasn't turned out that there is any issue with  
20 their geographic or community ties representation?

21 A. I'm not sure if they all are, but definitely some are.  
22 But I understand there is a process to get other members on  
23 the group.  
24

25 Q. All right. Do you recall or accept from the material  
26 that's been provided to you by us that that group then  
27 requested a further meeting with you in April of 2022,  
28 which did not happen?

29 A. Yes, it may be the case. Yes.  
30

31 Q. All right. And do you recall that instead a meeting  
32 happened with one of your deputy commissioners right at the  
33 end of May 2022?

34 A. That's correct, and in fact I asked that deputy - he's  
35 in charge of that area - to go in and talk not only to the  
36 group but to also have a look at what was happening in CCE  
37 and in First Nations, and to also get back to me, and hence  
38 the review started.  
39

40 Q. All right. Do you understand that he also told the  
41 group that he would announce their existence and that that  
42 didn't happen?

43 A. I wasn't aware that he said he was going to announce  
44 their existence.  
45

46 Q. Okay. Do you recall that in July of this year you  
47 held the Commissioner's NAIDOC flag-raising event?

1 A. Yes.

2

3 Q. Do you recall or have you seen the material which  
4 establishes that this group asked to be invited and advised  
5 that it would be culturally appropriate that they be  
6 invited to attend?

7 A. Yes.

8

9 Q. And do you recall that they were told they didn't need  
10 an invitation, they could just turn up?

11 A. No, I didn't know that until after the event, and they  
12 were actually upset about it.

13

14 Q. Yes.

15 A. Yes, definitely. But I was not aware of that.

16

17 Q. Okay. Were you aware that on the day, this group  
18 says, that cultural protocols weren't followed and as a  
19 result an Elder was disrespected in the course of that  
20 flag-raising event?

21 A. After the event it became aware - I was made aware  
22 that I hadn't acknowledged an Elder.

23

24 Q. In hindsight, would it have been better if this group  
25 had been properly invited to attend and able to advise on  
26 proper cultural protocols to be followed in respect of an  
27 important ceremony for First Nations people?

28 A. Yes, definitely.

29

30 Q. All right. Do you recall or do you know now that  
31 there was another meeting with your Deputy Commissioner in  
32 July at which this group continued to express concerns at  
33 the delays in what they were being asked to do and a lack  
34 of clarity around what they were being asked to do?

35 A. Yes. I understand from discussing with the deputy it  
36 was getting challenging to get the whole group together to  
37 start the work, and I understand at the moment there is  
38 draft terms of reference for the group, which I asked him  
39 to obviously, you know, do with the group.

40

41 Q. Do you understand those draft terms of reference were  
42 in fact understood to have been agreed upon by the group  
43 when they were put together back in September of last year?

44 A. No, I wasn't aware it was that long ago. Yes.

45

46 Q. Do you accept that it's somewhat problematic that this  
47 group is stood up, established, in September of last year,



1 and now here we are in October of this year and so far as  
2 the organisation is concerned they still only have a draft  
3 terms of reference?

4 A. Yes, I think that's - it is a problem.

5  
6 Q. Can you see why members of the group might feel that  
7 they haven't been taken seriously and that it looks  
8 tokenistic that they have been asked to form a group to  
9 advise you on important strategic issues related to  
10 First Nations matters when what they're wanting to do has  
11 not been progressed at all in more than 12 months?

12 A. So - and I agree with that, if I was looking at that  
13 from the group's perspective. The area has been  
14 challenging. There has been workplace conflict in the  
15 area. We - as a result the deputy came to me about it, and  
16 obviously we commissioned a review.

17  
18 Q. All right. Could you go, please, to document C16 in  
19 your folder. Can you see a document there called "2022 QPS  
20 environmental scan - innovative projects and initiatives?"

21 A. Yes. I will just get it on here.

22  
23 Q. Sure.

24 A. If I could blow it up, sorry - it's just that I can't  
25 see it - if that's okay. Thank you.

26  
27 Q. I was just going to ask you to explain for us what a  
28 QPS environmental scan is?

29 A. A QPS environmental scan comes from many areas. It  
30 can come from what's happening at the international level,  
31 the national level, the state level. So it gathers  
32 information and then it informs strategies, operations,  
33 et cetera, into the future.

34  
35 Q. Okay. This particular environmental scan document  
36 came to the Commission of Inquiry from your organisation.  
37 What's the purpose of this document?

38 A. Sorry, can I just go up a little bit, if you don't  
39 mind?

40  
41 Q. Of course. It's C16 in your bundle, if it's easier to  
42 see it in hard copy?

43 A. Yes.

44  
45 Q. The second of the two folders.

46 A. An environmental scan calls on thousands of documents  
47 and, you know, millions of bit of information. So I can't

1 talk to this exactly.

2

3 Q. Is this a document, though, that informs the QPS about  
4 its environment, or is it an outward-facing document?

5 A. No, it would be an inward-facing document to inform  
6 strategy and operations, and from what I gather - so the  
7 environmental scan gets put together in our strategic  
8 policy area. So they will call on documents and  
9 information to then inform that strategy. So I am - by  
10 just looking at it - I would have to go back - I would not  
11 know whether policy and strategy has called on it, whether  
12 First Nations have put it up. I couldn't say, sorry.

13

14 Q. I won't take it any further, then, given the extent of  
15 your knowledge. Could I ask you, though, to go, please, to  
16 document C23. Do you agree with me that the QPS does not  
17 have a reconciliation action plan?

18 A. No, it's the government's reconciliation action plan.

19

20 Q. All right. Document C23 is an executive briefing note  
21 to you which was compiled by the then executive director of  
22 the Communications, Culture and Engagement Division in  
23 April of 2021; can you see that?

24 A. Yes.

25

26 Q. Can you see, if we're looking at the first page under  
27 the heading "Background" and paragraph 3, that the  
28 executive director said:

29

30 *The aim of a reconciliation plan is to*  
31 *create culturally safe and welcoming*  
32 *workplaces.*

33

34 A. Yes.

35

36 Q. And I should have started by establishing that what  
37 she said was that the purpose of the report is to seek  
38 approval from you to register with Reconciliation Australia  
39 to develop a QPS reconciliation plan; see that?

40 A. Yes.

41

42 Q. So in April of last year you're being asked by one of  
43 your executive directors to develop a reconciliation plan?

44 A. This document shows me that I've never received this  
45 document.

46

47 Q. All right. We've received this document from your

1 organisation. I hadn't appreciated that you hadn't  
2 received it?

3 A. So what normally happens is when an executive briefing  
4 note is done it would go through the deputies and you would  
5 see signatures there. It would then come to me and,  
6 depending on what they asked - it's asking for approval,  
7 that I would approve the document, to go ahead with  
8 the plan, and it would go back to CCE.

9

10 Q. All right. Acknowledging, as I do, that you've said  
11 that you didn't receive this document, can I ask you some  
12 questions about it in a theoretical sense. Could you have  
13 a look at paragraph 7, please. This draft document says:

14

15 *A QPS reconciliation action plan would*  
16 *contribute to the QPS strategic plan*  
17 *2020-2024 objectives, our people, our*  
18 *community, our relationships. Other police*  
19 *organisations such as Western Australia*  
20 *Police and South Australia Police have*  
21 *developed and implemented reconciliation*  
22 *action plans. They have advised the*  
23 *First Nations and Multicultural Affairs*  
24 *Unit that it has been a positive for the*  
25 *relationship-building process. The*  
26 *development and implementation of a*  
27 *Queensland Police Service reconciliation*  
28 *action plan would allow for an opportunity*  
29 *for the QPS to partner with the*  
30 *First Nations community to undertake*  
31 *meaningful engagement and seek culturally*  
32 *appropriate internal and external*  
33 *strategies. Without the demonstrated*  
34 *commitment of a reconciliation action plan,*  
35 *the current QPS actions could risk*  
36 *appearing tokenistic to First Nations*  
37 *communities.*

38

39 Can you see that?

40 A. Yes.

41

42 Q. Now, whether or not you've seen that before, do you  
43 agree that those observations appear sound?

44 A. Yes, definitely.

45

46 Q. All right.

47 A. If that came to me I would have definitely approved

1 that. I just have not seen the document.

2

3 Q. Okay. So is it your evidence that, if the  
4 CCE Division brings to you a recommendation that QPS  
5 develop its own reconciliation plan and not rely on the  
6 whole-of-government one, you will approve that to occur?

7 A. Yes.

8

9 Q. All right. I would like to move now to the topic of  
10 resourcing of the Command, which we touched on with you on  
11 the last occasion?

12 A. Yes.

13

14 Q. Unless --

15

16 COMMISSIONER: Sorry, can I just stop you there before you  
17 move on.

18

19 MS O'GORMAN: Yes.

20

21 COMMISSIONER: The First Nations and Multicultural Unit,  
22 is it appropriate that First Nations be lumped in with the  
23 multicultural side of things? They're very different  
24 considerations, aren't they?

25 A. They are. They're a separate unit but operate under  
26 the one banner. But I agree. This was the first time  
27 we've had a First Nations unit, and I think, to your point,  
28 further work needs to be done whether it's appropriate to  
29 have them together or separate.

30

31 COMMISSIONER: Okay. So you'd be supportive of  
32 First Nations having their own unit?

33 A. Yes, definitely. Yes.

34

35 MS O'GORMAN: I don't need this document brought up on the  
36 visualiser, but, Commissioner, would you mind please  
37 turning to document D23 in your bundle. That's in the  
38 second folder.

39 A. Thank you, yes.

40

41 Q. By way of context, you'd be well aware of course that  
42 this Commission of Inquiry has been asked by the government  
43 to look at the capability, capacity and structures within  
44 the QPS to respond to domestic and family violence?

45 A. Yes.

46

47 Q. And of course we discussed the last time that you gave

1 evidence that structures within the QPS now are set up such  
2 that the Domestic, Family Violence and Vulnerable Persons  
3 Command operates in partnership with the districts to  
4 deliver both the strategic and operational responses to  
5 domestic and family violence; correct?

6 A. Yes.

7  
8 Q. And on the last occasion we asked you some questions  
9 about the resourcing of the Command and whether or not it's  
10 been properly resourced since its establishment in February  
11 of last year?

12 A. Yes.

13  
14 Q. We - that is, people at the Commission of inquiry -  
15 have conducted a number of interviews with members of the  
16 Domestic, Family Violence and Vulnerable Persons Command  
17 within the last month, indeed within the last couple of  
18 weeks?

19 A. Yes.

20  
21 Q. And what's been provided to you there is a summary of  
22 the information provided by members of your command to  
23 the Commission of Inquiry?

24 A. Yes.

25  
26 Q. Might I observe at the outset that it was reported to  
27 me by those who conducted those interviews at the  
28 Commission of Inquiry that it's immediately apparent that  
29 every single person who is working in that command is  
30 extremely passionate about their job and entirely committed  
31 to their job?

32 A. Yes.

33  
34 Q. Each one of those members spoke favourably about the  
35 work done by your Assistant Commissioner Brian Codd in  
36 managing that group?

37 A. Yes.

38  
39 Q. And helping them in what's been very difficult times?

40 A. Yes.

41  
42 Q. All right. Can we just have a look, though, at some  
43 of the things that we've been told by members of the group.  
44 You can see that a superintendent commander reported that  
45 in his view the Command is underresourced?

46 A. Yes.

47

- 1 Q. He reported that he's been present at meetings where  
2 the Assistant Commissioner has asked for more resources for  
3 the Command?  
4 A. Yes.  
5
- 6 Q. All right. He's aware of a lack of resourcing having  
7 been raised on various occasions?  
8 A. Yes.  
9
- 10 Q. In his view, 11 or 12 further positions in the project  
11 space of the Command would assist?  
12 A. Yes.  
13
- 14 Q. Okay. You might be able to see then that an inspector  
15 within the Command says that the QPS as a whole runs lean  
16 but the Command is particularly underresourced?  
17 A. Yes.  
18
- 19 Q. In his view, this means that the Command is mostly  
20 reactive rather than proactive?  
21 A. Yes.  
22
- 23 Q. Now, a theme throughout all of these interviews was  
24 that the Command is essentially chasing its tail?  
25 A. Yes.  
26
- 27 Q. It's not able to look ahead and strategise with  
28 respect to DV?  
29 A. Yes.  
30
- 31 Q. You'd be aware of that from the tenor of what's been  
32 reported to you here?  
33 A. Yes, yes.  
34
- 35 Q. He said one example of this - that is, that the  
36 Command is reactive rather than proactive - is that there's  
37 only one person within the Command who's working on the  
38 video-recorded evidence pilot?  
39 A. Yes.  
40
- 41 Q. In his view, he thinks that one person could be  
42 supported by three or four extra people on that project  
43 alone; you see that?  
44 A. Yes.  
45
- 46 Q. Now, we know and you know from this document that that  
47 person who's running that pilot is also running a number of

1 different important projects for the DV Command?

2 A. Yes.

3

4 Q. So she's not just running the video-recorded evidence  
5 pilot, which people within your Command think could have  
6 more people just on that project?

7 A. Yes.

8

9 Q. Okay. You can see that an acting inspector reported  
10 that due to the resourcing of the Command progressing new  
11 initiatives has been difficult; yes?

12 A. Yes.

13

14 Q. The strategic capability needs to be met with required  
15 resources; yes?

16 A. Yes.

17

18 Q. In her view, at least four extra members are required  
19 in the DV Unit of the Command - so that's not the Command  
20 as a whole, just that specialist unit within it - as well  
21 as extra resources; yes?

22 A. Yes.

23

24 Q. Now, she, like everyone else, reported that she  
25 considered her colleagues are good people who want to be  
26 there, which is one promising aspect of the interviews?

27 A. Yes. Excellent. Thank you. Yes.

28

29 Q. Can see that an acting senior sergeant also reported  
30 about lack of resourcing within the Command?

31 A. Yes.

32

33 Q. Now, I believe, and I might just take a moment to  
34 ensure that my memory is correct about this - yes. You  
35 might be able to see about halfway down the paragraph that  
36 relates to the summary of her interview - you'll recall  
37 that there's been evidence on previous hearings about the  
38 fact that one of the things the Command is doing is  
39 developing a manual which is intended to be used by your  
40 frontline officers when they're responding to DV?

41 A. Yes.

42

43 Q. That's been an important project, I would suggest?

44 A. Yes, definitely.

45

46 Q. All right. She told us that the manual has been her  
47 number one priority for much of her time there and she's

- 1           been there since February last year and she's the only  
2           person working on that document; do you see that?
- 3           A.    Yes.
- 4
- 5           Q.    And she's got the support of an A04 project officer?
- 6           A.    Yes.
- 7
- 8           Q.    But you might understand the Commission of Inquiry was  
9           somewhat surprised to hear that that manual was being  
10          worked on by just one person?
- 11          A.    Yes.
- 12
- 13          Q.    All right. You might know that Mr Codd has requested  
14          that more people be made available to develop that manual?
- 15          A.    I'm not aware of that.
- 16
- 17          Q.    All right. If we have a look at the A07, the  
18          principal program coordinator?
- 19          A.    Yes.
- 20
- 21          Q.    You can see that she's reported that there are limited  
22          resources to undertake new projects within the Command?
- 23          A.    Yes.
- 24
- 25          Q.    More people to work on projects are required?
- 26          A.    Yes.
- 27
- 28          Q.    All right. You see that she reported to us that  
29          sergeants were taken away to work on a training initiative?
- 30          A.    Yes.
- 31
- 32          Q.    Okay. She also said that people in the Command are  
33          passionate but she said they're fatigued?
- 34          A.    Yes.
- 35
- 36          Q.    Okay. Then we can come to the A07, the principal  
37          program coordinator, who's the person who's running that  
38          video-recorded evidence pilot but also a number of  
39          different projects?
- 40          A.    Yes.
- 41
- 42          Q.    Now, she's overseeing six major initiatives. They  
43          include the high-risk high-harm dashboard, the  
44          video-recorded evidence pilot and the embedded officer  
45          pilot; do you see that?
- 46          A.    Yes.
- 47



- 1 Q. She has no support staff and she undertakes all of the  
2 work overseeing these projects, although she reported that  
3 for a short time a part-time sergeant was available but  
4 they've since left the Command?  
5 A. Yes.  
6
- 7 Q. She has reported that delegating tasks is difficult  
8 because of course everyone else in the Command has their  
9 own responsibilities?  
10 A. Yes, yes.  
11
- 12 Q. And she's reported that at the Department of Justice  
13 and Attorney-General, to her knowledge, there are five or  
14 six people there working on the VRE project - that's the  
15 video-recorded evidence --  
16 A. Evidence trial. Yes.  
17
- 18 Q. -- project - alone?  
19 A. Yes.  
20
- 21 Q. She's reported that in the sense of unfairness?  
22 A. Yes.  
23
- 24 Q. That is that she's carrying that burden by herself.  
25 She says that five or six extra staff across the six major  
26 projects are needed to assist with those projects?  
27 A. Yes.  
28
- 29 Q. She reported that she's wanting to develop a business  
30 case for the QPS to develop a DFV intelligence project.  
31 Now, as I understood it, that intelligence project has been  
32 proposed to the Command from outside agencies with  
33 capability to put together an intelligence-sharing platform  
34 between the QPS and other first responders?  
35 A. Yes.  
36
- 37 Q. She really wants to progress that, and I think you  
38 would agree that such an information-sharing platform would  
39 be beneficial if it could be designed?  
40 A. Yes, definitely.  
41
- 42 Q. She really wants to progress it, but she can't even  
43 put together a business case for it to be considered by the  
44 Executive Leadership Team because she can't get to that  
45 because she's got the six other projects on the go?  
46 A. Yes.  
47

1 Q. That's a problem, isn't it? If you've got people who  
2 are willing and able and being contacted by external  
3 agencies offering their ability to support something like  
4 an information-sharing platform that can be used by the QPS  
5 and other agencies, it's a problem if your Command can't  
6 grab that with both hands and run with it; right?  
7 A. Yes.  
8  
9 Q. Now, she said that she sees domestic and family  
10 violence as an area to effect real change but, perhaps  
11 unsurprisingly, given what she's told us about what she's  
12 doing, she feels exhausted?  
13 A. Yes.  
14  
15 Q. She says she's felt supported by the Superintendent  
16 and by the Assistant Commissioner Brian Codd?  
17 A. Yes.  
18  
19 Q. Commissioner Codd checks in and is worried about all  
20 of his staff; he always affords them time, listens to them  
21 and is aware of their feelings?  
22 A. Yes.  
23  
24 Q. Now, you can see in the last paragraph there that the  
25 acting senior research officer relayed a number of matters  
26 to us. Now, just for context for yourself, you might  
27 recall that within the Command additional to the DV Unit  
28 there are three research officer positions --  
29 A. Yes.  
30  
31 Q. -- scheduled to be there?  
32 A. Yes, yes.  
33  
34 Q. Only one of them is filled?  
35 A. Okay.  
36  
37 Q. You know that?  
38 A. Yes.  
39  
40 Q. That's this fellow?  
41 A. Yes.  
42  
43 Q. All right. He says that he started in the Command in  
44 October 2021 as a permanent research officer. He has a  
45 significant background in strategic intelligence analysis?  
46 A. Yes.  
47

- 1 Q. Do you see that? He says that the role of the Command  
2 is to provide high-level strategic direction but with the  
3 current resources and staffing they can't do it; see that?  
4 A. Yes.  
5
- 6 Q. He says that his research officer position is the only  
7 one which is filled out of those three allocated positions  
8 in the Command, and we know that to be true?  
9 A. Yes.  
10
- 11 Q. He says a lot of ad hoc work is done by the Command,  
12 which gives them little time to do strategic work?  
13 A. Yes.  
14
- 15 Q. He says there's no time for forward-focused strategic  
16 thinking or planning?  
17 A. Yes.  
18
- 19 Q. There is no time to identify trends or threats that  
20 are a high possibility of occurring?  
21 A. Yes.  
22
- 23 Q. A dedicated research cell for the Domestic and Family  
24 Violence Unit is required?  
25 A. Yes.  
26
- 27 Q. He, like everyone else, said that all of the people in  
28 the Command are great and give 100 per cent to their work?  
29 A. Yes.  
30
- 31 Q. Now, it's not in here but I know that he also spoke in  
32 extremely favourable terms of Mr Codd and the work that he  
33 tries to do with the members of the Command?  
34 A. Yes.  
35
- 36 Q. Is it concerning to you that in circumstances where  
37 you established that Command following the death of  
38 Doreen Langham in February 2021 with the intention that it  
39 would provide the strategic direction for the QPS to  
40 respond to domestic and family violence that the members of  
41 your Command are saying they are simply unable to do that?  
42 A. Yes. So I would like to expand on that, please.  
43
- 44 Q. Please, please.  
45 A. When we met for the DV Command to start I could not be  
46 more clear - not be more clear - that any resources that  
47 were required would be given to the Command, and in fact

1 I think the whole time I was the QFES Commissioner or  
2 the Commissioner of Police I have never said that to a  
3 member of the executive before, it was that important to  
4 me.  
5

6 What happens then when a strategic intent is made the  
7 Assistant Commissioner and their team go away and  
8 operationalise the strategic intent, ask for what staffing  
9 they need, and from what I am briefed that everything that  
10 that Assistant Commissioner has asked for through WAS has  
11 been approved, civilian staff last year and in January  
12 police staff. It was not optimal that it took that long to  
13 make those positions permanent. It's not. But in the  
14 first instance when you're starting a command you do it on  
15 a temporary basis until you get to those positions. And in  
16 fact that Command - the positions have come from other  
17 commands. So, Your Honour, you might remember when the  
18 service alignment program happened we were bringing  
19 commands together. So, rather than optimising positions,  
20 commands were asking for more positions. So what happens  
21 at WAS is they go into other commands and ask them, "You  
22 need to optimise this," they hold that, and that's where  
23 all of the positions came from. So the growth went to the  
24 regions and the optimised positions went into the Command.  
25

26 I have never been approached for more resources into  
27 that Command, and I completely agree with every one of  
28 these people. What happens if you don't have enough  
29 resources to be strategic you're actually quite reactive.  
30 So the aim is to be very, very strategic. Whether an  
31 application comes to me or anyone, it still ends up in WAS  
32 because you can't get the positions and you need to know  
33 what you're allocating. And you can actually make it  
34 happen quite quickly, and I'll give you an example of this.  
35 Just three weeks ago through one of the assistant  
36 commissioners to the deputy I had to urgently allocate  
37 12 sergeants to Weapons Licensing. So, even though it  
38 comes to me to make the decision out of sessions, it still  
39 goes back into the WAS committee so they can allocate  
40 positions.  
41

42 It's been difficult across the board with temporary  
43 positions. I think I have four, five hundred across the  
44 state at the moment. So when we optimise positions we then  
45 put them against where we need them. I have been myself  
46 incredibly frustrated about the leanness of the Command and  
47 not knowing what positions and where.

