TRANSCRIPT OF PROCEEDINGS

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

COMMISSIONER: HER HONOUR JUDGE DEBORAH RICHARDS

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

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COMMISSIONER: Yes.

MS O'GORMAN: Good morning, Commissioner, the witness to be called to give evidence this morning is Mr Ian Leavers. Prior to him being called, however, I understand that Mr Hunter has a matter that he would like to raise in order to clarify some of the evidence given yesterday.

COMMISSIONER: Yes.

MR HUNTER: Commissioner, the matter I seek to raise concerns the questioning of the Commissioner about the matter of Suzie Forte yesterday when you, Commissioner, said to her, "So the investigating officer actually charged her and Cath Nielsen, or attempted to," and the investigating officer was named by - I think by --

COMMISSIONER: Myself. Hinshelwood, yes.

MR HUNTER: As Hinshelwood. We were not expecting that matter to be raised, and so of course I wasn't across the material, but I've been contacted indirectly by Detective Hinshelwood overnight, who is concerned at the suggestion that she either charged or attempted to charge Ms Forte with --

COMMISSIONER: She made the complaint in the middle of an inquest, a 466 and a perjury complaint, in circumstances where there had been no findings of fact.

MR HUNTER: She felt constrained by section 6A.1 of the Police Service Administration Act, which - the problems with which have already been canvassed here to some extent. So her report to Ethical Standards was consistent with that, and her recommendations were confined to recommending that a copy of Ms Nielsen's evidence be obtained, that a copy of Ms Forte's affidavit be obtained and that the matter be investigated. She did not recommend a charge, did not seek to charge; she simply referred it to Ethical Standards.

COMMISSIONER: Where does the perjury complaint come from? Because there was absolutely no basis for a perjury complaint.

MR HUNTER: I don't see a perjury complaint in the 466. Allegation 1 was a failing to report misconduct.

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Allegation 2 was a failing to report misconduct.

COMMISSIONER: Well, on this investigation report --

MR HUNTER: And then 4 and 5 were perjury.

COMMISSIONER: In the investigation report that I'm looking at, allegation 2 - sorry, allegations 8 and 9, perjury, Hischelwood.

MR HUNTER: Is that her investigation report or the investigation report by Ethical Standards?

COMMISSIONER: She's down as the CP, which is the person that reports, isn't it? Concerned party.

MR HUNTER: I don't have that document. All I have is the 466, which is a two-page email to Ethical Standards, and I'm instructed that that officer did not seek to have either of those people charged. She simply reported the matter as she saw it as her obligation pursuant to the Act. I'm not in a position to debate the question with you, but I am instructed that that is the officer's position, and obviously she was named yesterday and she's concerned about how her conduct was portrayed.

COMMISSIONER: All right. Okay. That's noted. Thank you. Really, the point was that those poor women, who were both victims of crime, should not have had to even worry about that.

MR HUNTER: I did not, Your Honour, traverse into that area, for obvious reasons.

COMMISSIONER: Sorry, that's a bit of a sidetrack. Yes.

MS O'GORMAN: If it's convenient now, I call Mr Ian Leavers.

<IAN LEAVERS, SWORN

<EXAMINATION BY MS O'GORMAN:

MS O'GORMAN: Mr Leavers, you're currently the President of the Queensland Police Union of Employees?
A. That is correct.

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Q. And how long have you been in that role for?
A. Since 2009.

Q. All right. The role of the union includes, does it not, representing your members on industrial, legal, social and political issues?
A. Yes, it does.

Q. Your union has a strong membership, as we understand it, more than 12,200 members?
A. That's correct.

Q. Now, of your members, some 3,480 are women?
A. That's correct.

Q. Which, on my calculations, means that almost 30 per cent of your membership is comprised of women?
A. Yes.

Q. Now, in terms of your members, what positions might they hold within the QPS? You represent sworn police officers obviously. What other positions are represented?
A. Yes, what we do represent is anyone who is a recruit through to and including the rank of senior sergeant, as well as police liaison officers, the police pipes and drums and the assistant watchhouse officers.