- 1  
2 Q. Well, can we go now to some of the frustrations that  
3 have been repeatedly expressed by the  
4 Assistant Commissioner --  
5 A. Can I just say one other thing, please? Thank you.  
6 As a result, I have asked an external consultant to come in  
7 and to look at the Command, to look at other models, and to  
8 now give me advice as to what I need to  
9 properly - properly - put resources into that Command.  
10  
11 Q. When did you do that, Police Commissioner?  
12 A. Three weeks ago.  
13  
14 Q. After you gave your evidence on the last occasion?  
15 A. It was only after I gave my evidence that I realised  
16 that it was that lean. So when an executive director has a  
17 role of doing that I am not going to go into every position  
18 and see what it is. I accept that those positions will be  
19 filled for the purposes that they need to be filled for.  
20  
21 Q. Why not - rather than engage an external consultant to  
22 come in and give you that advice, why not listen to your  
23 Assistant Commissioner who's in charge of the Command, who  
24 has been saying, "We need more resources"?  
25 A. That Assistant Commissioner needs to tell me exactly  
26 how many and what they're going to do and where they need  
27 to go.  
28  
29 Q. All right. Well, let's go through and have a little  
30 look at the sorts of things that the Assistant Commissioner  
31 has told you about, either you directly or indirectly  
32 through your Deputy Commissioner who is in charge of the  
33 portfolio with which the Command sits. Could you please go  
34 to document D9. I don't need this brought up for the  
35 moment, thank you, Mr Operator. Just to orient ourselves  
36 in terms of the chronology, you announced the establishment  
37 of this Command in February 2021; correct?  
38 A. Yes.  
39  
40 Q. And you appointed Assistant Commissioner Brian Codd to  
41 head that Command; correct?  
42 A. Yes.  
43  
44 Q. He didn't ask for that?  
45 A. No, but I chose him because of who he is.  
46  
47 Q. Sure. Now, if you have a look at this document, it's

1 the Executive Leadership Team meeting minutes from 25 and  
2 26 March 2021, isn't it?

3 A. Yes.

4

5 Q. All right. Can you see that at one point during the  
6 meeting - and I've seen a fuller version of what's in front  
7 of you and I confirm that you were in attendance at this  
8 meeting, according to the minutes?

9 A. Yes.

10

11 Q. See that at that time one of the topics which was  
12 discussed was the establishment of the Domestic, Family  
13 Violence and Vulnerable Persons Command?

14 A. Yes.

15

16 Q. Do you see that the ELT noted an overview of the  
17 purpose and scope of the Command?

18 A. Yes.

19

20 Q. Including two primary responses - responsibilities,  
21 I'm sorry, of the Assistant Commissioner being as follows,  
22 and I quote:

23

24 *Assume responsibility for strategic*  
25 *capability with respect to domestic and*  
26 *family violence.*

27

28 You see that?

29 A. Yes, yes.

30

31 Q. And also to take functional command of the existing  
32 centralised DFV and VP units; yes?

33 A. Yes, that's correct.

34

35 Q. And that's a reference to the previous DV unit that  
36 used to sit within Road Policing before it transitioned  
37 into Crime and Intelligence?

38 A. Yes.

39

40 Q. All right. But you can see there also if you look at  
41 the third black bullet point that the ELT noted that  
42 the Command is being established through existing resources  
43 and zero growth?

44 A. Initially.

45

46 Q. So that's what Mr Codd is put in charge of?

47 A. Yes.

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Q. A command that requires him to assume responsibility for strategic capability and to take functional command of the existing unit but at least initially with zero growth being provided?

A. Yes, because that's then his role to go away and tell us what is required.

Q. Okay. And you can recall that in April, then, the next month, he submitted, and it was approved by RAC, a request that the previous unit - I'm sorry, I think this RAC was simply approving the transition of the previous unit into the Command and extending temporary positions until September of 2021?

A. Yes. Yes.

Q. All right. Then we come to an executive leadership meeting on 11 and 12 May 2021, and if you could go, please, to document D11. Do you recall that at that time at that ELT meeting the Domestic and Family Violence Command was again the subject of discussion?

A. Yes.

Q. And that Assistant Commissioner Codd and Acting Superintendent Ben Martain were asked to present a deep dive in respect of domestic violence and the Command?

A. Yes.

Q. And this document here is a presentation that was given by both of those gentlemen at that time?

A. Yes.

Q. Do you remember that at that time the under-resourcing generally of the QPS but also under-resourcing of the Command specifically was raised with you by Mr Martain and Mr Codd?

A. I recall that ELT more about the under-resourcing of VPU's and that the Command and the regions had to work in a partnership model.

Q. Do you recall that it was raised with you that the Command was under-resourced?

A. No, not - because I would have said, like I did at the beginning, "Anything you want you get. Anything," because that's always been my view on the DV Command.

Q. All right. So are you saying that you don't recall

1 under-resourcing of the Command being raised with you on  
2 this occasion or you don't - that under-resourcing of the  
3 Command was not raised with you?

4 A. No, no, I recall resourcing. But what I recall more,  
5 the VPUs were horrendously underresourced and it was a  
6 discussion about the entire issue about under-resourcing.  
7 So that to my mind stands out more than the Command,  
8 because if Brian said to me then, "This Command is grossly  
9 underresourced," I would have said exactly like I did  
10 before: "You just need to ask." I don't know what he needs  
11 in the Command. I'm not the expert. In fact, the role of  
12 the executive and his team is to actually see what is  
13 required. The role is to do research across the entire  
14 world and the country and say, "This is best practice.  
15 This is where I think I need to go," and if that was that  
16 explicit I would have definitely reacted to it.

17  
18 Q. I'm not sure that I follow any of that. So can I ask  
19 again: is your evidence that you don't recall if Mr Codd or  
20 Mr Martain said that the Command is underresourced, or is  
21 your evidence that neither Mr Codd nor Mr Martain said the  
22 Command is underresourced?

23 A. My evidence and what I recall is that the most of  
24 resourcing issues related to VPUs and around the state how  
25 DV per se was underresourced. That is my evidence.

26  
27 Q. Okay, I understand that your brain --

28 A. But I don't recall the Command.

29  
30 Q. -- remembers VPUs more than anything else. Okay, you  
31 don't recall the Command being raised?

32 A. No. Yes

33  
34 Q. So you're not saying that it wasn't raised with you,  
35 just that you don't recall that now?

36 A. That's correct. If it was raised with me it would  
37 have been raised with the rest of the ELT.

38  
39 Q. Yes, that's right. Now, at that meeting we can see  
40 from minutes provided to us that the ELT endorsed the  
41 transition of the current unit temporary positions to  
42 permanent positions and recommended referral to the People  
43 Committee for further action; do you recall that?

44 A. Yes.

45  
46 Q. Okay. Material that we're provided shows that a  
47 submission was made to RAC and on 8 June 2022 RAC approved



1 a permanent staffing model for the Command for 12 police  
2 positions and for eight staff member positions?

3 A. Yes.

4

5 Q. But all of that was dependent on future growth  
6 allocations?

7 A. Yes. It was - it remains - they remain temporary  
8 until that future growth is allocated, and in fact, as  
9 I said, future growth went to the regions. The positions  
10 in the Command came from other commands where positions had  
11 been optimised.

12

13 Q. Could you please go to document D12 in your material.  
14 Can you see that that's a submission made by Brian Codd on  
15 21 June 2021 to the board of management?

16 A. Yes.

17

18 Q. And can you see, if you go to page - you're the chair  
19 of that board, are you not?

20 A. Yes.

21

22 Q. If you go to page 2 of that, the submission identifies  
23 the current staffing of the DFV and VPU? It's the first --

24 A. Yes. Yes. Thank you. Yes, yes.

25

26 Q. -- bullet point, yes, and it identifies there that at  
27 that time the DFV and VPC, which is the Command, had 34  
28 staff, five of which were sworn and nine were staff  
29 members - they were the permanent ones - and there were 13  
30 sworn temporary members and eight staff members who were  
31 temporary; do you see that?

32 A. Yes, yes.

33

34 Q. All right. If you go over to page 4 and have a look  
35 about halfway down that page under the heading "Current QPS  
36 resourcing of the DFV and VP policing"?

37 A. Yes.

38

39 Q. Can you see that he identified current resourcing  
40 problems at that time in this way:

41

42 *The temporary QPS staffing model for DFV*  
43 *and VP policing (current temporary staff*  
44 *cohort of 61 per cent) --*

45

46 A. Yes.

47

1 Q.  
2 *... owing to frequent staff turnover and*  
3 *the loss of vital corporate knowledge*  
4 *resulting from short-term secondment*  
5 *periods has made it [and I quote]*  
6 *extraordinarily difficult to embed positive*  
7 *long-term cultural change and build lasting*  
8 *internal and external relationships.*

9  
10 You see that?

11 A. Yes, and --

12  
13 Q. You would've been under no illusion that Mr Codd was  
14 saying that operation of the Command was, in his words,  
15 extraordinarily difficult given how it was resourced at  
16 that time; correct?

17 A. Yes, particularly - particularly - when you have  
18 temporary staff. I acknowledge that. It is  
19 extraordinarily difficult.

20  
21 Q. Yes.

22 A. Difficult to embed things when you have temporary  
23 staff that are moving in and out.

24  
25 Q. Okay. If you go over to page 9 can you see there that  
26 Mr Codd set out two options for consideration by the board  
27 of management, the first of which was a model for permanent  
28 resourcing of the unit, the high-risk teams and the  
29 district VPUs to enable that partnership model?

30 A. Yes.

31  
32 Q. Do you see that?

33 A. Yes.

34  
35 Q. And that's what he was recommending at that time?

36 A. Yes, and this is I think maybe where I then remembered  
37 that partnership model from the ELT.

38  
39 Q. I see. And you can see that he said, "Look, there is  
40 a second option" - it's established down at the bottom -  
41 which is just to maintain temporary staffing status quo,  
42 and he was telling the board of management that that was  
43 not his recommendation at that time?

44 A. Yes.

45  
46 Q. So here's one expression of a need on the part of your  
47 Assistant Commissioner in charge of the Command for there

- 1 to be an increase in permanent positions; correct?  
2 A. Yes.  
3  
4 Q. Now, you might be aware from material that we've been  
5 provided with from the QPS that Mr Codd then made other  
6 representations through the appropriate chain of command  
7 about the need for more resourcing?  
8 A. Yes.  
9  
10 Q. And when I say through the appropriate chain of  
11 command I mean that of course he would in the ordinary  
12 course of events report to the Deputy Commissioner who  
13 heads up that portfolio?  
14 A. Yes.  
15  
16 Q. All right. Now, material that we've been provided  
17 with demonstrates that on 30 July 2021 he made  
18 representations to the Deputy Commissioner about staffing  
19 issues at the Command?  
20 A. Sorry, bear with me.  
21  
22 Q. Sure.  
23 A. Which one are you referring to?  
24  
25 Q. If you go to D15, I'll take you through to the entry.  
26 If you turn to page 5 - I don't need all of these brought  
27 up on the visualiser, thanks, Mr Operator.  
28 A. Sorry. Sorry. Yes. Yes.  
29  
30 Q. You're on page 5. You can see the entry there in his  
31 diary note of 30 July 2021?  
32 A. Yes.  
33  
34 Q. There's a meeting there with the Deputy Commissioner  
35 at which there's discussion with respect to staffing?  
36 A. Sorry, just bear with me.  
37  
38 Q. Sure. Can you see the --  
39 A. Page 5, is that the second --  
40  
41 Q. Yes, there's a number of boxes. If you have a look at  
42 the second box from the top?  
43 A. Yes.  
44  
45 Q. Under the --  
46 A. CCSTSO.  
47

- 1 Q. Yes, that's so - portfolio meeting?  
2 A. Yes.  
3  
4 Q. And then you can see the word "me" and a number of  
5 things that have been raised by him?  
6 A. Yes.  
7  
8 Q. Which included staffing?  
9 A. It just says "staffing", yes.  
10  
11 Q. Then we've been provided - this is material that we've  
12 been provided with by the QPS, you'll appreciate?  
13 A. Yes.  
14  
15 Q. Provided with text messages between Mr Codd and the  
16 Deputy Commissioner on 2 August 2021; you can see those set  
17 out on page 4 and 5?  
18 A. Sorry, just the top one there, texts from? Bear with  
19 me.  
20  
21 Q. No problem. You can see in the red writing --  
22 A. Yes.  
23  
24 Q. -- they're texts from the Deputy Commissioner, and you  
25 can see in the blue or green writing texts from the  
26 Assistant Commissioner?  
27 A. Yes.  
28  
29 Q. If you go over to the top of the next page you might  
30 be able to see if you have a look about six or eight lines  
31 down this is a text message from the Assistant Commissioner  
32 to the Deputy Commissioner, "I agree with BOM" - that's  
33 board of management - "we have too much on our plate  
34 currently"; do you see that?  
35 A. Sorry, bear with me.  
36  
37 Q. Sure. I'll count to help find it.  
38 A. If you don't mind.  
39  
40 Q. Nine. Nine lines down, sorry.  
41 A. Okay. Thank you. Yes.  
42  
43 Q. And that's a reference to the Command being stretched?  
44 A. I don't know, I'm sorry.  
45  
46 Q. That's okay. Have a moment to have a read of all  
47 those text messages, if you want. While you're reading

1 that I'll just read out a part of it just for context?  
2 A. I - yes, yes. The only reason I am concentrating on  
3 it is to try and get an insight into it. But if I'm not  
4 party to previous discussions I really can't comment on  
5 that.

6  
7 Q. Well, I think you can. We've been provided with text  
8 messages between your Deputy Commissioner and your  
9 Assistant Commissioner in the course of which your  
10 Assistant Commissioner says this in a text:

11  
12 *I have to say that our very small team are*  
13 *struggling under enormous expectations and*  
14 *demand at present and I am concerned for*  
15 *them. We are already down a*  
16 *superintendent, senior sergeant, an A07 and*  
17 *two A06s. Another temporary acting senior*  
18 *sergeant has asked for a break from the*  
19 *workload, which we are facilitating. We've*  
20 *lost an A04 last week because of the delays*  
21 *in converting the temporary positions to*  
22 *permanency. We've been asked to prioritise*  
23 *benefits for the frontline, Qlite NextGen*  
24 *stage 1 reforms on trial at Logan. To*  
25 *align our approved action plan to specific*  
26 *outcomes. To develop a domestic and family*  
27 *violence and vulnerable persons model for*  
28 *Moreton as part of the SDRP. To provide*  
29 *the submissions for the Women's Safety and*  
30 *Justice Taskforce. To develop a district*  
31 *domestic and family violence and vulnerable*  
32 *persons capability framework, to align our*  
33 *strategy with the sexual violence response*  
34 *strategy. To prepare for forthcoming*  
35 *coronial inquiries. To support the*  
36 *proposed DJAG body-worn camera trial at*  
37 *Ipswich. To work with People, Capability*  
38 *and Performance --*

39  
40 -- I think. PCAP, in any event.

41 A. PCAP. Yes, yes.

42  
43 Q.  
44 *... to develop and implement a domestic and*  
45 *family violence and vulnerable persons*  
46 *training framework. Prepare for Estimates,*  
47 *CPRs and other ministerial and*

1           *parliamentary requests, and more. I agree*  
2           *with BOM. We have too much on our plate*  
3           *currently. Anything you might be able to*  
4           *do to buy us some time would be*  
5           *appreciated, and I agree with the*  
6           *suggestion to advise the minister we're*  
7           *delayed by the COVID outbreak. Thanks.*

8  
9           You see that?

10          A.    Yes, I do.

11  
12          Q.    And you see the response from the Deputy Commissioner  
13          was:

14  
15                 *Done. Not the right time to launch the*  
16                 *initiatives --*

17  
18          -- which had been discussed by her a little earlier in the  
19          conversation; correct?

20          A.    Initiatives, yes.

21  
22          Q.    Yes. All right. The response, for completeness, was:

23  
24                 *Thanks, agree. We will get there but just*  
25                 *not in the timeframes being suggested.*  
26                 *These initiatives are certainly worthwhile*  
27                 *pursuing but won't provide immediate*  
28                 *improvements for our frontline.*  
29                 *I acknowledge that we're all under the*  
30                 *pump, cheers."*

31  
32          A.    Yes, and that Assistant Commissioner actually offered  
33          up staff to the COVID response, and we said no. He was the  
34          only command not asked to give up any staff.

35  
36          Q.    Well, there were virtually none, were there?

37          A.    No --

38  
39          Q.    We'll come to that in a moment. But it's - we'll come  
40          to that email --

41          A.    But there's many people under the pump.

42  
43          Q.    Sure.

44          A.    Many people under the pump.

45  
46          Q.    Yes, but your other commands have more than a handful  
47          of members in them?

1 A. Yes, that's exactly right, and that's why we didn't  
2 want to touch this command.

3

4 Q. Okay. We'll come to that email shortly?

5 A. Yes. Yes, yes.

6

7 Q. I'm just wanting to step through the efforts that  
8 Mr Codd has made in a number of different ways to draw  
9 attention to the under-resourcing of the Command. So if  
10 you could go to page 3 of that same document. You see  
11 there was a meeting between the Assistant Commissioner on  
12 8 September 2021 with the Deputy Commissioner of the  
13 portfolio; see that?

14 A. 8th of -- sorry, what page?

15

16 Q. Page 3.

17 A. Sorry. It's going back.

18

19 Q. It's in chronological order but it's backwards, so  
20 we're moving back to front.

21 A. Sorry. Thank you. Yes.

22

23 Q. When you're looking at that, just to orient yourself,  
24 Commissioner, if you have a look at the third box on the  
25 page, and you'll see that that's headed 8 September 2021?