Q. All right. Over the course of this Commission of Inquiry but perhaps most notably over the last couple of days, the Inquiry has heard about matters relating to sexism, misogyny and racism within the QPS?
A. Yes.

Q. Can I ask whether you watched or have been briefed on any of the evidence given by the Police Commissioner, Ms Carroll, over the course of the last two days?
A. Yes, but not in its entirety.

Q. Yes, you have watched some of it?
A. Yes, I have.

Q. All right. For your information, the Commission of Inquiry has received well over 200 submissions from police members about matters relating to cultural issues within the QPS either in respect of domestic and family violence specifically or more generally in relation to sexism, misogyny and racism, and you might be aware if you watched

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some of the proceedings over the last two days that some examples have been the subject of evidence that's been discussed in that time?
A. Yes.

Q. You're aware of that?
A. Yes.

Q. All right. Can I ask you prior to the evidence traversed in the last two days what your knowledge as the president of the union was about the issue of, firstly, sexism and misogyny within the QPS?
A. Look, in any large organisation it will and it has occurred, and, whether that's policing or any other profession or industry, I suggest that would be the same. Now, by saying that I don't say it's right. I think there is certainly room for improvement. But what I do say is 98 per cent of the people that I represent are doing the right thing each and every day. I do think it needs to be called out. It needs to be addressed. But we need to dive deeper as to why it is occurring and what can be done as we move into the future.

Q. Do you have any knowledge of the extent to which women in particular are confronted with issues of sexism and misogyny when they go to work as police officers from within the organisation?
A. I don't have the exact figures, but what I do in my role is I'm right around the State of Queensland and I talk to my members across the state and I interact with them and I'm aware of things that do take place. I listen to all people with concerns, and I do what I can to assist them.

Q. And how often have you been speaking to women about the issue of sexism and misogyny?
A. I talk to people all the time in relation to their experiences and what may or may not have taken place. I'm probably the only president in my role in the country that is publicly available via the phone or email to all members, and I respond accordingly, as well as I'm overtly out there talking to people, not just responding.

Q. My question was, though, about your engagement with women and their experiences of sexism and misogyny. Have you been hearing from women members about their experiences of those issues within the QPS?
A. Yes, I have heard of some, and I support people when

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issues are raised as well.

Q. How do you support people when issues are raised? If you can give us an indication of the sort of thing that you do?
A. What the union does do - and there's many facets as we'll go here - depending upon the circumstances - within my background in policing I did a lot of work in child protection. So it's always you've got to respect the rights of the victim and the circumstances, and sometimes people just want to unload and talk to me. Yes, there's obligations under the Police Service Administration Act, but they may go through the issues, and if they - depending upon the circumstances, I'll provide them with other support should they wish to take the matter further or depending upon the circumstances. But I'm always cognisant on what the victim actually wants at that point in time to be able to support them.

Now, when it comes to - there's a couple times on this with domestic violence I've supported members who've gone through some difficult times, provided them with legal support so they can actually make a complaint, because when people get to the point of making a complaint I'll suggest they're damaged and they do need some support and assistance, and that's the assistance I provide.

Q. Sorry, I'm not quite sure if I understood that. You said from time to time people talk to you about the fact they want to make a complaint in relation to domestic and family violence; did I understand that correctly?
A. That's one issue, yes.

Q. Okay. And so what would you be talking about there? One of your members wanting to make a complaint about domestic and family violence?
A. I've had members who have been victims of family and domestic violence, although I look at our legal funding, I've actually provided them with legal support to be able to assist them through navigating that very complex and traumatic process so they can be looked after in a better way, as well as when I've had members who have been affected by family and domestic violence I've provided accommodation which is only known to me and obviously my PA, who books it, to give them a safe place should that be required. So I take that very seriously.

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Q. So you're talking about legal funding being available for members who have been the subject of domestic and family violence and might need to go through the process, the legal process, of obtaining an order or other form of protection?
A. Yes.