26 A. Yes.

27

28 Q. And there's a record there by the  
29 Assistant Commissioner of his portfolio meeting with  
30 the Deputy Commissioner; see that?

31 A. Yes.

32

33 Q. All right. And, according to his records, he  
34 expressed his disgust at "how our people were being treated  
35 through transition from temporary to permanent positions  
36 and displaced persons process and my disappointment at the  
37 QPS permitting this to happen"; you see that he did that?

38 A. Yes.

39

40 Q. All right. Then on 17 September, if you have a look a  
41 little further up the page in the second box, you can see a  
42 record that he met with the Deputy Commissioner for a  
43 one-on-one, at which ELT governance issues and Command  
44 staffing issues were discussed?

45 A. Sorry, just repeat that, if you don't mind.

46

47 Q. Sure. If you just have a look still on that page but

1 at the second box from the top?  
2 A. Yes.  
3  
4 Q. You can see 17 September 2021?  
5 A. Yes.  
6  
7 Q. And the words "met with the Deputy Commissioner for  
8 one-on-one"?  
9 A. Yes.  
10  
11 Q. "Discussed ELT governance issues and Command  
12 staffing"?  
13 A. Yes.  
14  
15 Q. All right.  
16 A. But that's all I've --  
17  
18 COMMISSIONER: Can you just have a look at the line under  
19 that:  
20  
21 *Confirmed action to cost out what good*  
22 *looks like. Was allocated to Cam and not*  
23 *me where we continued to work with SDP on*  
24 *that.*  
25  
26 So what's SDP?  
27 A. The service delivery program. So that's --  
28  
29 COMMISSIONER: And Cam is?  
30 A. I think that --  
31  
32 COMMISSIONER: Is that Cameron Harsley?  
33 A. I think that's an assistant commissioner, Cam Harsley,  
34 yes.  
35  
36 MS O'GORMAN: Then in terms of the chronology, if you were  
37 to go to document D13 in your bundle again - this doesn't  
38 need to go up on the visualiser?  
39 A. D, sorry, 13, did you say?  
40  
41 Q. Yes.  
42 A. Apologies. Yes.  
43  
44 Q. If you have a look at this document you will be able  
45 to satisfy yourself, I think, that it's an email sent from  
46 the head of the Command on 30 September 2021?  
47 A. Yes.



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Q. To a number of people, including the Deputy Commissioner at the top of that portfolio?

A. Yes.

Q. The email reads:

*Hello Deputy, we continue to progress the transition of the current command workforce from temporary to permanent status.*

So as of 30 September those staffing requests that Assistant Commissioner Codd had made and been approved had still not actually eventuated; do you see that?

A. Yes. I just have to check. What happens is he'll get approved that, it will go to HR and they will advertise. So if there is a delay I think we've got to be careful because I'm not sure where that delay happened.

Q. I'm not attributing blame to anyone. I'm just saying it's quite apparent here that, although he had asked for and had approved a number of positions being transferred from temporary to permanent, they hadn't occurred, for whatever reason, by 30 September 2021?

A. But the reason might be important. I don't know where the delay is, is what I'm saying.

Q. I see. Okay. If you want to have a look into it and come back to us later, that's fine.

A. Yes.

Q. But if we can just have a look at the further representations he made:

*On a positive note, there's been significant progress on the staff member positions, including approval of a suitable staff member on the displaced list being allocated to an A04 position at Beenleigh HRT.*

He goes on to say they have:

*... negotiated some suitable arrangements with the union in respect of some other positions in Mount Isa and Beenleigh.*

1 You see that?

2 A. Yes.

3

4 Q. However, in the next paragraph he says:

5

6 *Unfortunately, we're facing ongoing*  
7 *challenges with the police positions --*

8

9 -- within the Command, and you'll remember that these are  
10 positions that were previously approved by RAC to be made  
11 permanent?

12 A. Yes.

13

14 Q. Yes.

15

16 *Approval has been given to the creation of*  
17 *these as permanent positions by RAC as a*  
18 *priority subject to growth allocations.*  
19 *Unfortunately, I'm not aware of the status*  
20 *of these allocations.*

21

22 You see?

23 A. Yes, I see what he's saying.

24

25 Q. And then he goes on to precisely step out what's  
26 missing:

27

28 *We currently have one permanent senior*  
29 *sergeant position within the Command being*  
30 *temporarily relieved against due to the*  
31 *incumbent being on extended sick leave for*  
32 *two years. The other five senior sergeant*  
33 *positions are all temporary --*

34

35 -- and he sets out which they are --

36

37 *... and require the ongoing and*  
38 *understandably diminishing assistance of*  
39 *the areas where the relievers are released*  
40 *from.*

41

42 You see he steps all of that out?

43 A. Yes, yes. Yes.

44

45 Q. And over the page:

46

47 *Due to the ongoing workload and uncertain*

1           *longer term arrangements of these*  
2           *positions, three of the current relievers*  
3           *have indicated an intention to cease their*  
4           *relieving and return to their substantive*  
5           *positions.*

6  
7           You see that?

8           A.    Yes.

9

10          Q.    In the next paragraph he identifies, through the  
11          appropriate chain of command, I'd suggest:

12

13                   *We are obviously holding considerable risk*  
14                   *in our capacity to sustain the roles and*  
15                   *responsibilities allocated to us. Should*  
16                   *we be unable to retain these officers or*  
17                   *attract new ones, it will require a rethink*  
18                   *of our current work and will likely impact*  
19                   *on the district capability framework*  
20                   *rollout, the progress of planned training*  
21                   *products, the ongoing development of the*  
22                   *DFV strategy, the VVS trial and the delay*  
23                   *of the proposed quality assurance*  
24                   *framework, to name just a few of the*  
25                   *actions that we have on our work plan.*

26

27          You see?

28          A.    Yes.

29

30          Q.    He goes on to specify the current deficit situation  
31          that he finds himself in, and if you have a look at the  
32          second last paragraph you'll see:

33

34                   *This situation is unsustainable and I am*  
35                   *concerned about the ongoing potential*  
36                   *detrimental impact in our workplace. It is*  
37                   *such that I believe it is necessary to*  
38                   *consider elevating it to the enterprise*  
39                   *risk register.*

40

41          You see?

42          A.    Yes.

43

44          Q.    And then he says:

45

46                   *I understand that there is currently a*  
47                   *process underway at deputy level --*

1  
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47

-- so this is above his payroll, as it were --

*... in relation to determining the growth allocations. I would welcome your advice on what options might be available to us to accelerate the allocation of the growth positions approved by RAC as described.*

You see that there?

A. Yes.

Q. All right.

A. I understand that there were risks on his register. I also understand that they were not elevated to the deputy. I understand that in August they were put on the enterprise risk register, which, Your Honour, is the organisational risk register, and I would have to refer to that risk register as to what the risk was identified as, and I don't have it in front of me, I apologise. Yes.

Q. We can see that as of 30 September 2021 your Assistant Commissioner was telling the Deputy Commissioner that he believed it was necessary to consider elevating it to the enterprise risk register; see how he raised that with her there?

A. Yes.

Q. Okay. So we don't know why the Deputy Commissioner didn't take that advice on board, do we, or do you?

A. But I - no, I don't.

Q. All right.

A. But I would have thought if it was such a risk it would have been elevated a lot sooner, and that's why I said I think it's incredibly important that I know when it was elevated and what actually the risk said. That is important.

Q. Have you asked your Deputy Commissioner why it wasn't elevated when Mr Codd brought it to her attention in September last year?

A. I did, and she said it wasn't elevated to her, and it may have been here, but not prior to that.

Q. No.

A. Yes. But --

- 1  
2 Q. Okay. So, so far as you understand, it was considered  
3 by her in September of 2021 for the first time when Mr Codd  
4 raised it with her?  
5 A. In this email, that would be the case.  
6  
7 Q. Okay. All right. But you don't know from her why it  
8 wasn't elevated to the risk register, her risk register, at  
9 that time?  
10 A. No.  
11  
12 Q. Okay. Could we just return to some more  
13 representations made by the Command seeking further  
14 resourcing or the progression of this movement from  
15 temporary to permanent and the risks associated with it.  
16 If you go back to D15 for the moment, please, and go to  
17 page 2, and have a look at the last box on that page, and  
18 you might be able to see in bold above that box 18 October  
19 2021?  
20 A. Yes. Thank you.  
21  
22 Q. All right. And you might be able to see that there's  
23 a record that the Assistant Commissioner had prepared for  
24 the meeting with the Deputy Commissioner relating to his  
25 concerns about bullying and workload; you see that?  
26 A. Yes.  
27  
28 Q. And SNP position at the Command and promotion transfer  
29 arrangements; you see that?  
30 A. Yes.  
31  
32 Q. Then he's reported that the meeting in fact took place  
33 later that day in accordance with his preparations?  
34 A. Yes.  
35  
36 Q. Okay. If you look just one box above that one you can  
37 see 19 October 2021, so the next day?  
38 A. Yes.  
39  
40 Q. It's recorded there that there's a COP vidcon with  
41 senior officers. What's a COP vidcon?  
42 A. It's an operational videoconference that happens every  
43 Tuesday morning.  
44  
45 Q. Okay. When it says "COP", does that mean you're part  
46 of that?  
47 A. More often than not. It's just called that. So if

1 I'm not there it still goes ahead. But it really is - it's  
2 not a strategic executive leadership type meeting. It's  
3 more what's operationally happening that week, and  
4 sometimes we might talk about strategic issues. But it  
5 normally happens every Tuesday.  
6

7 Q. Do you know now whether or not you were present at  
8 that meeting on 19 October 2021? If not, you might be able  
9 to check your records later and come back to us?

10 A. Yes, I will. Yes, yes.  
11

12 Q. We can see there, according to the  
13 Assistant Commissioner's notes, that on that occasion the  
14 Deputy Commissioner raised the need for the risk registers  
15 to be updated; you see that?

16 A. Yes.  
17

18 Q. All right. Do you remember the Deputy Commissioner  
19 raising the need for the risk registers to be updated?

20 A. Not from October last year. These meetings happen  
21 every single week.  
22

23 Q. I see. Then if you don't mind going to D14 in your  
24 materials, so one tab earlier than where you presently are.  
25 This is one email relating to that invidious position the  
26 Command found itself in in trying to work out whether it  
27 could relieve anyone to assist with COVID deployments  
28 elsewhere. You might be able to see this is an email from  
29 the Assistant Commissioner to the Deputy Commissioner on  
30 26 October 2021?

31 A. Yes.  
32

33 Q. The Assistant Commissioner says:  
34

35 *Hello DC, I have been talking with our team*  
36 *about COVID contingencies. If necessary,*  
37 *we could suspend operations of the Command.*  
38 *However, I would recommend we continue the*  
39 *direct frontline support provided by the*  
40 *district based HRTs and the PCC embedded*  
41 *DFVs (albeit the latter are seconded in*  
42 *from districts who may be seeking them*  
43 *back).*  
44

45 A. Yes.  
46

47 Q. So it was acknowledged that the Command could help but

1 only if operations of the Command were entirely suspended;  
2 you see that?

3 A. Yes.

4

5 Q. Okay. He says:

6

7 *Unfortunately, this would only realise two*  
8 *police positions for redeployment (me and*  
9 *Ben).*

10

11 A. Yes.

12

13 Q. Now, in context, that means that he's saying that the  
14 only police positions available at the Command at that time  
15 for redeployment were in fact the Assistant Commissioner  
16 himself and Ben, who must have been Ben Martain, I'm  
17 assuming?

18 A. Yes, but I do recall - and I would have to go through  
19 all the documentation - an offering up of more and we said  
20 no, and in fact when we made the decision at ELT it was,  
21 "Don't you offer up anything." So I would just have to go  
22 through documents.

23

24 Q. Okay. Well, let's keep going through what we do  
25 actually have here in front of us.

26 A. Yes.

27

28 Q. He says:

29

30 *We only have two other permanent police*  
31 *positions (superintendent seconded to*  
32 *Ethical Standards Command and senior*  
33 *sergeant on long-term sick leave). All*  
34 *other police positions are temporary --*

35

36 A. Yes.

37

38 Q.

39 *... 4 vacant and 5 belonging to other*  
40 *areas.*

41

42 You see that?

43 A. Yes.

44

45 Q. So, as of this time, Mr Codd is advising the  
46 Deputy Commissioner that there's only two permanent  
47 positions, police positions, within the Command, the other

- 1 two permanent police positions are either seconded  
2 elsewhere or on sick leave, and all the remaining are still  
3 temporary at this point in time?
- 4 A. I'd have to check - those positions from my brief were  
5 approved January. Yes, they may still - yes, the civilian  
6 staff were made permanent last year in June, and the police  
7 positions were made permanent in January, yes.  
8
- 9 Q. Well, I think from material we've been through some  
10 were already made permanent; it's just that the future  
11 growth allocations hadn't arrived such that the permanency  
12 could be realised; correct?
- 13 A. I'd have to check that, sorry. Deputy Commissioner  
14 Gollschewski chairs that committee.  
15
- 16 Q. All right. We can go back through the material later.  
17 He said:  
18  
19 *In terms of staff members (due to*  
20 *secondments and vacancies) we have a*  
21 *maximum of 11 positions which could be*  
22 *considered for redeployment --*  
23  
24 -- and he sets out those there.  
25  
26 *I have not yet confirmed any limitations on*  
27 *their potential redeployability.*  
28
- 29 You can see that?
- 30 A. Yes.  
31
- 32 Q. But, in any event, you've said that upon further  
33 consideration of that offer and what it would mean to the  
34 crippling of the Command --
- 35 A. That's right.  
36
- 37 Q. -- it was decided it wouldn't be done?
- 38 A. Definitely.  
39
- 40 Q. All right. So then could we then go, please, back to  
41 D15, and now we can go to page 1 - I'm sorry, over to  
42 page 2 and the first box on page 2. You can see 5 November  
43 2021; see that?
- 44 A. Yes.  
45
- 46 Q. All right. See that the record is that:  
47



1           *The Assistant Commissioner spoke with the*  
2           *Deputy Commissioner about the deteriorating*  
3           *staff situation within the Command.*

4

5           You see that?

6           A.    Yes

7

8           Q.

9           *Advised our positions were at the top of*  
10          *the list to be considered by WAS --*

11

12          -- which was meeting this month; you see that?

13          A.    Yes, yes.

14

15          Q.    So that's what he's advised by the  
16          Deputy Commissioner?

17          A.    Yes.

18

19          Q.    You're now progressing to the top of the list.

20

21          ... *and entered on ERR.*

22

23          That's enterprise risk register; you see that?

24          A.    Yes, I do see that.

25

26          Q.    Okay. So at this stage the transition of the  
27          positions that had been requested by the  
28          Assistant Commissioner from temporary to permanent hadn't  
29          been entirely realised but the Deputy Commissioner was  
30          saying that the positions were now at the top of the list  
31          to be considered by WAS?

32          A.    Yes.

33

34          Q.    All right. Upon review of this material it would  
35          seem, wouldn't it, that the Assistant Commissioner couldn't  
36          have been more active in agitating for an increase of  
37          resourcing of the Command last year, could he?

38          A.    Yes, but I would expect if he wanted more resourcing  
39          that he would articulate exactly what type of resources,  
40          and I'll give you an example. Like - when you ask for  
41          resources like I got from Weapons Licensing last week you  
42          articulate exactly what you want and how many, what their  
43          role would be, et cetera. So I can see that it's asking  
44          for AOs, et cetera, and I know - I know definitely from  
45          what I am briefed - that everything that has been asked for  
46          has been approved.

47

1 Q. Okay. Could you go to document D5, please, and have a  
2 look at the first page. This is your - the request that  
3 was made on behalf of the Command for the transition of  
4 those temporary positions to permanent. You can see that  
5 the resourcing request is set out in these terms:  
6

7 *Creation of 12 permanent police positions*  
8 *through conversion of a 11 police positions*  
9 *from temporary to permanent, including five*  
10 *senior sergeants and six sergeants;*  
11 *creation of one permanent inspector*  
12 *position, inspector mental health police*  
13 *referrals; creation of seven permanent*  
14 *staff positions through conversion of six*  
15 *staff member positions from temporary to*  
16 *permanent, including one A06, three A05s,*  
17 *one A04; creation of one A06 project*  
18 *coordinator position, rebalancing the*  
19 *existing senior sergeant project*  
20 *coordinator; creation of one A07 principal*  
21 *project coordinator to develop DFV process*  
22 *improvement through funding currently*  
23 *allocated to annual contractor costs; and*  
24 *redesignation of one permanent police*  
25 *position, senior sergeant liaison officer*  
26 *to senior sergeant DFV, QA and performance.*  
27

28 It goes on there to discuss some other requests with  
29 respect to the A07 position and a re-alignment of the  
30 senior sergeant liaison position. I'm just wondering  
31 whether it's your evidence that that request was done in an  
32 inadequate way and wasn't specific enough?

33 A. This is - I'm sorry, when was this, if you don't mind?  
34

35 Q. If you just turn over the page you can see that it is  
36 the one that was approved on 8 June twenty - it says 22 but  
37 it is 21. It's either a miswriting or it's just a  
38 flourished "1".

39 A. So this is the approval of the RAC ones in June last  
40 year?  
41

42 Q. Yes, that Mr Codd asked for?

43 A. Yes. Were these approved? I'm not sure. I would  
44 have to find out, sorry.  
45

46 Q. Yes, these were approved.

47 A. Okay. Yes.

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Q. We went through that approval process before.

A. Yes. Yes. But that's the process you go through, yes.

Q. That's right.

A. Yes.

Q. And, as I understood it, but maybe I was misunderstanding you, I thought you were suggesting that what was asked for wasn't done in a specific enough way, and I'm just asking whether or not you think there's some inadequacy with that?

A. No, not with this. From what I - whichever way you ask for staff, whether it be to me, as I said, it ends up at WAS or whatever, but there is a record of it. So if there's a record like this in those committees that's what I expect.

Q. Okay. Well, as far as I understand the material - and, you know, you'll have to forgive me if I'm misunderstanding this - a request was made for transition of temporary to permanent positions, including by this RAC submission, that was approved, but then those didn't come to realisation because the future growth allocations hadn't yet arrived by the end of last year?

A. That would be correct, yes, sorry, definitely. So it took a while for the police positions in particular to come from other commands to be allocated to this.

Q. Okay. So is it right that by the end of last year Mr Codd had made appropriate requests for permanent positions through the appropriate RAC channel - firstly, can we agree that that's occurred?

A. RAC and then WAS, sorry, yes.

Q. So the appropriate one has been made?

A. Yes, yes.

Q. And then those positions hadn't come to fruition by the end of last year?

A. Yes.

Q. Despite having been approved?

A. Yes.

Q. All right.

- 1 A. So it will sit there until the positions come through.  
2
- 3 Q. And you can see that underlying all of that and behind  
4 that process Mr Codd was repeatedly drawing attention to  
5 the risks to the Command by virtue of the fact that those  
6 permanent positions that he had asked for had not yet been  
7 provided?
- 8 A. Yes, and that's what I said, I would also have to look  
9 at the risk register as to what was entered into that as  
10 well.  
11
- 12 Q. Okay. And we've seen that there were a number of  
13 discussions about the risk register?
- 14 A. Yes.  
15
- 16 Q. The Assistant Commissioner raising with  
17 the Deputy Commissioner that it ought to be updated?
- 18 A. Yes.  
19
- 20 Q. Okay. Could you please go to D7 in your bundle of  
21 material. In April of this year a Workforce Allocation  
22 Subcommittee submission was made for a number of positions  
23 to assist with training requirements for the Command?
- 24 A. Yes.  
25
- 26 Q. You can see that from this document here?
- 27 A. Yes.  
28
- 29 Q. Can we just go to a couple of paragraphs to see about  
30 the resourcing of the Command by this stage. So if you go  
31 to page 2 of that document?
- 32 A. Yes.  
33
- 34 Q. Can you see firstly that it was signed off on by an  
35 assistant commissioner and deputy commissioner in April of  
36 2022?
- 37 A. I've got a signoff by the chair, deputy commissioner.  
38 I don't have an assistant commissioner signoff. Sorry,  
39 I might be looking at a - just which one was it again? D?  
40
- 41 Q. D7.
- 42 A. D7, sorry. Sorry. Yes.  
43
- 44 Q. Okay. So this is a point in time at which the Command  
45 is asking for more positions now because they were being  
46 asked to complete more responsibilities in relation to the  
47 rollout of further training; you might remember that?

1 A. Yes, yes.

2

3 Q. If you have a look on page 2 you can see that at that  
4 time the Assistant Commissioner and Deputy Commissioner  
5 were making these representations - firstly, if you have a  
6 look at "Resources and implications":

7

8 *Domestic and Family Violence and Vulnerable*  
9 *Persons Unit are working tirelessly to meet*  
10 *government commitments to address domestic*  
11 *and family violence within the Queensland*  
12 *community. Part of these commitments are*  
13 *developed and delivery of various training*  
14 *and education packages, which have been*  
15 *briefed to the Commissioner of Police and*  
16 *Cabinet.*

17

18 A. Yes.

19

20 Q. And in "Mitigation strategies" above you can see that  
21 this representation is made:

22

23 *Workload distribution has already been*  
24 *applied and the units within PCAP and the*  
25 *Command are currently working above*  
26 *capacity to meet an increasing demand. The*  
27 *offer of overtime is not sustainable and*  
28 *would result in potential fatigue*  
29 *management and wellbeing issues for current*  
30 *staff. Existing members are at risk of*  
31 *burnout and stress due to short curriculum*  
32 *design and delivery timeframes.*

33

34 Can you see that?

35

36 A. Yes.

37

38 Q. So things hadn't improved then by April of this year,  
39 where you've got reports of the members of the Command  
40 suffering from or at risk of suffering from burnout and  
41 fatigue?

42

43 A. Yes.

44

45 Q. Okay.

46

47 A. I acknowledge that.

48

49 Q. Do you accept that the upshot of all of this is that  
50 since its creation the Command has been severely

51

1 underresourced - since its inception the Command has been  
2 underresourced?

3 A. In some ways, yes, I do, yes.

4

5 Q. And that the members of the Command are, as of a  
6 couple of weeks ago, advising that it remains  
7 underresourced?

8 A. Yes.

9

10 Q. That it is comprised - that is, the Command is  
11 comprised - of passionate and committed people who want to  
12 be there and want to do good?

13 A. Yes.

14

15 Q. But they're unable to because they don't have the  
16 resourcing they need?

17 A. Yes.

18

19 Q. Do you think it would be appropriate in the  
20 circumstances moving forward for you to intervene in  
21 whatever the processes are that you need to intervene in to  
22 ensure that more resources are put there immediately?

23 A. Exactly what I'm doing, because I have an external  
24 person looking at exactly what the Command needs.

25

26 Q. Well, Mr Codd has been telling you for a long time.  
27 Why don't you just ask Mr Codd what it is that he needs in  
28 the Command?

29 A. I have, and he's told me that he has put this forward,  
30 and I have been advised that everything that has been asked  
31 for has been approved.

32

33 Q. Are you telling me that Mr Codd has told you that he's  
34 got what he needs?

35 A. No, he - no, no, he said to me - I asked him and in  
36 fact when we walked out of here last time he clearly said  
37 to me that - I said to him, "I was surprised at that. You  
38 know from me that everything you want you can have." He  
39 said to me that he has tried. I've then got many briefs to  
40 indicate that everything he has asked for at the WAS and  
41 RAC level has been approved.

42

43 Q. But there's a difference between being approved and  
44 actually being provided to Mr Codd?

45 A. But --

46

47 Q. Correct?

1 A. Yes.  
2  
3 Q. It might be approved --  
4 A. No, no, no, definitely. Definitely.  
5  
6 Q. -- but those resources might not be available to him?  
7 A. Definitely. So you can - and, to my point before, you  
8 can urgently ask for additional resourcing - urgently ask  
9 for additional resourcing - and if it comes directly to me,  
10 which I have approved in the past very quickly, that can  
11 happen, and on top of that that documentation still goes  
12 back to WAS at the end of the day to marry up where those  
13 positions come from.  
14  
15 Q. All right. So are you saying that it's not possible  
16 for you to have a direct conversation with Mr Codd, if it  
17 hasn't already occurred, where you say to him, "Mr Codd,  
18 what do you need immediately on the ground to assist you,"  
19 and he can tell you and you can't intervene and make that  
20 happen within a short period of time?  
21 A. Yes, I can --  
22  
23 Q. Well, why don't you?  
24 A. -- and I've already - I've already asked him,  
25 "Anything you want," and nothing's come back to me.  
26  
27 Q. All right. All right. Your Honour, I'm mindful of  
28 the time. I only have five more minutes worth of  
29 questions. If I might perhaps just finish now; that is, in  
30 five minutes. I'll just ask some questions about the  
31 intelligence assessment, and then the other parties can  
32 resume their questions perhaps after lunch.  
33  
34 COMMISSIONER: There was another matter I thought you were  
35 going to clear up as well.  
36  
37 MS O'GORMAN: I might discuss that with Mr Hunter.  
38 I forgot to discuss it with him at the morning break. But  
39 we'll discuss it over lunch, and I might deal with that  
40 matter immediately after lunch, if that's convenient.  
41  
42 COMMISSIONER: Okay. Well, let's just take lunch. 2.15.  
43  
44 MS O'GORMAN: Thank you.  
45  
46 <THE WITNESS WITHDREW  
47

1 **LUNCHEON ADJOURNMENT**2  
3 **<KATARINA CARROLL, recalled:**4  
5 **<EXAMINATION BY MS O'GORMAN, continued:**6  
7 MS O'GORMAN: I just have a couple of matters to finish  
8 off on, Commissioner.9  
10 COMMISSIONER: Yes.11  
12 MS O'GORMAN: Police Commissioner, I was just reflecting  
13 on some of your evidence about resourcing for the Command  
14 over lunch. As I understand the tenor of your evidence it  
15 is that right up until the present day you don't have a  
16 good sense personally of what's required by way of specific  
17 resourcing within the Command; is that right?18 A. Yes, specific positions that are required within the  
19 Command.20  
21 Q. All right. Now, we've seen from interviews with  
22 members of the Command that none of those people have seen  
23 you at the Command at all since it was established in  
24 February 2021; is that right?

25 A. Yes.

26  
27 Q. All right. I'm just wondering why between February  
28 2021 and today's date, October 2022, you haven't taken it  
29 upon yourself to go down to the Command to talk to those  
30 members about what they're experiencing and ask Mr Codd to  
31 sit down with you and directly explain to you exactly what  
32 he needs?33 A. So I would normally come together with all of those  
34 areas - in fact early in the piece when we were doing  
35 the Commission - sorry, the Commissioner's performance  
36 review, the Command and I were supposed to come together.  
37 And in the Commissioner's performance reviews what happens  
38 is you go through a great detail of what's required in  
39 commands. When we started that with the commands that was  
40 cancelled because of COVID and then there was a different  
41 theme - we started doing themed domestic violence CPRs in  
42 the regions. So that is back on, very shortly to go back  
43 to the commands. But certainly I expect that if I don't  
44 get there that I am briefed - and I know the deputy went  
45 there a number of times - from the AC or the deputy what's  
46 happening in that command and what's required in that  
47 command.



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Q. All right. So if I can just go back to my question it was why it is that you haven't gone to the Command yourself between February of last year and October of this year and enquired of the members and of Mr Codd what further resourcing is required?

A. Only because a lot was happening, that was meant to happen, then we changed tack in terms of the Commissioner's performance reviews, and it is happening in the next couple of months.

Q. I don't understand what any of that means. When you say it was meant to happen and then it didn't happen and then you've changed tack and it's going to happen, what does that mean?

A. When the Command came together and all the other commands that I have within QPS, the CPRs originally were on regions and the CPRs then went to commands. And what I mean by Commissioner's performance reviews is we're starting to review what happens in the commands. We had a number of them and they were all lined up one after each other, and that's what I mean we were supposed to get together to discuss what happens in each of the commands. I think we got to maybe three or four. They were cancelled due to COVID. What I mean by changing tack, we had - there were reasons why we changed moving from command to going back out to the regions, and one of the reasons was - I'm just thinking. I've got to get - I can't exactly remember all of the reasons, but we moved tack to investigate more how DV was being handled in the regions.

So the first themed command - sorry, region CPR was on the Gold Coast. Again the themed CPRs were also cancelled because of COVID. And then we lowered that to business unit reviews. So everyone went out and did business unit reviews. And I also changed rather than command CPRs and regional CPRs to then go out to meet with all OICs and senior management about strategic issues in the organisation. We've done about 10 of those, and a lot of that is concentrated on DV and strategic issues. Now, coming back towards the end of the year, now that I have done a lot of those, the commands are back in terms of going back to do CPRs with commands.

Q. I still don't understand. What level of police headquarters is your office based on?

A. Seventh level.

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Q. All right. The DV Command, which you established to much fanfare in February of last year, is located on the fifth level; correct?

A. Yes.

Q. Two levels below your office?

A. Yes.

Q. Notwithstanding all of that explanation that you've given about structural issues and processes, why couldn't you take the elevator two floors down and go and visit the Command and ask the members what it was that they needed given that they've been calling out for more resources ever since you started it?

A. But I also expect that to come through the Executive Director or the Assistant Commissioner.

Q. The Assistant Commissioner did make many representations to the Deputy Commissioner which I understand should have made their way to you. Whether they did or did not, why weren't you more active and less passive and go down the elevator two floors and find out?

A. I am extraordinarily active with respect to DV. I'm passionate about it. If I don't get there, I expect my deputies or assistant commissioners to get there. In the years of such horrendous, horrendous terms in the QPS in terms of everything we're trying to achieve and COVID, I haven't got there. But that doesn't mean it's less important to me. It's extraordinarily important to me, and I have been very clear - very clear - about any resources that are required they will be given.

Q. Well, we've heard today that many more resources are needed; that the head of that command has made a number of representations to that effect over many months. We know that Doreen Langham died in February of last year, and I'm wondering why it's taken until at least October of this year for you to go the two floors down to find out the dire circumstances in which those people in the Command, good and passionate people, are working under so that you could do something to beef the resources?

A. Yes, and I am beefing the resources exactly when it's been asked of me. And I am passionate about DV. I have personally met with Doreen's daughter to discuss what happened and apologised about the response of the QPS. I've been to the VPUs in Logan where these issues occurred.

1 And I'm going with her back there in the next couple of  
2 weeks as well.

3

4 Q. Didn't you say before lunch that not too long ago  
5 someone came and told you that 12 more positions were  
6 needed in weapons licensing and you made sure that that  
7 occurred almost immediately?

8 A. Yes, because it came to me in a report and a request;  
9 definitely.

10

11 Q. Well, at least as of the time that you gave evidence  
12 last time and in respect of enquiries that you've made  
13 since then, 18 August, how is it not the case that you've  
14 realised that more resources are needed in the Command and  
15 you've actioned them before today?

16 A. Because I said to the deputy, as I walked - sorry, the  
17 Assistant Commissioner as I walked out the door, "You know  
18 that anything you want you can get." I cannot be more  
19 proactive in telling someone that. No commissioner,  
20 I think, has sat at an ELT and said to one command,  
21 "Anything you want you can get," because it's very  
22 difficult with the resourcing we have, and that's what  
23 I did.

24

25 COMMISSIONER: With respect, that's not a statement you  
26 can make. You don't know that.

27 A. I beg your pardon?

28

29 COMMISSIONER: You don't know if any other commissioner  
30 has said that.

31 A. Yes, sorry. Thank you. But I have been with other  
32 commissioners who have not said that.

33

34 MS O'GORMAN: All right. So do I understand that the  
35 upshot is that, despite repeated representations by your  
36 Assistant Commissioner I would suggest at at least one ELT  
37 meeting, one board of management submission, RAC  
38 submissions and by your Deputy Commissioner, that you're  
39 not in a position to immediately beef up the resources of  
40 the Command and the situation is that you're reliant on an  
41 external consultant agency to now come in and have a look  
42 at the situation and tell you what more is required; do  
43 I understand that correctly?

44 A. No, I can walk out of here and the  
45 Assistant Commissioner can tell me exactly what positions  
46 they want today and I can make those temporary positions  
47 available within the next few days.

- 1  
2 Q. All right. I'll just turn to a couple of matters that  
3 I have to complete now, if I may, Commissioner. You might  
4 recall that there has been evidence given about an  
5 intelligence assessment which was conducted in the far  
6 northern region?  
7 A. Yes.  
8  
9 Q. If you go to tab E1 of your bundle of material.  
10 A. Thank you.  
11  
12 Q. You'll see that intelligence assessment was completed  
13 on 30 June 2021?  
14 A. Yes.  
15  
16 Q. And you can see that it was an intelligence assessment  
17 undertaken in respect of domestic and family violence in  
18 the Torres Strait and the northern peninsula area?  
19 A. Yes.  
20  
21 Q. And the assessment was that the likelihood of a  
22 domestic and family violence related death is high given  
23 the frequency and severity of the violence?  
24 A. Yes.  
25  
26 Q. All right. Now, you might recall that we asked some  
27 questions of another witness in respect of that  
28 intelligence assessment; correct?  
29 A. Yes.  
30  
31 Q. And that witness had made enquiries about the  
32 intelligence assessment prior to giving evidence; yes?  
33 A. Yes.  
34  
35 Q. And one of your assistant commissioners provided  
36 information that the intelligence assessment was a training  
37 tool; that it was based on the assumptions of the  
38 intelligence officer only; that no consultation or  
39 conversations had been held with investigating officers to  
40 gain a full understanding of what had occurred; and that  
41 the officer in charge of Thursday Island held a different  
42 view in respect of some key findings?  
43 A. Yes.  
44  
45 Q. We've since made enquiries with the author of that  
46 intelligence assessment, as you would by now be aware?  
47 A. Yes.

- 1  
2 Q. To clarify matters and perhaps rehabilitate his  
3 reputation somewhat. I would suggest to you that it's now  
4 apparent that that document was by no means a training  
5 exercise?  
6 A. That's correct.  
7  
8 Q. That the author of that document is a qualified  
9 intelligence analyst?  
10 A. Yes.  
11  
12 Q. He obtained his intelligence qualification, namely an  
13 advanced diploma in police intelligence operations in 2017?  
14 A. Yes.  
15  
16 Q. He has 21 years of operational experience in  
17 metropolitan, regional and remote Queensland?  
18 A. Yes.  
19  
20 Q. He has operational experience specifically in respect  
21 of domestic and family violence, including this year?  
22 A. Yes.  
23  
24 Q. His assessment was undertaken because he saw a gap and  
25 an area of risk in QPS operations in respect of domestic  
26 and family violence?  
27 A. Yes.  
28  
29 Q. Acting quite responsibly, he investigated that gap and  
30 that area of risk and produced a well thought out and well  
31 documented assessment, did he not?  
32 A. Yes.  
33  
34 Q. It's not based on any assumptions at all on his part,  
35 is it?  
36 A. No, that's correct.  
37  
38 Q. All right. In fact it was peer reviewed by other QPS  
39 intelligence officers; do you know that that's occurred?  
40 A. I didn't know that, but I'll take that as a given.  
41  
42 Q. All right. That the assessment was in fact provided  
43 to the officer in charge of Thursday Island, who made some  
44 changes as a result of the assessment, positive changes, in  
45 respect of how the QPS deals with domestic and family  
46 violence in that area?  
47 A. Yes.

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Q. And it was in fact supported by that officer in charge, contrary to what your assistant commissioner up in the far northern region relayed to your assistant commissioner down here who was giving evidence?

A. Yes.

Q. And you would also be aware that that officer who undertook that intelligence assessment made a number of attempts to make sure that it was received by the command, that is the Domestic and Family Violence Command?

A. I didn't know that he did, but I gather that's exactly what he would have done.

Q. All right. The material shows that he emailed it to two members of the command?

A. Yes.

Q. And he also sent it to the chief superintendent of the far northern district?

A. Yes.

Q. And the assistant commissioner of the far northern region?

A. Yes.

Q. So to the extent that that intelligence officer and other intelligence officers within your organisation who do a good and diligent job in respect of their responsibilities might have felt aggrieved by the information provided by the assistant commissioner of the far northern region, you accept that none of those things that were told to the Commission were true?

A. Yes, and I don't know how that happened. But I've got to say that's his role, and he's done an excellent job.

Q. All right. Thank you. One final matter on my part then, Commissioner. I just want to return very briefly to the evidence that you gave yesterday with respect to Mr Taylor?

A. Yes, thank you.

Q. In case we didn't establish it clearly, do you accept that in hindsight it would have been better that you had dealt with Mr Taylor's sexist comment by way of taking one of those steps that might have remedially addressed either his attitude or allowed him to apologise to people?

1 A. Yes.

2

3 Q. Okay. You gave evidence that you understood at that  
4 time that Mr Taylor was being investigated in respect of  
5 very serious matters which might lead to his dismissal?

6 A. Yes.

7

8 Q. I've seen a report dated 29 September 2022 provided by  
9 the Crime and Corruption Commission in respect of him?

10 A. Yes.

11

12 Q. You're aware now at least that it was found by the  
13 Crime and Corruption Commission that Mr Taylor had engaged  
14 in three breaches of discipline for financial matters?

15 A. Yes.

16

17 Q. That none of his conduct amounted to corrupt conduct?

18 A. That's correct.

19

20 Q. That it was not in any way related to sexism or  
21 misogyny within the QPS?

22 A. That's correct.

23

24 Q. And the Crime and Corruption Commission said that his  
25 conduct didn't provide a basis for disciplinary action for  
26 termination?

27 A. That's correct.

28

29 Q. Now, as things might have transpired because he was on  
30 a contract you could in fact have done whatever you wanted,  
31 but so far as the Commission was concerned there was no  
32 basis for termination?

33 A. That's correct.

34

35 Q. All right. Those were the matters that I just wanted  
36 to clear up in light of the evidence that was given  
37 yesterday. I don't have any further questions for  
38 the Commissioner at this time.

39

40 COMMISSIONER: Thank you. Commissioner, can I just take  
41 you back to D11. This is the presentation by  
42 Assistant Commissioner Codd and Acting Superintendent  
43 Ben Martain in relation to the Command?

44 A. Yes.

45

46 COMMISSIONER: If we can go to page 2. It starts with a  
47 number of quotes. I'm not sure where they came from, but a

1 number of obviously aggrieved and perhaps some police  
2 indicating some problems with the response to domestic and  
3 family violence?

4 A. Yes, Your Honour.

5  
6 COMMISSIONER: And then the next page, those quotes  
7 continue?

8 A. Yes.

9  
10 COMMISSIONER: And if we turn to the next page we have a  
11 heading called "Problem"?

12 A. Yes.

13  
14 COMMISSIONER: And there is underlined the problems that  
15 are identified in relation to domestic and family violence,  
16 including:

17  
18 *We have areas of cultural aversion with*  
19 *respect to domestic and family violence*  
20 *within our organisation.*

21  
22 A. Yes.

23  
24 COMMISSIONER: And then the next, page 6, if we flip over,  
25 "Key priorities"?

26 A. Yes.

27  
28 COMMISSIONER: The second priority is, "Address cultural  
29 aversion"?

30 A. Yes.

31  
32 COMMISSIONER: Yes. So in May of 2021 you realised there  
33 was some cultural issues in relation to policing domestic  
34 and family violence?

35 A. Yes.

36  
37 COMMISSIONER: So, in light of that, I realise the word  
38 "widespread" was used in December of 2021 when you sent  
39 that email which we've heard was quite upsetting for some  
40 officers?

41 A. Yes.

42  
43 COMMISSIONER: Could it have been better to have tempered  
44 your language in relation to that?

45 A. Sorry, Your Honour, which email, sorry?

46  
47 COMMISSIONER: That we talked about last time, the email



1 of December 2021. When the taskforce delivered their  
2 report, you sent out --  
3 A. Definitely, Your Honour. I think I mentioned - well,  
4 I did - I labour over those emails and every word, and  
5 you're always trying to get the balance right, you know, to  
6 call out the behaviour, to thank those that are doing a  
7 good job, and you look back at some of them and you think,  
8 "Well, I could have used different language."  
9  
10 COMMISSIONER: Because you were aware that there were some  
11 cultural issues?  
12 A. Yes, yes. Definitely, Your Honour.  
13  
14 COMMISSIONER: I just want to turn to another subject.  
15 You said you met with Doreen Langham's daughter?  
16 A. Yes.  
17  
18 COMMISSIONER: You've met with the Clarkes on a number of  
19 occasions. You said you've gone to various VPUs?  
20 A. Yes.  
21  
22 COMMISSIONER: Have you been to the one in Toowoomba?  
23 There's a VPU in Toowoomba, isn't there?  
24 A. I was supposed to go on the opening of their new  
25 building and it got cancelled just two, three days out for  
26 me to go, and I can't remember why, but someone else went  
27 in my place.  
28  
29 COMMISSIONER: Okay. Have you been up there to see the  
30 embedded worker? There's an embedded worker up there,  
31 isn't there?  
32 A. Yes, there is.  
33  
34 COMMISSIONER: Have you been up there to see that set-up?  
35 A. No, not yet.  
36  
37 COMMISSIONER: All right.  
38 A. But, as I said, I think it was a ministerial event or  
39 something, but I was supposed to go to actually open the  
40 place.  
41  
42 COMMISSIONER: So in May of 2017 Brett Forte was killed by  
43 Ricky Maddison?  
44 A. Yes.  
45  
46 COMMISSIONER: And his wife, Suzie, is a police officer?  
47 A. Yes.

1  
2 COMMISSIONER: And she was on duty on that day?  
3 A. Sorry, when he died? Yes.  
4  
5 COMMISSIONER: Have you spoken to Suzie at all?  
6 A. Yes, I tried to text her.  
7  
8 COMMISSIONER: What do you mean you tried to text her?  
9 A. No, I did text her two, three years ago and didn't  
10 receive a text back. So I asked the  
11 assistant commissioner, and I thought maybe she didn't want  
12 to speak to me to try and establish whether that was the  
13 case. Then he advised me that it was probably not right  
14 that I contact her.  
15  
16 COMMISSIONER: Okay. So why did he say that was the case?  
17 A. Just I think tensions and perhaps because of those  
18 tensions that it was best not to.  
19  
20 COMMISSIONER: Okay. So you tried to - well, you did text  
21 her, you said?  
22 A. Yes.  
23  
24 COMMISSIONER: When was that? Two or three years ago?  
25 A. It was - I phoned and left like - you know you leave  
26 that text message, and didn't get a response.  
27  
28 COMMISSIONER: All right.  
29 A. And then I was concerned, because obviously I came  
30 into the organisation after this happened.  
31  
32 COMMISSIONER: Yes, I appreciate that.  
33 A. There was a lot happening. And then I spoke to the  
34 local assistant commissioner at the time who had been there  
35 for a considerable period to make some enquiries, you  
36 know --  
37  
38 COMMISSIONER: Who was that?  
39 A. Mike Condon. And he did from what I understand  
40 amongst the family, and probably advised me that it's  
41 probably not best that I contact her. And from that  
42 I gather, you know, it's as a result of tensions with  
43 the organisation.  
44  
45 COMMISSIONER: Okay. So have you reached out since?  
46 A. Not --  
47

1 COMMISSIONER: Did you speak to her while the inquest was  
2 going on or anything like that, or try to?  
3 A. No, because of the advice that I had received not to,  
4 Your Honour.  
5  
6 COMMISSIONER: All right. I'm just curious about her case  
7 in that - I don't want to go into any rights or wrongs of  
8 what was said?  
9 A. Yes, thank you.  
10  
11 COMMISSIONER: But I'm a little concerned that this duty  
12 to report misconduct is having the effect that Ms O'Gorman  
13 talked about yesterday, that it contributes to a fear of  
14 making complaints, because sometimes people get charged  
15 with not making the complaint in the first place.  
16 A. Your Honour, I would say that's correct.  
17  
18 COMMISSIONER: And it's demonstrated in the case of Suzie  
19 Forte, isn't it?  
20 A. Yes.  
21  
22 COMMISSIONER: So the investigating officer actually  
23 charged her and Cath Nielsen, or attempted to?  
24 A. Yes, I was going to say I don't know that level of  
25 detail.  
26  
27 COMMISSIONER: Okay.  
28 A. But it is - yes, it is an issue, yes.  
29  
30 COMMISSIONER: And it's a bad look to charge a victim --  
31 A. Definitely.  
32  
33 COMMISSIONER: -- with failing to report misconduct simply  
34 because they're questioning what happened on the particular  
35 day, isn't it?  
36 A. Definitely.  
37  
38 COMMISSIONER: That's something that should never happen,  
39 really?  
40 A. Definitely.  
41  
42 COMMISSIONER: Thankfully Ethical Standards put a stop to  
43 the charge?  
44 A. It's an inhibitor to report.  
45  
46 COMMISSIONER: Yes. But, even if it's not, it's --  
47 A. Harsh, yes.

1  
2 COMMISSIONER: It's very harsh to charge someone who has  
3 lost their husband --  
4 A. Definitely.  
5  
6 COMMISSIONER: -- with failing to report.  
7 A. Definitely.  
8  
9 COMMISSIONER: And it should never really happen, should  
10 it?  
11 A. In those circumstances it should not, no.  
12  
13 COMMISSIONER: Has anyone spoken, do you know, to the  
14 investigator who thought it was a good idea to do that?  
15 A. Sorry, Your Honour, I would not --  
16  
17 COMMISSIONER: I realise this is without notice, I'm  
18 sorry?  
19 A. Yes, sorry, I don't know.  
20  
21 COMMISSIONER: Okay. Because victims of crime are  
22 protected by legislation as well, aren't they?  
23 A. That's correct.  
24  
25 COMMISSIONER: And Suzie was a victim of crime?  
26 A. Yes.  
27  
28 COMMISSIONER: As was Cath Nielsen?  
29 A. Yes.  
30  
31 COMMISSIONER: So it was extremely ill-advised at the very  
32 least for Hinshelwood to charge those two women?  
33 A. On the face of it it looks that way, Your Honour.  
34 I do not have the depth of knowledge for that case at all.  
35  
36 COMMISSIONER: All right. Okay. I'll leave it at that.  
37 Ms Hillard.  
38  
39 MS HILLARD: Thank you.  
40  
41 **<EXAMINATION BY MS HILLARD:**  
42  
43 MS HILLARD: Commissioner Carroll, if I can just start  
44 with the beginning proposition. It must be very difficult  
45 for you to have to sit here and answer questions about the  
46 conduct of your police who have been misbehaving prior to  
47 you being the Commissioner in 2019?

1 A. Misbehaving then and even now, it's very difficult.

2

3 Q. And some actions that Counsel Assisting's asked you  
4 about, some of those go back a decade or two; some of them  
5 went back to 2002, for example?

6 A. Yes.

7

8 Q. And, as you quite rightly acknowledged, some of this  
9 behaviour is still continuing even recently, 2021 perhaps  
10 into 2022; is that right?

11 A. Yes.

12

13 Q. And I suppose from the community perspective you, as a  
14 female commissioner and certainly from your police  
15 officer's perspective you as a female commissioner, would  
16 perhaps be expected to take a strong view on sexual  
17 harassment and misogyny and those sorts of things?

18 A. Yes.

19

20 Q. I suppose one of the areas that you've given your  
21 evidence about has been where you get your data from and to  
22 the extent that it is a difficulty; would you agree?

23 A. Yes. There's many parts that you get data from. But  
24 my concern is what else you need to get the correct data to  
25 inform decisions. That gap is the concerning part.

26

27 Q. I'll come back to the data and the surveys in a  
28 moment, but I suppose one of the areas - and correct me if  
29 I'm wrong - is that when there's a complaint to the  
30 Queensland Industrial Relations Commission or some other  
31 formal complaint made of sexual harassment and there's a  
32 mediation, an agreement deed or settlement deed might be  
33 completed, you're the authoriser for those?

34 A. I'd have to - sorry, I don't know what level they sit  
35 at.

36

37 Q. I see. You don't remember or you don't recall signing  
38 off deeds of settlement or agreeing to deeds of settlements  
39 yourself?

40 A. One, I think; yes.

41

42 Q. And you spoke about the survey and you said a number  
43 of times both yesterday and today about the survey having  
44 two per cent recorded sexual harassment?

45 A. Yes.

46

47 Q. If we can just bring up some of the survey results,

1 and it's COI.107. I think it's B9 in your bundle. COI.107  
2 can come up on the screen. This is the survey that you've  
3 been asked about, and if we can just go to page number 31,  
4 and if we can just enlarge under the table 2021. The  
5 screen seems to have disappeared. Commissioner, our screen  
6 appears to have disappeared, but you have the document in  
7 front of you. Just give me a moment whilst I bring it up.  
8 Thank you. Commissioner, if you look at the screen in  
9 front of you - sorry, my screen at the back has gone -  
10 2021, we can see that it's broken down into people who  
11 witnessed workplace bullying?

12 A. Yes.

13

14 Q. And we can see that there are 24 per cent of your  
15 survey that indicate that they've witnessed it?

16 A. Yes.

17

18 Q. And we can see that people who have witnessed sexual  
19 harassment have been five per cent; is that right?

20 A. Yes.

21

22 Q. And compare that to the table underneath, people who  
23 have experienced workplace bullying is only 15 per cent?

24 A. Yes.

25

26 Q. And people who have experienced sexual harassment is  
27 only two per cent?

28 A. Yes.

29

30 Q. If we look at the total numbers of your police force,  
31 okay, you gave evidence yesterday to say there were 17,500  
32 members?

33 A. Yes.

34

35 Q. Five thousand of them are admin civil kind of people;  
36 is that right? So let's just use the round figure of  
37 12,500 police officers; would that be roughly right?

38 A. Yes.

39

40 COMMISSIONER: I think the survey includes unsworn  
41 officers?

42 A. Yes, it includes everyone

43

44 MS HILLARD: Okay. If we include everyone and we're  
45 looking at the 24 per cent of people who have witnessed  
46 workplace bullying and we're considering it's 17,500  
47 people, it's close to a quarter of 18,000 people, isn't it?

1 A. Yes.

2

3 Q. Around about 4,500, 5,000 people?

4 A. Yes, and that's what I touched on yesterday. When  
5 this was identified that's why we looked - we brought a  
6 consultant in to look at the type of leadership that we  
7 have in the organisation. And in fact if you look at  
8 Juniper and WAST area what we found was a lot of this sat  
9 around the ability to lead and resolve workplace conflict,  
10 ability to have performance conversations. And we brought  
11 in a consultant to particularly look at about style of  
12 leadership, which is a real technical, you know, command  
13 and control style of leadership to address some of the  
14 things that we were finding.

15

16 Q. And if we look, for example, at the people who have  
17 experienced - sorry, who have witnessed sexual harassment,  
18 we're talking a figure of five per cent and we used your  
19 amount of 17,500 people, 10 per cent - we'll just do it as  
20 an easy way because you haven't got a calculator in front  
21 of you - 10 per cent would be about 1,750; five per cent  
22 would be around about 800 or so?

23 A. Yes.

24

25 Q. So if we compare just those figures based on your  
26 known police force and using your survey, compare those to  
27 how many we actually have reported in the table that  
28 Counsel Assisting spoke to you about, you know the table  
29 where she showed you the 1,676 allegations against 738  
30 police officers; you know that table? You have to agree,  
31 don't you, that even on your own survey data there is a lot  
32 of things that are not being recorded, workplace bullying  
33 and sexual harassment; isn't that right?

34 A. Sorry, can you just explain that to me?

35

36 Q. So if we have a look - if you like, we can bring up  
37 the table that Counsel Assisting was talking to you about  
38 with the 1,676.

39 A. Yes, I have it here.

40

41 Q. Yes.

42 A. Yes.

43

44 Q. So if we have a look at that table that includes  
45 bullying, sexual harassment, threats of violence, all sorts  
46 of complaints, doesn't it?

47 A. Yes.

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Q. And that's against only 738 members over a two-year period?

A. Yes.

Q. Now, bearing in mind that we have only looked at bullying and sexual harassment in a very broad sense of 24 per cent and five per cent --

A. Yes.

Q. -- on your own survey you've got far more people than are being reported based on that data, don't you?

A. On this, yes.

Q. Yes?

A. Yes.

Q. So when we come to looking at this survey and the use to be made of the survey and the data, when we look at sexual harassment it has a particular legal meaning, doesn't it?

A. Yes.

Q. And if we turn over to page 33 of the document in front of us and if we just enlarge that so we can see the left-hand table we see that it appears that when someone says, "Yes, I've experienced sexual harassment or I might have witnessed it," that we get these categories here on the left-hand side. The remarks of a sexual nature, unwanted physical intimacy, you see those there?

A. Yes.

Q. Those are generally within the terms of section 119 of the Anti-Discrimination Act, aren't they, of what amounts to sexual harassment?

A. Yes.

Q. And the third point, other unwelcome conduct and then unwelcome demands?

A. Yes.

Q. Those four points there fit within the four points of what are sexual harassment under section 119 of the Anti-Discrimination Act?

A. Yes.

Q. To get to this point, though, for them to describe



1 what they have experienced they have to understand first of  
2 all, don't they, what sexual harassment is; isn't that  
3 right?

4 A. Yes.

5  
6 Q. So as a proposition would you agree with me that your  
7 data that you're collecting would perhaps be more  
8 meaningful if it asked questions about the conduct itself?  
9 And I'll give you some examples. What if it asked, "Have  
10 you ever experienced any inappropriate jokes or comments?"

11 A. Yes.

12  
13 Q. "Have you ever experienced or witnessed any lewd  
14 behaviours"?

15 A. Yes.

16  
17 Q. "Have you ever experienced or witnessed any  
18 inappropriate texts, videos or imaging?"

19 A. Yes.

20  
21 Q. All the things that these women and men have  
22 complained about to this Commission of Inquiry, those  
23 conduct examples would give you more meaningful data for  
24 your survey, wouldn't they?

25 A. Yes, if you could get that, definitely, because it  
26 gives you a lot more intimate knowledge of what it is.

27  
28 Q. That's correct. And so even though your survey data  
29 is important, and you refer to it as two per cent, it  
30 doesn't capture perhaps everything because it depends on  
31 someone understanding what sexual harassment is in the  
32 first place?

33 A. Yes. So we can drill down - bear with me because  
34 I just want to. So we can capture - there's something like  
35 half a million words of qualitative data and each year  
36 there's something like 5,500 to 6,000 comments, and you can  
37 do searches to see what comments are made and then go to  
38 the qualitative data. But it would be, I would say to your  
39 point, a lot easier if you had just a tick all the way down  
40 to indicate.

41  
42 Q. And more importantly you're identifying if the conduct  
43 that is subject of the complaint to this Commission of  
44 Inquiry is actually being addressed, aren't you?

45 A. Yes.

46  
47 Q. If the numbers go down you know that something is

1 being effective or if the numbers go up there's something  
2 that needs to be addressed?  
3 A. Yes, yes.  
4  
5 Q. And when we look at it as well, when we're talking  
6 about sexual harassment, sexism, misogyny, some people  
7 perhaps don't even understand that their behaviour is  
8 sexist or misogynist or inappropriate, would they?  
9 A. Yes, that could be the case. I just couldn't tell you  
10 how many, obviously.  
11  
12 Q. No.  
13 A. Yes.  
14  
15 Q. And that just feeds into there are unknown numbers and  
16 that makes it even more likely that it is a broader issue,  
17 would you agree, than these two per cent?  
18 A. It may be the case. But it would definitely assist me  
19 if there was better understanding in the survey.  
20  
21 Q. And when we talk about the survey as well I appreciate  
22 that there is reference to culture and diversity and  
23 whether people feel supported. I'm happy to - we can pull  
24 up those pages. But it does not actually ask anywhere,  
25 "Have you experienced racism or have you witnessed racism",  
26 does it?  
27 A. So - and I'll just get this out, just bear with me, so  
28 I can refer to it.  
29  
30 COMMISSIONER: Just before you answer that.  
31 A. Yes.  
32  
33 COMMISSIONER: "Did you report the sexual harassment,"  
34 78 per cent say no.  
35 A. Yes.  
36  
37 COMMISSIONER: That must be a terrible concern for you  
38 because it's gone up six per cent and it's pretty high to  
39 start with?  
40 A. In terms of reporting, yes.  
41  
42 COMMISSIONER: Not reporting?  
43 A. Not reporting, yes.  
44  
45 COMMISSIONER: In terms of not reporting.  
46 A. Yes. And I in some ways think the LMRs have got a bit  
47 to do with that, to tell you the truth. Can I, sorry --

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MS HILLARD: I asked you about the reference to diversity, culture and racism?

A. Yes. So I just wanted to call up what it does - so the searches allows you to just, you know, search for those words.

Q. Yes. And you're talking about when people enter the free field section?

A. Yes, definitely. So in terms of racism and race it was mentioned 25 times in the survey in 2020, and again 25 times in the survey in 2021, those two words, "race" and "racial". So you can actually search those words in the qualitative data.

Q. And I suppose one of the difficulties is much the same as the sexual harassment questions I've just asked you, is that people may not identify that something is racist because they might think a joke is okay?

A. Yes, but that's hard to measure, yes.

Q. So if you had the questions that addressed the conduct, "Have you observed any jokes about cultural subgroups? Have you observed any or heard or been subject to" and go through those same conduct examples would be more helpful data for you to capture?

A. Yes.

Q. And, even though you have the free field sections, perhaps a lot of people don't complete those, you're more likely to get the data you want if you have appropriate questions?

A. It's interesting. In the Working for Queensland surveys, because it is confidential, the free field and the comments are quite extraordinary; as I said, half a million words, 6,500 comments. So you do get a real theme, you know, as to what they want to say. But I agree with you that if you actually had more detail that that would be automatically picked up.

Q. And I suppose when I'm talking about racism it can be very hurtful for the person who is experiencing racism to even talk about it; for example, your person that you spoke to - you mentioned their name earlier; I don't need to mention the name - who you had known for many, many years who notified in an email some very serious issues?

A. Yes.

1  
2 Q. And, despite knowing you personally for all those  
3 years, didn't tell you to your face; they felt more  
4 comfortable to do that in an email. I'm not criticising  
5 you or criticising them.

6 A. No, no, I'm just thinking.

7  
8 Q. Because the question was tailored around it can be  
9 very hurtful and very personal for people to disclose that,  
10 can't it?

11 A. Yes.

12  
13 COMMISSIONER: Well, he did tell you to your face, didn't  
14 he?

15 A. Yes, I was just thinking.

16  
17 COMMISSIONER: At that meeting?

18 A. At that meeting, yes

19  
20 MS HILLARD: Thank you. So in relation to  
21 reluctance - sorry, he told you at the meeting but it was  
22 right at the end of the period of time when they left,  
23 wasn't it?

24 A. No, it was quite early.

25  
26 Q. Okay. Now, when we're talking about this data and the  
27 information in the data, when you're doing your surveys you  
28 can get advice about how it can be worded, but perhaps it  
29 needs something more specific around racism type questions  
30 to elicit the conduct?

31 A. Yes.

32  
33 Q. And when you talk about doing the surveys it will be a  
34 repeat survey, I assume, every year to track how the  
35 organisation is going?

36 A. That's correct.

37  
38 Q. And in some of the different documents that you've  
39 been referred to - I can pull them up if I need to - but  
40 they recommended things like workplace or WorkCover  
41 complaints or WorkCover claims is data that can be tracked  
42 as well?

43 A. Yes.

44  
45 Q. We haven't been provided with a lot of that data, but  
46 is that something that you will start to collect and  
47 collate along with your data survey?

- 1 A. So it is collated. Obviously there's an area that  
2 looks after that. So in order to look at it I can draw on  
3 that.  
4
- 5 Q. But I suppose the important thing that I'm getting at  
6 is they need to be read together, don't they?  
7 A. Yes.  
8
- 9 Q. Because you can't just look at the WorkCover on its  
10 own. You need the information to know how we're track as a  
11 cultural on sexual harassment, racism, misogyny --  
12 A. Yes.  
13
- 14 Q. -- by accumulating it and putting it together, don't  
15 you?  
16 A. That would be another metric, yes.  
17
- 18 Q. That's right. And one of the other metrics to gauge  
19 can be talking about engagement with the community and peer  
20 supports and interventions. So that's in the P2E report  
21 that you referred to in May of earlier this year?  
22 A. Yes.  
23
- 24 Q. I'm happy to pull it up if we need to.  
25 A. No, that's fine.  
26
- 27 Q. So they talked about in there a change management  
28 institute; do you remember seeing that in the document?  
29 A. No, sorry.  
30
- 31 Q. So it's COI.125, page number 45.  
32 A. Thank you.  
33
- 34 Q. And page --  
35 A. Yes, page 45.  
36
- 37 Q. So about the third last paragraph from the bottom, "We  
38 talk about change management as a competency; can be  
39 formalised through a Change Management Institute." Now,  
40 I presume that's the name of an organisation, but you would  
41 accept that there are lots of organisations out there that  
42 specialise in cultural change and capability change?  
43 A. Yes.  
44
- 45 Q. And is it your intention to engage or contract out to  
46 one of those to assist with managing these cultural issues  
47 that this Commission is identifying?

1 A. Yes, I've already commenced that. So when the reviews  
2 of both Safety and wellbeing and the CCE were done it is  
3 obvious over the last few years we've struggled in terms of  
4 capability and capacity. So I've already spoken to - and  
5 I've mentioned this person before who came into QFES to  
6 assist with cultural review - engaged with that  
7 organisation to be a transformational partner.

8  
9 Q. And when we talk about transformational partners and  
10 the like I suppose one of the parts of that is that your  
11 Police Service officers are important in that but you also  
12 need experts external to be recruited into the service to  
13 assist with that change, don't you?

14 A. Definitely. And it's that expertise, and when I talk  
15 about capability that sometimes you're lacking to do that  
16 really well, and that - and a case in point at the moment  
17 is Nous assisting us with the DV training.

18  
19 Q. If we just focus hypothetically on some change  
20 management organisation, whatever you want to call it, it  
21 would require specific funding from DJAG or Treasury?

22 A. Yes.

23  
24 Q. And that's not something that's been capability  
25 assessed as what actually is required and how many bodies  
26 are required for that; is that right?

27 A. So I'm just about to get to the contract to see that.  
28 I haven't looked at the detail, but certainly I've asked  
29 that from the transformation partner.

30  
31 Q. And do you have a timeline on when that's going to  
32 happen?

33 A. The work will start almost immediately.

34  
35 Q. It has started or it will start?

36 A. No, I met with them three weeks ago. The contract has  
37 just come in in the last couple of days. But certainly the  
38 work is imminent. We've already stood up the  
39 transformational team internally to look at all of the  
40 recommendations from this as well as the other review that  
41 we did in Safety and Wellbeing, and they're highly  
42 connected. And so they would come on board in the next  
43 week or two.

44  
45 Q. So one of the concerns I suppose from looking at the  
46 evidence is when we're looking at the Domestic and Family  
47 Violence Command, for example, a lot of vacant positions

1 for a long time?

2 A. Yes.

3

4 Q. I expect across other commands there would be other  
5 vacancies at different levels as well. I suppose a valid  
6 concern would be if you're talking about a transitional  
7 organisational group within QPS you have to take bodies  
8 from somewhere and make that happen and you're  
9 under-resourcing then somewhere else, aren't you?

10 A. At the moment we're pulling them up from everywhere,  
11 so to speak. And that's exactly why we went to government  
12 to ask for additional resources. A lot of those resources  
13 are now coming on from July this year.

14

15 Q. July as in a couple of months ago?

16 A. Yes, yes.

17

18 Q. Okay.

19 A. So the initial growth was just police officers, 250.  
20 But, in terms of the growth into the next year,  
21 considerable police as well as civilian growth as well.

22

23 Q. So that's 250 police officers to effect that change?

24 A. From the last two years. So they've already been  
25 moved to the frontline.

26

27 Q. Right. So that becomes the quandary. It becomes a  
28 little bit circular. We're moving police officers around  
29 when we're saying we don't really have enough police. My  
30 point that I'm making is that perhaps it is better to be  
31 seconded from other areas, recruited externally rather than  
32 solely trying to fill from your own police?

33 A. I definitely agree with that. And not only that.  
34 When you second from external it's also very different  
35 thinking, you know, different skills, different  
36 capabilities. So all of it is - you know, it's all  
37 beneficial.

38

39 Q. One of the things that you were asked a number of  
40 questions about were the perceptions of your police  
41 officers and perceptions of the public around the LMRs and  
42 the fact that you've quite frankly acknowledged they don't  
43 work in most circumstances where there is serious conduct?

44 A. Yes.

45

46 Q. Now, there's a couple of different perceptions from  
47 the public and police perception. It could be that there's

- 1 a forming of closing of ranks. Whether that's right or  
2 wrong, that's one of the perceptions, isn't it?
- 3 A. I think if you're externally you could get that  
4 perception. And I touched on this, a new piece of  
5 legislation. If used well for minor matters and general  
6 mistakes, that's what it is there for. In fact it would  
7 work very well. But it should not be applied to the issues  
8 that we're talking about.
- 9
- 10 Q. And you've given quite frank evidence about being - if  
11 I can use the word, you seem quite appalled by some of the  
12 sexual harassment and sexism comments and evidence that  
13 this Commission has heard; you would agree with that?
- 14 A. Yes.
- 15
- 16 Q. You're appalled by some of the racism comments that  
17 you've been taken to this morning as well?
- 18 A. Yes.
- 19
- 20 Q. Can I ask you whether or not you're able to commit to  
21 making a strong public statement about those two topics  
22 that that won't be tolerated in the Police Service?
- 23 A. That will not be tolerated, and I've already spoken to  
24 the assistant commissioner to centralise these matters  
25 immediately and to get back with our partners around that  
26 piece of legislation to start discussing to review the  
27 legislation and the policy. What's happened is, because  
28 it's decentralised, it's been inconsistent and I would say  
29 also lack of training, that it really needs to come to a  
30 central area to be dealt with consistently and by the  
31 people that have the skills to deal with it.
- 32
- 33 Q. And back to the examples in the ABC article earlier on  
34 today, the part that you were drawn to and asked to comment  
35 on, "Police" - I'm paraphrasing - "no way are racist"?
- 36 A. Yes.
- 37
- 38 Q. You would accept that that kind of comment is not  
39 ideal; perhaps a more moderated would be, "We don't  
40 tolerate racism in the police"?
- 41 A. Yes, definitely. And I spoke to that. You've got a  
42 camera shoved in your face. It's a very tense moment. But  
43 I totally agree with that.
- 44
- 45 Q. And I understand that you perhaps feel the need to  
46 defend your police officers because maybe the bulk of them  
47 aren't racist. But, moving forward, would you agree there



1 has to be a strong leadership statement from you about  
2 that?

3 A. Yes, and I spoke to that. When you look at the things  
4 that I send out, you know, and even I talk about the  
5 terrible Facebook sites that we've had, I call out very,  
6 very strong, you know, behaviour that this should not be  
7 tolerated, and try and get the balance right for those  
8 exceptional officers doing the right thing. But I totally  
9 agree. The more you can call out that this is not  
10 acceptable and at the same time thank those that are doing  
11 the right things is incredibly important.

12  
13 Q. And, appreciating that not all of your male police  
14 officers will be behaving negatively towards women,  
15 likewise are you prepared to make strong statements about  
16 that to your Police Service about how that behaviour will  
17 not be tolerated?

18 A. Yes.

19  
20 Q. And will that be coupled with an inquiry at the least  
21 or a commitment, preferably, to fix up these LMR problems?

22 A. Yes, both.

23  
24 Q. And, as the Commissioner has asked you and  
25 Counsel Assisting has asked you too, is there that  
26 commitment to change the targeting, charging of victims,  
27 whatever word one wants to use, for failure to report when  
28 they do eventually come forward?

29 A. Yes. I will go back and look at that. There may be a  
30 legislative aspect to it under the Police Service  
31 Administration Act. But definitely I'll give a commitment  
32 to definitely look at that.

33  
34 Q. Because it is completely understandable why someone  
35 who experiences sexual harassment or bullying or racism  
36 within the Queensland Police Service doesn't want to come  
37 forward until they feel ready to do so?

38 A. Well, that's definitely a barrier.

39  
40 Q. Yes.

41 A. Yes.

42  
43 Q. And in fact you - I know it didn't exist at the time  
44 but in fact you gave evidence this morning to the effect  
45 that you didn't report everything either?

46 A. No, particularly in my younger years and particularly  
47 in the '80s. There was only four per cent of women in the

1 organisation back then.

2

3 Q. If I can move to a slightly different topic. You gave  
4 some evidence about receiving a lot of emails, and I think  
5 yesterday you said 36,000 emails a year or something like  
6 that, and you have four police officers who manage that and  
7 today you said there are four admin officers to manage  
8 that. In amongst all of that we have some emails where  
9 people from the First Nations Engagement Group have raised  
10 some issues?

11 A. Yes.

12

13 Q. Could have been processed in a much more timely manner  
14 perhaps?

15 A. Yes.

16

17 Q. And perhaps we've seen some emails about the Juniper  
18 follow-up from a male officer expressing concern about  
19 that; there could have been more timely follow-up with  
20 that?

21 A. Yes.

22

23 Q. Can I ask you this: in terms of resourcing for that  
24 more timely follow-up do you see a benefit in having a  
25 separate adviser or a separate person who deals with those  
26 cultural things in your email response team and your  
27 liaison team that can report directly to you and  
28 interrogate the quality of the information that they're  
29 being given?

30 A. Yes, yes. I think that would - I'm just thinking  
31 because they - you know, everyone works certain shifts. So  
32 it wouldn't been 24/7 coverage. But there would be benefit  
33 in looking at something like that.

34

35 Q. And as was canvassed in some of the evidence, and  
36 I don't want to trespass into any of the closed court  
37 stuff, but you rely on people briefing you and accurately  
38 briefing you, don't you?

39 A. Yes, definitely. You know, my role is to set the  
40 strategic agenda, and it goes to particularly, you know,  
41 the assistant commissioners and others to operationalise  
42 the agenda. In my role I rely heavily, heavily, upon being  
43 briefed and particularly even with paperwork succinct  
44 summaries or executive summaries to get across the detail.

45

46 Q. You would agree with me that, for example, some of the  
47 Ethical Standards Command reports could definitely do with

1 a lot more detail rather than just a few stats, which  
2 appears most of that annual reporting seems to be?

3 A. Yes, it's high level.

4  
5 Q. Yes. And if you had an individual specifically within  
6 your team that reported to you specifically they can  
7 interrogate, for example, they get a complaint of sexual  
8 harassment, ask for the file, look at the file if they need  
9 to assuming all the confidentiality things are sorted out,  
10 and interrogate the quality of that briefing note that  
11 you're getting so that you're accurately advised?

12 A. It may be not necessarily my office, it may be in  
13 Ethical Standards, but someone with the skills to be able  
14 to do that and then to brief into me.

15  
16 Q. And when we talk about the accuracy in the briefing  
17 with the Ethical Standards Command would you agree that you  
18 probably need more information when a sexual harassment  
19 complaint comes in or a complaint generally, you need to  
20 know these examples of what you've been taken to in this  
21 Commission of Inquiry, don't you?

22 A. Definitely.

23  
24 Q. And, moving forward, is it something that you're going  
25 to tell your Ethical Standards Command that that is what  
26 you expect from them, to get a proper briefing about the  
27 conduct that is alleged so that you're informed what  
28 individuals are doing?

29 A. I've already spoken to the assistant commissioner  
30 about how I'd like to deal with LMRs particularly in the  
31 future and how they need to be briefed in. As I said, it  
32 has been a downfall in the system, in the framework, that  
33 I don't have oversight on this.

34  
35 Q. And I suppose one of the issues or difficulties is  
36 that Ethical Standards Command do their thing, the LMR  
37 apparently go down to the region, and then the region  
38 resolves it and might report back a selective view saying  
39 someone's remorseful when they're not really remorseful,  
40 that kind of example?

41 A. And when you centralise it and put it under one group  
42 of people that would pick up the issues that you're just  
43 talking about.

44  
45 Q. And so you need to remove that LMR from that local  
46 level, don't you?

47 A. So LMR in relation to --

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Q. Sorry, when I say that you need to remove the control of that LMR from that local level; you need oversight somewhere else, don't you?

A. Yes, and particularly - and the only reason I said that is, you know, when we're talking about the LMR in relation to sexism, racism, misogyny, LMR in relation to just - it was designed for, you know, minor things and where people - you know, guidance and one-off. So I think LMR is a good thing, but it's just not being used how it should be used.

COMMISSIONER: It's being used way too much.

A. Yes, yes.

MS HILLARD: And what about the LMRs when they are used, moving forward, being recorded to properly check and to be able to interrogate at that supervisory level to make sure that it is appropriate and appropriate remorse et cetera is shown?

A. Yes.

Q. Is that something that you would be looking at getting them to do, to record those?

A. Yes. The only reason I hesitate, because I want them recorded, I'd have to get a sense of how many are out there and how it's currently - I'm hoping there's not 20,000 out there and, if you record 15, 20 minutes each, how that would work. But, yes, I agree with you. I think it would be a lot better that they're recorded.

Q. I know we have the figures there somewhere. I don't think it's in the thousands at this stage.

A. I don't know. Yes, thank you.

Q. And when we're talking about promotion there was questions that were asked of you about the promotion of the individual who made that comment at the conference, and you were asked some questions about the application. This is COI.105?

A. Yes.

Q. So this is the application when it gets pulled up. I'm sorry, I didn't write down your reference number. It will come up on the screen for you in a moment. This is the application that this particular officer completed. B6 it is, Commissioner, I'm told?

1 A. Thank you. Yes, thank you.

2

3 Q. So if we can just have a look there we have the  
4 application for the position description and if we go over  
5 to page 2, it's on the screen in front of you if you can't  
6 find it.

7 A. Thank you.

8

9 Q. So we have there the service history and the  
10 qualifications. Now, is it something that you will look at  
11 or perhaps at least seek legal advice on on asking officers  
12 when they're applying for promotion to include in here a  
13 section, "Have you ever been subject of a complaint? When  
14 was it? What's the nature of it?" And we can just go  
15 through if we go down the bottom of that page just so you  
16 can have a look at the whole thing we can see that there's  
17 service history, and when we go down to the bottom of the  
18 page, Mr Operator, we get their period of the work.

19 A. Yes.

20

21 Q. Then at the next table down on page 3 I think it is at  
22 the bottom of this table here other relevant work history;  
23 and then at the bottom I think the Commissioner herself  
24 asked some questions about the matter?

25 A. Yes.

26

27 Q. And it doesn't actually require a person to justify  
28 whether they meet the integrity check, does it?

29 A. Yes. I just have to get some obviously advice on that  
30 because matters are finalised. So in terms of procedural  
31 fairness and natural justice I just have to get advice as  
32 to what I can ask in an application.

33

34 Q. But I suppose if part of your cultural change across  
35 your QPS service is one of the aspects is, "If you  
36 misbehave and it's substantiated and it's serious enough,  
37 you won't get promoted," that might have a significant  
38 effect on changing that behaviour, would it?

39 A. Yes. As I said, I've just got to be careful because  
40 I don't know what the matters are. I appreciate I think it  
41 would be excellent to have a fuller view.

42

43 Q. And on this panel, for example, who did this interview  
44 of this individual there was an Ethical Standards Command  
45 person who sat on that panel, we've heard?

46 A. Yes.

47

1 Q. And there is otherwise no report from the ESC about  
2 any individual applicant about whether they've had 10  
3 complaints, one complaint or no complaints?

4 A. No. It goes through vetting and if there's - yes, and  
5 if it's clear or there's no substantiated issues, that's  
6 what you see. And if there is cause for concern vetting  
7 will notify you of that. But you don't see the entire  
8 history.

9

10 Q. And when Cheryl Scanlon gave her evidence she said to  
11 effect when I had asked her about can those LMRs are other  
12 actions be revisited and she said that they can be.

13 A. Yes.

14

15 Q. So, appreciating you need legal advice, is that  
16 something that you're going to look at to change the  
17 promotional pathway for people who engage in improper  
18 conduct?

19 A. I think we need to look at that.

20

21 Q. Thank you, Mr Operator. If you just want to remove  
22 that document. One of the things that I asked you about  
23 last time was about an external oversight entity, and your  
24 response was to the effect that you'd be interested to look  
25 at some models around that. I can give you the reference,  
26 but that was essentially --

27 A. Yes.

28

29 Q. Just for the parties' reference, it was at page 247 of  
30 the transcript when you gave evidence last time.

31 A. Yes.

32

33 Q. In respect of that I suppose when we are talking about  
34 perceptions and how your police officers are afraid to  
35 report --

36 A. Yes.

37

38 Q. -- they have an external pathway that is confidential  
39 and a genuine investigation that doesn't just get referred  
40 back like the CCC does presently, that would be beneficial,  
41 wouldn't it?

42 A. The more transparency and accountability I'm very  
43 supportive of.

44

45 Q. And when we consider as well, as I talked to you last  
46 time about, you can still maintain your internal  
47 investigation but you have external as well because they

1 work in tandem and they enhance the disciplinary process;  
2 is that right?

3 A. Yes, definitely.

4  
5 Q. Now, you've also given some evidence about your role  
6 in the discipline and you said that that particular  
7 individual who was to be promoted who made that statement  
8 at the conference, that you didn't want to promote them?

9 A. Yes.

10  
11 Q. I assume that one of the things you might be  
12 interested in is looking at whether or not there can be  
13 discretions about promotion to those appropriate levels  
14 when there is known poor behaviour; is that right?

15 A. Yes.

16  
17 Q. Now, whether it's a Commissioner's discretion or it's  
18 some other mechanism, that's something that you would be  
19 looking at or getting legal advice on?

20 A. I think that would be excellent.

21  
22 Q. Because I don't think that you have any quibble with  
23 the idea that it's inappropriate for people to be promoted  
24 when we know that they have some --

25 A. I totally agree.

26  
27 Q. -- qualities that perhaps don't reflect what you want  
28 the service to reflect?

29 A. I definitely agree with that.

30  
31 Q. One question which you may or may not know the answer  
32 to, when people resign before the finalisation of their  
33 matter it becomes, I believe, a discretion about whether  
34 the disciplinary conduct continues; is that right? You may  
35 or may not know the answer to that.

36 A. I may have to get some advice on that, yes.

37  
38 Q. Okay. I won't ask if you don't know the answer. So  
39 that's okay. In relation to First Nations matters and the  
40 racism matters that you were asked about today, I mentioned  
41 briefly about the ABC article; so I won't canvass that.  
42 But you also were asked a number of questions about the  
43 advisory group and the engagement group?

44 A. Yes.

45  
46 Q. And you were asked some questions about the  
47 commitments that you have provided to meet the ELT, to

1 network with appropriate people at the ELT, and - I'm  
2 sorry, I can't read my handwriting - make an announcement?

3 A. Yes.

4

5 Q. So they were the three commitments. And you gave  
6 evidence about that was delayed and you talked about COVID  
7 and other - floods, operational things and bits and pieces.  
8 Would you accept, though, that communication is really  
9 important when we're dealing with vulnerable minority  
10 groups in particular?

11 A. Yes, I do. And I know the deputy has attempted to get  
12 everyone around the table a number of times. When I look  
13 at that I'd love to have been - you know, loved that it was  
14 a lot sooner than what it is because it is important.

15

16 Q. It would have been desirable, wouldn't it, for someone  
17 to have taken the time to send an email, "Sorry for the  
18 delay. We haven't forgotten about this. It's very  
19 important to us. We take it seriously. We have a few  
20 operational things we're dealing with, but this is what  
21 I intend to do"?

22 A. Yes, definitely.

23

24 Q. And the external engagement is really important, isn't  
25 it?

26 A. It is, because it shows commitment and partnering and  
27 relationships, yes.

28

29 Q. And particularly if whole of government expects a  
30 reconciliation action plan to be adopted whole of  
31 government or QPS, as you say, is probably going to adopt  
32 one --

33 A. Yes.

34

35 Q. -- engagement is essential to that, isn't it?

36 A. Yes. I think there's a new reconciliation plan next  
37 year, and we will instigate our own as well.

38

39 Q. If I ask you this and give you this opportunity: what  
40 statement would you make to those people who are involved  
41 in that external engagement group in your evidence today  
42 publicly to give them confidence that you take it seriously  
43 and that you will continue to engage with them, or however  
44 the group is comprised?

45 A. So definitely I want them to know how heavily  
46 committed I am to working with them, and I asked for that  
47 reference group with the executive director. I established



1 the First Nations group. We did a cultural survey  
2 immediately to see how the organisation was travelling in  
3 that regard. I implemented with the ED immediately  
4 training, and that was the SBS First Nations and inclusion  
5 and diversity training. Because it was COVID, then we  
6 couldn't get to face-to-face training. So from my  
7 perspective I'm extraordinarily committed, and I want them  
8 to know that I'm committed, and I want them to know that we  
9 will work very closely together to get this done as soon as  
10 possible.

11

12 Q. And when you say where you're talking about organising  
13 someone or you're going to take that?

14 A. So I will chair it and I've asked - just asked the  
15 deputy to get the terms of reference together and the group  
16 back together and then to start sharing it. And the only  
17 reason I asked the deputy to do that because there was a  
18 lot on and I needed someone to organise that, because there  
19 were a number of meetings that were cancelled.

20

21 Q. So can I take it from what you're saying there that  
22 there is a commitment to real engagement moving forward?

23 A. Yes. You know, they're the key to moving forward.

24

25 Q. And in relation to the resources and funding questions  
26 that you were asked, and the Commissioner asked you a  
27 couple of questions about the document - I don't need it  
28 pulled up; it was the PowerPoint spreadsheet COI.158 or  
29 your D11 that we just had up on the screen - can I just go  
30 through a couple of aspects about the resourcing. So that  
31 was a presentation done by Assistant Commissioner Codd on  
32 12 May of 2021?

33 A. Yes.

34

35 Q. And it specifically says in there resourcing?

36 A. Yes.

37

38 Q. It specifically says in there:

39

40 *We are significantly under-resourced to*  
41 *meet demand and our obligations with*  
42 *respect to domestic and family violence.*

43

44 A. Which one's that?

45

46 Q. It's D11. It's page number 4. If it wants to be  
47 pulled up, COI, number 158. So page number 4 under the

- 1 heading "Problem".  
2 A. Yes.  
3  
4 Q. See on the right-hand side?  
5 A. Yes. So, as I said before, I recall that particularly  
6 because we will look at - the VPUs were terribly  
7 under-resourced and in recent months we've done a very good  
8 job in resourcing that a lot better. From what I recall,  
9 it was more about that and the partnering with the Command  
10 to get that right. It's just that if it was just about the  
11 Command I know I would have said something.  
12  
13 Q. Well, if we turn over to page 6 it says there under  
14 "Key priorities", second from the bottom, "We need resource  
15 investment."  
16 A. Yes.  
17  
18 Q. It's not just one level; it's everywhere, isn't it?  
19 A. Yes, it is.  
20  
21 Q. And when we continue through the other parts of the  
22 documents, I think it's on page 9 - sorry, page 11, it's  
23 got "Command objectives", we see the one in the middle:  
24  
25 *Transition to a functional command of*  
26 *existing centralised QPS units and*  
27 *responsibilities.*  
28  
29 Isn't that right?  
30 A. Yes.  
31  
32 Q. That's not talking simply about the Vulnerable Persons  
33 Unit; that's talking about the Command and the entirety of  
34 the VPUs, isn't it?  
35 A. That is.  
36  
37 Q. Yes.  
38 A. But I'm talking about the previous conversation.  
39  
40 Q. And I'm not going to go over other matters but there  
41 were subsequent minutes where different options were  
42 adopted and ultimately it took quite a significant amount  
43 of time for positions in the Command to be filled; in fact  
44 it's only happened recently, is that right?  
45 A. Yes, it took the civilian positions June last year;  
46 police positions this year. It has been difficult  
47 permanently allocating staff. We had to take them from

1 other commands when they were optimised. And, as I said,  
2 just the growth numbers all went to the frontline.

3

4 Q. The difficulty is is that Counsel Assisting has taken  
5 you today to a minute, a document, that indicated when the  
6 Command was set up it had no growth or zero growth, is the  
7 word; do you remember that?

8 A. Initially, yes.

9

10 Q. That's right. And when you gave evidence on the last  
11 occasion you were specifically asked about that command  
12 being set up and you said that you didn't have the  
13 positions available to put into the Command when it was set  
14 up?

15 A. Initially, yes.

16

17 Q. So I suppose one of the difficulties is if domestic  
18 and family violence is taken very seriously, as you say it  
19 is, you know you haven't got positions and you can't fill  
20 them permanently - and if anyone wants to look at it it's  
21 transcript page 1964; it's COI.097 - you know that there's  
22 permanent positions not available, but yet you didn't seek  
23 external funding and you could have gotten immediate  
24 funding?

25 A. I can temporarily put them in those position and then  
26 allocate permanent positions against them, and that's what  
27 was done.

28

29 Q. But you spoke in your evidence on the next page, page  
30 1965, when you were asked by Counsel Assisting on the last  
31 occasion about wouldn't it have been more appropriate to  
32 seek external resources, and you said, "No, because I had  
33 internal resources." Do you remember giving that evidence?

34 A. Yes.

35

36 Q. And in respect of the timeline, given that it's set up  
37 in February of 2021, Counsel Assisting has already gone  
38 through a whole bunch of documents, we have had a look at  
39 the spreadsheet that's here in front of us from May of  
40 2021, in that timeline there are a bunch of estimate  
41 committees, aren't there?

42 A. Yes.

43

44 Q. They usually - forgive me if I'm wrong - happen around  
45 about May of every year, isn't that right?

46 A. Yes.

47

1 Q. And then there's a going down to Parliament House and  
2 giving evidence later on in the year; isn't that right?

3 A. Yes.

4

5 Q. Reporting on figures, statistics, how you're  
6 performing as a service; isn't that correct?

7 A. Yes.

8

9 Q. In 2021 we have the Women's Safety and Justice  
10 Taskforce also taking place, don't we?

11 A. Yes.

12

13 Q. Your organisation put a submission into that and  
14 that's been tendered in these proceedings, COI.004. It's  
15 not in your bundle. It can be pulled up on the screen if  
16 it needs to be. But this is the submission that was made  
17 by your organisation to the Women's Safety and Justice  
18 Taskforce. So you're familiar with that document?

19 A. Can I have a look at it?

20

21 Q. We can have it brought up on the screen. COI.004.

22 A. Yes.

23

24 Q. And in particular if we look at page 4 we can see on  
25 page 4 there is reference - if we just zoom in a little  
26 bit. This is where it has the reference to 40 per cent of  
27 the police work is domestic and family violence. We see  
28 that right at the bottom of the page there on the screen,  
29 the second line on the bottom?

30 A. Yes, yes.

31

32 Q. So this was known when this was put in in about June  
33 of 2021, 40 per cent of your police officers' time is spent  
34 doing domestic and family violence?

35 A. At that time that's what was said, yes.

36

37 Q. And then there's more meetings that are happening, and  
38 then there's the email that comes out after the Women's  
39 Safety and Justice Taskforce that the Commission has  
40 referred you to today?

41 A. Yes.

42

43 Q. And it's KRC.002, and it's dated 2 December of 2021;  
44 isn't that right?

45 A. Sorry, can I have a look at that, please?

46

47 Q. I'm happy if you want to have a look at my copy.

1 A. Thank you.

2

3 Q. It can be pulled up on the screen, KRC.002. So this  
4 is the email that the Commissioner was asking you about  
5 when she asked you questions just today?

6 A. Yes.

7

8 Q. And if we go over to page number 2 of that document in  
9 about the middle there one of the recommendations about  
10 the Commission of Inquiry at that point of time you didn't  
11 actively support the Commission of Inquiry?

12 A. No, because I - I didn't not support a Commission of  
13 Inquiry. That was not the issue. In fact on my history  
14 you see I have a lot of inquiries. But what I wanted to  
15 do, really wanted to do, was to start reform which I really  
16 felt had interrupted - been interrupted severely because of  
17 COVID.

18

19 Q. I suppose, though, if we go to the top of this page  
20 that we're looking at now, page number 2, you talk there  
21 about some of the things that have happened and what-not?

22 A. Yes.

23

24 Q. It starts on the previous page, on page number 1, and  
25 you talk about, "Other things that we've done." You're not  
26 there in any of those dot points, are you - we can have a  
27 look at them and I'm happy to give you my copy, but in the  
28 dot points there you're not actually referring to  
29 resourcing the Command at all, are you?

30 A. Not in those dot points.

31

32 Q. No. And I suppose from a perception, timeline of all  
33 of the meetings, all of the documents, all of the requests  
34 that have been sent to you, plus the ones I've spoken to  
35 you about today, 12 May, budget estimates, budget evidence,  
36 the Women's Safety and Justice Taskforce in June of 2021,  
37 culminating in this email in December of 2021, it appears  
38 that domestic and family violence has not been taken  
39 seriously by the QPS?

40 A. Domestic and family violence is taken very seriously.  
41 The amount of work in the last couple of years, in what has  
42 been a very difficult couple of years, has been quite  
43 exhausting, and I do take it very, very seriously. There  
44 is positions within the QPS to allocate to the Command. It  
45 took longer than I would have liked in a time when I was  
46 bringing commands together to find positions to allocate to  
47 it, in a time where I only had growth of 240 that I had to

1 allocate particularly to three regions which was  
2 under-resourced. It was a really difficult time. So we  
3 put temporary resources to it; and then when we were  
4 requested permanent resources. And permanent resources  
5 certainly did take time.  
6

7 Q. I suppose the difficulty, as has been canvassed and  
8 reminded to you today and by Counsel Assisting previously  
9 and again today, is that you could have requested immediate  
10 funds to fill those positions in the Command and elsewhere  
11 within that domestic and family violence group within the  
12 Police Service by getting funding specifically; isn't that  
13 right?

14 A. That wasn't the issue. I can still put today as many  
15 temporary positions where I like, and I still know that I'm  
16 going to get permanent positions. So that's the issue. So  
17 I know I've got growth coming. I know that there's - with  
18 the commands coming together that there's growth in that.  
19 So I can still put permanent positions to the areas that  
20 I need. So what's happened here is that they've been  
21 temporary until we've made them permanent.  
22

23 Q. But I suppose the point that I'm getting at is that  
24 when the Women's Safety and Justice Taskforce put in that  
25 submission in the middle of last year 40 per cent is known  
26 to be your Police Service's work or your police officers'  
27 work, quite a substantial amount of their time is spent  
28 doing domestic and family violence, there is no immediate  
29 request. Instead of waiting to go through this process of  
30 permanent positions you could have at any point of time  
31 sought immediate funding, isn't that right?

32 A. But even if I asked for immediate funding I would  
33 still have to put temporary positions in and still wait for  
34 permanent positions to come up. So it didn't matter when  
35 I had the funding. The issue is getting the permanent  
36 positions.  
37

38 Q. But we didn't even fill the temporary positions.  
39 We're left, as Counsel Assisting has taken you through, all  
40 those people that spoke glowingly of Assistant Commissioner  
41 Codd in his team, they weren't supplemented even by  
42 temporary people, were they?

43 A. Yes, and I spoke --  
44

45 Q. They were eventually, but during 2021 they weren't,  
46 were they?

47 A. I am advised that every temporary position and every

1 permanent position that was asked for has been filled. So  
2 I can't do --

3

4 COMMISSIONER: There's two research officers that are  
5 vacant still. They might be filled now, actually.

6 A. I'd have to find out where the advertising is at  
7 because I don't know if they're filled or part way through  
8 it. I don't know what the delay was from when they were  
9 made temporary to permanent to advertised. So there's a HR  
10 component in there. And I spoke to that earlier, that  
11 I would have to know what the delay was.

12

13 COMMISSIONER: Commissioner, you've said a couple of times  
14 now "with the commands coming together". What do you mean  
15 by that?

16 A. Thank you, Your Honour. So when I commenced back in  
17 QPS in 2019 we had an external reviewer come in to look at  
18 how we were doing business. At that time there was nine  
19 commands in Brisbane and five commands around the rest of  
20 the state. What it clearly showed is that we were heavily  
21 centralised and that we needed to push more of our  
22 resources out to where the business is. So Crime Command  
23 was separate to Intel Command, and we brought them together  
24 because they're very relevant. Road Policing was separate  
25 to Community Contact Command, and that's Policelink and our  
26 comm centres. We brought them together because they're  
27 relevant. And the reason why we did this is because the  
28 demand issues - so we also went to government and asked for  
29 growth. But we --

30

31 COMMISSIONER: Okay. I'm just going to stop you there  
32 because now I understand what you're talking about. So  
33 you've brought commands together. You're not bringing them  
34 together anymore than you already have?

35 A. Yes. So --

36

37 COMMISSIONER: So the current structure is what it is?

38 A. Yes.

39

40 COMMISSIONER: Okay.

41 A. But if I could elaborate, Your Honour, and just give  
42 an example. The SAP program, which was the service  
43 alignment program, to do this, we were very, very clear  
44 that the commands are being brought together so we can  
45 optimise positions to put them where we need to.

46

47 COMMISSIONER: Yes, yes, I understand all that. I just

1 wanted to know what you meant by that; that's all.

2 A. Yes. Thank you.

3

4 MS HILLARD: Thank you, Commissioner. I actually have no  
5 further questions.

6

7 COMMISSIONER: All right.

8

9 MR McCAFFERTY: No questions, thank you, Commissioner.

10

11 MR HUNTER: I have a couple of questions that concern an  
12 issue that was raised in the closed hearing yesterday.

13

14 COMMISSIONER: Yes.

15

16 MR HUNTER: And I wonder if you would again close the  
17 hearing for it would be no more than a matter of a couple  
18 of minutes.

19

20 COMMISSIONER: Are they the only questions?

21

22 MR HUNTER: No, I have other questions. I'm happy to  
23 deal --

24

25 COMMISSIONER: Do you want to just do it at the end?

26

27 MR HUNTER: Sure. I'll do it that way.

28

29 **<EXAMINATION BY MR HUNTER:**

30

31 MR HUNTER: Commissioner, can I ask you to talk about the  
32 importance in your view of having women in the service?

33 A. It's extraordinarily important. The evidence clearly  
34 shows - when I joined the Police Service there was only  
35 four per cent women. The evidence clearly shows you the  
36 more diverse an organisation is that there's better  
37 behaviour, there's more productivity, and in fact in  
38 private companies they make more money. I mean, the  
39 evidence is clearly there.

40

41 What's more important is where those positions are as  
42 well. So in masculine and feminine organisations most  
43 women sit at the bottom of the organisation. It's very  
44 difficult to influence strategy and influence where you're  
45 taking the organisation when that happens. It's very  
46 important, very important, to have that representation  
47 throughout the organisation but particularly at the



1 executive leadership team.

2

3 Q. What changes have occurred at the service in terms of  
4 female membership of the executive leadership team?

5 A. So when I came back to the organisation there were two  
6 women at the senior executive team, and it's now at 10 or  
7 nine; I'll just have to check for a recent time. I did the  
8 same in QFES. I was the only one, and brought that to  
9 seven or eight. It is incredibly important to have that  
10 diversity and mix at the most senior level of  
11 the organisation.

12

13 Q. In addition to increasing the number of women on the  
14 executive leadership team, have you also in a more general  
15 sense increased the level of education that's required for  
16 someone to achieve senior rank within the organisation?

17 A. Yes, just recently, because the other evidence is  
18 clear and particularly in policing organisations when you  
19 mostly have people coming from within. The other way of  
20 having diversity of thought is development; it's education.  
21 And I brought a mandatory standard in. Inspectors are grad  
22 certs. Superintendents and chiefs are grad dip. And to  
23 get into the senior executive from next year you must have  
24 a masters, which most have, but it really sends a message  
25 of what's required. The reason why it's March next year is  
26 I've just given a grace period for those that mightn't have  
27 that qualification yet.

28

29 Q. Now, in terms of recruitment you were asked about the  
30 Arista Report, which we know was in May of 2021. Does the  
31 service have currently proactive strategies to seek to  
32 recruit people from First Nations background or culturally  
33 and linguistically diverse backgrounds and obviously women?

34 A. Yes. We've invested heavily into our recruiting  
35 campaign. One of those is "You're made for it", which  
36 showcases extraordinary stories of serving officers across,  
37 you know, Indigenous, women, diverse group; Tamika's story,  
38 Kamaroi woman.

39

40 Q. Kamilaroi woman.

41 A. Yes, sorry, Kamilaroi woman.

42

43 Q. And it's designed to encourage First Nations people to  
44 seek a career within the QPS?

45 A. Yes.

46

47 Q. And does the service offer financial support for

1 people who identify as First Nations or culturally diverse?

2 A. Yes, we do.

3

4 Q. Is there a multicultural recruitment pathway and an  
5 Indigenous recruitment pathway?

6 A. Yes. It's to support people from communities to  
7 become a police officer.

8

9 Q. Obviously COVID posed difficulties in holding  
10 recruiting events, but have there been multiple events  
11 conducted this year throughout Queensland at schools,  
12 including things like rugby league carnivals and cricket  
13 events?

14 A. Yes. We target areas both for women and Indigenous  
15 areas. We have a dedicated First Nations officer.  
16 However, since now we can move around with COVID, the  
17 district officers attend district recruiting officers -  
18 sorry, spend many hours going to those events. And we've  
19 particularly targeted 19 First Nations events: schools,  
20 rugby carnivals, cricket. We've had 420 enquiries, 220  
21 email enquiries just in the generation of those - in that  
22 event, generated through that event, sorry.

23

24 Q. And I've only got a couple more questions on this  
25 subject, but has there also been engagement with  
26 Griffith University, Dr Prenzler and Dr Drew, from whom  
27 we've heard, to review the way in which the service goes  
28 about recruiting people from different backgrounds?

29 A. Yes, and to look at particularly barriers and how the  
30 organisation can improve on that.

31

32 Q. Now, in terms of we know that Arista was concerned  
33 with a supposed fifty-fifty mandate. As things presently  
34 stand, the number or the percentage of women who apply for  
35 the service are about 35 per cent?

36 A. Yes.

37

38 Q. All right. And is it correct that basically because  
39 of the relatively low numbers of applicants any woman who  
40 meets the criteria for entry into the service is likely to  
41 be accepted?

42 A. Any person who's meeting the criteria gets accepted.

43

44 Q. Thank you.

45

46 COMMISSIONER: Not just women. Any person.

47 A. Any person, yes.

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COMMISSIONER: You'd take anyone at the moment.

MR HUNTER: Can I ask you about the LMR system, which you've conceded is broken. In particular can I pick up on something that you mentioned during the course of your questioning by Counsel Assisting concerning the way in which the LMR process does or perhaps more importantly does not take into account the victim or doesn't engage with the victim when there is one?

A. What I found, and I touched on this yesterday which here we are introducing these processes for people to come forward to discuss and we spoke about that in the CCE and how that's now going over to Safety and Wellbeing, but what's occurring that if you're doing that well but you don't have a discipline system for LMR to support that it's counterproductive, and I feel that's what's happening.

Q. So do you agree that a system that sees the subject member, the offender if I can call them that for want of a better term, called in for a chat with the boss but nothing happening in respect of a complainant as being pretty unsatisfactory?

A. Yes, because at the end of the day it is about the victim.

COMMISSIONER: Well, at the end of the day it's not about --

A. It's always about the victim.

COMMISSIONER: -- it's not about the victim at the moment; it's the complaint system and the police.

A. Yes.

MR HUNTER: Can I ask you perhaps about a controversial subject. We know that in some states in Australia the Commissioner has a fairly broad discretion when it comes to the continued service or otherwise of particular police officers?

A. Yes.

Q. Sometimes it's called the no confidence power?

A. Yes.

Q. You don't currently have such a power?

A. No, I don't.

1 Q. Do you have a view about whether you need such a  
2 power?

3 A. I genuinely believe I need such a power.  
4

5 Q. We heard yesterday about a case of a person who had,  
6 it was found, offended against I think 26 separate police  
7 officers?

8 A. Yes. I think there was another one, 84, yes.  
9

10 Q. And the investigation we heard for that person  
11 occupied a period of something like three years?

12 A. Yes. That's not uncommon in some instances.  
13

14 Q. Is that a satisfactory state of affairs?

15 A. Not at all.  
16

17 Q. Three years whilst a person is on sick leave?

18 A. And the interesting part about that as well is that  
19 person is sitting in a position that you can't then fill.  
20 So there's many knock-on effects in relation to that.  
21

22 Q. What do you say about the desirability of that sort of  
23 power, albeit one that provides some protection for members  
24 to review any decision you might make?

25 A. Yes, definitely. There always has to be, you know,  
26 procedural fairness and natural justice built into this.  
27 But I do believe it is - and I was willing - Your Honour,  
28 you know, the Act is three years old, and when you get an  
29 Act that's new you are always going to, you know,  
30 find - you think, well, perhaps it will work very well;  
31 there will always be some issues that you might have to  
32 tease out. But I am now of the view that I definitely do  
33 need something like that.  
34

35 Q. When it comes to LMRs you spoke about centralising the  
36 process. Do you have a view about whether there are  
37 certain categories of alleged misconduct or breaches of  
38 discipline that simply should be flagged as not applicable  
39 to be dealt with by way of an LMR?

40 A. Definitely. Misogyny. Sexism. Racism. It should  
41 not be dealt with at that level.  
42

43 Q. Of course the LMR process does not require that there  
44 be a full investigation and a finding about what happened?

45 A. No, it's usually enquiries in the firsthand to see,  
46 you know, what should happen.  
47

1 Q. But if there's an allegation that someone has behaved  
2 in a racist way can you see a benefit in the service  
3 definitively determining whether it did or did not occur?

4 A. It should be looked into, definitely.

5  
6 Q. Can I ask you about the resourcing of the Command.

7  
8 COMMISSIONER: Actually, can I just interrupt you before  
9 you leave the LMR process and the complaints process. Back  
10 in 1989 when Mr Fitzgerald did his report he commented in  
11 relation to the complaints system.

12 A. Yes.

13  
14 COMMISSIONER: That it seemed to run along the lines that  
15 a person could make a complaint. If a police officer said  
16 it didn't happen, then the complaint was not proven. That  
17 seems to still be the case. So can you comment on, if  
18 there has to be a finding, what sort of training could be  
19 done to ensure that it's not - if it's word against word  
20 then clearly it's not substantiated, which seems to be  
21 what's happening now?

22 A. Your Honour, that actually has significantly changed  
23 particularly with body-worn video; significantly changed.

24  
25 COMMISSIONER: But if it's police against police there's  
26 not going to be body-worn footage?

27 A. Yes, yes, I take your point. It's a difficult one.  
28 But particularly, though - but, you know, people with  
29 course of conduct, you should be listening to two or three,  
30 you know, people who are actually saying the same thing.  
31 One on one sometimes can be difficult, but you need to make  
32 more enquiries sometimes as well.

33  
34 COMMISSIONER: Okay. Sorry, Mr Hunter.

35  
36 MR HUNTER: Not at all. Just on that, do you accept that  
37 the way the discipline system works at the moment, that  
38 where it's word on word that the result is inevitably or  
39 almost inevitably that the complaint is not substantiated?

40 A. It would appear that way and, as I said, that's  
41 difficult. I would like someone to probably come up with a  
42 better way of, you know, doing that one issue. It's very  
43 difficult.

44  
45 Q. All right. Can I then come to the resourcing of the  
46 Command. The assistant commissioner who currently holds  
47 the position in charge of the command, how long has he been

1 a member of the executive leadership team?

2 A. Seven years.

3

4 Q. All right. And as far as you understand it he would  
5 well and truly understand the WAS process?

6 A. Yes.

7

8 Q. All right. You were asked before by Ms Hillard about  
9 whether or not you could have simply sought further  
10 funding. Can I just ask you a bit more about that. Does  
11 giving the Police Service a bucket of money actually help  
12 in terms of a staffing problem?

13 A. You should never ask a police commissioner whether  
14 they want a bucket of money. Definitely.

15

16 Q. All right. But does it help if you have got a  
17 staffing problem?

18 A. Additional funds will always help. But what I was  
19 trying to explain is you can put people on for a certain  
20 period of time, but I know I'm funded for permanent  
21 positions. The difficulty is, though, is when those  
22 positions come on, is the issue. If there is extended  
23 temporary positions, yes, you can go to government and ask  
24 for that and in fact, you know, there will be taskforces or  
25 commitments. But you don't have to always do that. It  
26 really is the difficulty of transferring some of those to  
27 permanent positions. And I spoke to this I think  
28 yesterday. I have hundreds of temporary positions in the  
29 organisation at the moment. Some of those are short-term.  
30 Some are long-term. Many are waiting for permanent  
31 positions to come up, and in fact I think in most of the  
32 commands they haven't got any of their requests yet because  
33 of that issue.

34

35 Q. So we know that a number of submissions were made to  
36 the WAS?

37 A. Yes.

38

39 Q. And in respect of the Command each of those was  
40 approved?

41 A. Yes, at some stage. And I go back to the point that  
42 it did take a while to approve some of those positions.

43

44 Q. Now, was the DV and Vulnerable Persons Command given  
45 any priority ahead of any other commands?

46 A. At the moment they're the only command that have got  
47 their permanent positions approved.

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Q. And since when?

A. For the last few years, yes, because there is very little growth until July this year, and I spoke about the optimising of positions has been extraordinarily challenging as well.

Q. All right. So there are two ways, are there, that someone like Assistant Commissioner Codd could achieve solutions to staffing problems: one is the WAS process through which it seems he and in one case another assistant commissioner went?

A. Yes.

Q. And the other is to seek urgent staffing?

A. Yes, and that's normally temporary positions because I can't allocate permanent positions until it goes to WAS.

Q. So WAS is done, though, by means of a detailed submission setting out how many people you want at what level they're going to be?

A. And what role.

Q. And what they're going to be doing?

A. Yes.

Q. And what it's going to cost?

A. Yes.

Q. In terms of urgent provision of staff such as occurred in the case of weapons licensing, what's that process?

A. It can come to me in that format. So normally why that happens is - because WAS sits monthly, and if it's something very urgent it can just come in to me through a deputy, I approve it, but that report will still go to WAS.

Q. And where does the report or the request originate, though?

A. It originates from an executive director or assistant commissioner through their deputy.

Q. I see. Did you receive any such request from Assistant Commissioner Codd?

A. No.

Q. And you have repeatedly said in your evidence that you told him that he could have whatever he wanted?

- 1 A. Yes.  
2
- 3 Q. Have you said no to any request that has come from  
4 him?  
5 A. No.  
6
- 7 Q. We know that some permanent positions were approved at  
8 the start of this year?  
9 A. Yes.  
10
- 11 Q. Do you know whether the selection process has even  
12 commenced for those positions?  
13 A. I think some but not all, and I touched on this  
14 before. I'd have to know where they're at and where the  
15 delay and why the delay.  
16
- 17 Q. Did you know that he was - to use the words of  
18 Counsel Assisting - crying out for resources?  
19 A. No.  
20
- 21 Q. Can I ask you about the First Nations Reference Group?  
22 A. Yes.  
23
- 24 Q. Now, we know that the service approached a number of  
25 individual people around the state to invite them to be a  
26 member of that reference group?  
27 A. Yes.  
28
- 29 Q. But there's a government department --  
30
- 31 COMMISSIONER: Actually, that's not what happened. There  
32 was calls for expressions of interest. That's right, isn't  
33 it Ms O'Gorman? Through community there were calls for  
34 people who might be interested, and from a list there  
35 was - that's what happened.  
36
- 37 MR HUNTER: Well --  
38
- 39 MS O'GORMAN: We're just locating the document that sets  
40 out that process that was undertaken.  
41
- 42 MR HUNTER: Perhaps I'll skip ahead of that part of the  
43 process to the government department, DATSIP, which is the  
44 Department of Aboriginal and Torres Strait Islander  
45 Partnerships?  
46 A. Yes.  
47



1 Q. Was there some concern raised by that department that,  
2 despite the fact that these were unpaid positions, that  
3 there ought to have been an expression of interest process  
4 as they knew it undertaken?

5 A. Yes. I was briefed that the process undertaken  
6 approaching people, that an expression of interest had to  
7 be done and that more representation of geographical areas  
8 had to take place. That's what I'm briefed.

9

10 COMMISSIONER: That's what you were told?

11 A. Yes, yes.

12

13 MR HUNTER: And was there the unfortunate situation where  
14 the apparent problems with - if it was in fact a  
15 problem - with the selection of various people was referred  
16 to in an email or referred to by someone senior in the  
17 Police Service and some of the members were quite offended  
18 by it?

19 A. Yes.

20

21 Q. Is it your intention once this issue is resolved and  
22 once the group is operating that you will take an active  
23 role?

24 A. Definitely. It's important. And it's unfortunate how  
25 it transpired. And I think it's - I'm upset about how it  
26 transpired.

27

28 Q. Have you seen a document that's been prepared that  
29 summarises - this is going back to what I was saying about  
30 the funding of the Command - a document that summarises the  
31 various applications to the WAS that were prepared either  
32 by Assistant Commissioner Codd or the other assistant  
33 commissioner?

34 A. Yes. If I could just look at it again, if that's  
35 okay. I have seen this document. I'm just not sure who  
36 prepared it, sorry.

37

38 Q. Well, just have a look quick at it.

39 A. Yes.

40

41 Q. Does it accurately summarise the various applications  
42 that were made?

43 A. Yes, I believe it does.

44

45 Q. I tender that, Commissioner.

46

47 COMMISSIONER: While we're tendering things, that

1 quarterly report should be exhibit 42.

2

3

**EXHIBIT #42 ADMITTED AND MARKED**

4

5

COMMISSIONER: That will be exhibit 43.

6

7

**EXHIBIT #43 ADMITTED AND MARKED**

8

9

MR HUNTER: And just while your associate is on the floor you asked the Commissioner to provide a copy of the document that summarised what had occurred with respect to the Arista Report. So I tender that document.

11

12

13

14

COMMISSIONER: Exhibit 44.

15

16

**EXHIBIT #44 ADMITTED AND MARKED**

17

18

19

20

21

MR HUNTER: Commissioner, you have seen - in fact you have in your possession a copy of this document that I'm holding up?

22

23

24

25

26

27

A. Yes.

28

29

30

31

32

Q. This is a breakdown of those various allegations into categories?

33

34

35

36

Q. All right. I'll tender that document.

37

38

39

40

41

42

43

COMMISSIONER: Exhibit 45

44

45

46

47

**EXHIBIT #45 ADMITTED AND MARKED**

MR HUNTER: We have, Commissioner, made available to our learned friends the person who undertook that exercise and, should any further explanation of the methodology be required, we're happy to facilitate that.

COMMISSIONER: Who is the person?

MR HUNTER: I'll just get his name. Detective Inspector Luft, L-u-f-t, first name Corey. The other matter I was

1 going to ask you about was just to get some sort of an idea  
2 of how much you have on your plate. You told us about  
3 36,000 emails per year. Do you also receive approximately  
4 400 executive briefing notes per year?

5 A. Yes.

6

7 Q. You're responsible for sending approximately 160  
8 ministerial briefing notes?

9 A. Yes.

10

11 COMMISSIONER: Do you write those or do you sign them?

12 A. I get briefed on them, Your Honour. They come into  
13 the office and I'll get briefed, and then if they get  
14 attended to - well, know, ministerial briefing notes will  
15 go to the minister. Other briefing notes, executive  
16 briefing notes, will come up to me and then they'll go back  
17 to the area where they came from, depending on what action  
18 is taken.

19

20 COMMISSIONER: I was just trying to find out if you  
21 prepared them or you signed them.

22

23 MR HUNTER: In addition to emails your office gets a  
24 relatively small by comparison number of written pieces of  
25 correspondence, about 500 letters a year?

26 A. Yes.

27

28 Q. You have approximately one media commitment per week,  
29 so about 50 a year?

30 A. Yes.

31

32 Q. The all of service emails or Commissioner's updates,  
33 they go out regularly?

34 A. Yes.

35

36 Q. Do you write all of those?

37 A. I have one comms officer in my office who does that.

38

39 Q. Do you review them?

40 A. Yes, as much as I can.

41

42 Q. How many of those get sent every year, that you  
43 personally have involvement in reviewing?

44 A. I'd have to get the number, sorry. I know there's a  
45 lot because there's a Commissioner's update every four  
46 weeks. There's workplace post, which is our internal  
47 Facebook. There's general emails. The list goes on.

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Q. All right. You're invited to about 300 events every year?

A. Yes.

Q. And you attend of those about 100 of them where you actually have a speaking role?

A. Yes.

Q. All right. Thank you. In addition to matters concerning domestic violence, there obviously is a whole range of other aspects to your work?

A. Yes.

Q. And have you had prepared a document that sets out a timeline of the key initiatives and events that have occurred during your period as Commissioner?

A. Yes.

COMMISSIONER: Exhibit 46.

**EXHIBIT #46 ADMITTED AND MARKED**

MR HUNTER: Those are the only matters that I seek to canvass in open hearing.

COMMISSIONER: I might just note COI.138.0002, document C18, meeting with Deputy Commissioner Gollschewski and the First Nations Advisory Group, on the second page of that document Christine Thomas noted that:

*Adrian brought us together. There was an interview process. An expression of interest went to the communities. Shortlisting. Interview process. Then called to a meeting.*

And there is other documentation which confirms that that in fact was the process. So there was expressions of interest; there was an interview process; there was shortlisting.

MR HUNTER: I'm simply asserting that there was concern raised by the other department about the process.

COMMISSIONER: Well, if that's true. I haven't seen anything confirming that.

1  
2 MR HUNTER: You haven't. All right. So those are the  
3 only matters I wish to agitate in the public hearing.  
4  
5 COMMISSIONER: Yes. Do you have any re-examination,  
6 Ms O'Gorman?  
7  
8 MS O'GORMAN: No, I don't, Your Honour. Thank you.  
9  
10 MR McCAFFERTY: Commissioner, a matter was raised which I  
11 would, of course with your leave, Commissioner, ask the  
12 Commissioner of Police questions about.  
13  
14 COMMISSIONER: We'll do all this before we close the court  
15 because then the press don't need to stay; we'll just cut  
16 the link.  
17  
18 MR McCAFFERTY: It just involves the suggestion, which  
19 we've heard for the first time in the course of this long  
20 Commission of Inquiry, about commissioners' no confidence  
21 powers.  
22  
23 COMMISSIONER: Yes.  
24  
25 MR McCAFFERTY: So, with your leave, I wouldn't mind  
26 asking the Commissioner some questions.  
27  
28 COMMISSIONER: Yes.  
29  
30 **<EXAMINATION BY MR McCAFFERTY:**  
31  
32 MR McCAFFERTY: Commissioner, the disciplinary system  
33 process for police officers we've heard was reformed in  
34 2019; that's right?  
35 A. That's correct, yes.  
36  
37 Q. And that was quite an extensive process that led to  
38 that reform?  
39 A. Yes, it was.  
40  
41 Q. It involved - sorry, you were the Commissioner at the  
42 time, of course?  
43 A. No, I was not.  
44  
45 Q. You weren't? But you knew - you had extensive  
46 knowledge of it?  
47 A. I would not have had the extensive knowledge the

1 previous Commissioner had, but I know that it was reviewed  
2 over a number of years with the four parties.

3

4 Q. And it was a joint effort, as I understand it, with  
5 the CCC, the Crime and Corruption Commission; correct?

6 A. Yes.

7

8 Q. The Queensland Police Service?

9 A. Yes.

10

11 Q. And my client, the Queensland Police Union of  
12 Employees?

13 A. Yes.

14

15 Q. And you understood it took around 18 months, that  
16 review?

17 A. Yes.

18

19 Q. Which led to the current system?

20 A. Yes.

21

22 Q. Can I suggest to you - if you don't know the answer  
23 then by all means say so - that the issue of you having,  
24 you, the Commissioner, or any Commissioner, your subsequent  
25 predecessors or successors, having a no confidence power  
26 was not raised as part of that process?

27 A. That's correct.

28

29 Q. How would you envisage a no confidence power working,  
30 Commissioner?

31 A. There are a number of models across Australia, and my  
32 view would be that it has to be fair, accountable,  
33 transparent, natural justice and review process built in,  
34 but --

35

36 Q. So just pausing there - not to arbitrarily cut you off  
37 of course - you would not be suggesting a process, would  
38 you, which deprived an officer of a right of appeal, would  
39 you?

40 A. There should always be a right of appeal.

41

42 Q. And you would not of course advocate for a system  
43 which deprived officers of their industrial rights, would  
44 you?

45 A. That's correct.

46

47 Q. And indeed you mentioned procedural fairness. You of

- 1 course would not envisage a process which deprived officers  
2 of a right to procedural fairness?  
3 A. That's correct.  
4  
5 Q. And what other states have you looked to in the models  
6 that other states use?  
7 A. I have not looked in any depth at all.  
8  
9 Q. Have you looked at all?  
10 A. Yes, yes.  
11  
12 Q. Right. So what have you looked at?  
13 A. Western Australia has a model where a person is  
14 compensated for three months. One other state --  
15  
16 Q. Just pause there. Western Australia has a model where  
17 someone is compensated for three months. Is that the  
18 extent of the model, is it?  
19 A. This is in a text message about that step.  
20  
21 Q. So what independent enquiries have you, Commissioner,  
22 made about the model in Western Australia?  
23 A. Not independent. This is just quickly talking to  
24 the Commissioner as to what they've got.  
25  
26 Q. So you have made no independent enquiries yourself as  
27 the Commissioner of Police as to the Western Australia  
28 model?  
29 A. No, not to the full extent.  
30  
31 Q. What other states or territories' models have you  
32 looked at?  
33 A. I know of two others.  
34  
35 Q. So what are the two others?  
36 A. South Australia and New South Wales.  
37  
38 Q. What's the South Australia model?  
39 A. I don't think he gave me detail.  
40  
41 Q. When you say he, who is he?  
42 A. He is the Commissioner.  
43  
44 Q. The South Australian Commissioner of Police?  
45 A. Yes.  
46  
47 Q. So you made an enquiry with the South Australian

1 Commissioner of Police --  
2 A. Yes.  
3  
4 Q. -- as to the model used in South Australia?  
5 A. No. It was --  
6  
7 Q. But he - whoever he is - didn't give you any details?  
8 A. It was merely who has commissioners confidence powers.  
9  
10 Q. All right.  
11 A. And some came back, "Yes, I have." A couple came back  
12 with, you know, just the slight detail of what it was.  
13  
14 Q. All right. So it's fair to say that you have made no  
15 enquiries as to the actual details of those states and  
16 territories that have the no confidence powers?  
17 A. Not in-depth detail, but I do know from just that  
18 slight messaging the New South Wales model is one that  
19 after a commissioner makes a decision it then goes to a  
20 panel for review. So there are very different models.  
21  
22 Q. All right. So you haven't thought about until today  
23 what model you might envisage would work in Queensland;  
24 correct?  
25 A. What I want is to - for that to be explored.  
26  
27 Q. Right. But, again, and I don't want to unnecessarily  
28 repeat myself --  
29 A. No.  
30  
31 Q. -- you do not advocate for the deprivation of any  
32 industrial rights of police officers; correct?  
33 A. I believe that everyone should have natural fairness  
34 and a review process.  
35  
36 Q. And a review process; correct?  
37 A. Yes.  
38  
39 Q. And procedural fairness; correct?  
40 A. Yes.  
41  
42 Q. All right. Do you accept that a commissioner's no  
43 confidence powers might - I'm not saying by you,  
44 Commissioner, just to be clear - but might be misused or  
45 abused?  
46 A. And that's truly why I believe that it has to have  
47 those safeguards in place.



1  
2 Q. Those safeguards by meaning a right of review?  
3 A. Yes.  
4  
5 Q. A right of appeal?  
6 A. Yes.  
7  
8 Q. A right to legal representation perhaps?  
9 A. Yes.  
10  
11 Q. And when you say a right of review or right of appeal  
12 you'd be suggesting to an external body, would you not?  
13 A. I beg your pardon, sorry?  
14  
15 Q. You would be suggesting to an external body a right of  
16 review or appeal?  
17 A. Yes, and I do believe that's similar to the model that  
18 New South Wales has.  
19  
20 Q. All right. I have no more questions, Commissioner.  
21 Thank you.  
22  
23 COMMISSIONER: All right. Well, the last remaining  
24 portion of today will be in camera. So can you cut the  
25 link; close the hearing.  
26  
27 **(IN CAMERA HEARING FOLLOWS)**  
28  
29 **AT 4.30PM THE COMMISSION WAS ADJOURNED UNTIL FRIDAY,**  
30 **7 OCTOBER 2022**  
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