Q. Okay. And how frequently does it occur that the union provides funding for people in that situation?
A. Sometimes it goes in runs, and it's hard to quantify each and every year, and it is very hard at times people wanting to come forward, whether they're police - well, police - for police officers it's very hard for them to come forward because they're quite proud people and they don't want to come out, so to say, because of the fear it can be embarrassing, and I would suggest that's for all victims in some ways. I don't want to categorise everybody. But as it's needed and as it comes to our attention or it's reported to me I'll provide that. It could be five times a year, it could be sometimes three. It just goes in runs. But I do it as need be. If it happened to be 15, I'd provide the support.

Q. And what happens in circumstances where the person who's coming to you telling you that they're the subject of domestic and family violence and it's their partner who is a police officer who's perpetrated that abuse? How does the union deal with who to provide funding to in those circumstances?
A. What we do at the police union is it's like we're a third party organisation when it comes to legal defence. When it comes to domestic violence for perpetrators, it is rare that funding is ever provided. Initially in the first instance should an interview take place we will provide support, whether that's through a legal officer or one of our representatives around the state. We will do that. But then it is continually reassessed as to what ongoing support is there for a perpetrator. There have been some instances where we have provided support, but they are extreme circumstances where action has been taken purely because there may have been a direction or there are cases where directions have come from senior police, "You will take out an order regardless because they are a police officer."

Q. Okay. You have provided a statement to the Commission of Inquiry in about July of this year; correct?

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A. That is correct.

Q. Now, in your statement you've explained for the Commission, and I'm referring to paragraph 27 here:

> *When I joined in 1989 there were prominent elements of misogyny and racism within the service.*

A. That's correct.

Q. You remember explaining that?
A. Yes.

Q. And in the next paragraph you say:

> *The service is much more enlightened nowadays in respect of things such as attitudes towards females, including female colleagues, and members of minority and disadvantaged groups.*

A. That's correct.

Q. Do you remember saying that? In light of the evidence that has come out in this Commission of Inquiry over the course of the public hearings but perhaps most pointedly in the last two days, do you have any more heightened concerns about the prevalence of sexism and misogyny in the present day in the QPS than appear to be expressed in that statement?
A. I think going back to the 80s and 90s was a different world, and thankfully we are far more educated and a progressive society now. Do I think it still exists? Yes, I do believe in small pockets, but I do believe the vast majority of police are doing the right thing and for every one incident that takes place there are hundreds of positive stories which are out there. I'm not excusing the one that takes place, but I need to put it into perspective that there are many people doing the right thing who are calling out behaviour and ensuring the workplace is safe. Do I think that will be continuing? That will continue forever and a day. I think that will be an ongoing thing. I truly do believe that.

Q. So do I understand it to be your view that the issue of sexism and misogyny within the QPS is one which is

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restricted to small pockets?
A. Yes, I do. I believe it's small pockets, and that can happen in perhaps one location or it can be across the State of Queensland. What I mean by that, it could be in one particular area you may have more instances, whereas it won't happen in other areas. But I think across the board it is in small pockets, and people are better educated now and far more respectful, and in some of the work I've done around the state and in particular when we talk about those from diverse backgrounds as well as women I have an open statement, and I say this to recruits when I talk to them, "You treat women the way you would treat your mother, your sister, your partner, your daughter, whoever it may be. Everyone deserves to be treated with dignity and respect and, if it's not the case, it stops. What happened probably in the '70s and the '80s and the '90s, that's happened back then. I can't change what's happened then. But this is the standard that is expected now. So treat it as though it is someone close to you." I was once told in my first job treat people the way you would like to be treated yourself, and that still stands today.

Q. I just want to see if I can explore a little further with you what I understand your view to be about the small pockets of sexism and misogyny. When you say you understand there might be small pockets, is that because you're basing that on particular complaints that have been brought to your attention either generally or through the course of the last couple of days of evidence?
A. The last couple of days. But I live, breathe and see things and I know what does occur, and my firm view is, and I've embarked on this over the last few years, is - the terms I use is prevention and disruption. I talk about ethical behaviours on many things on what is the right thing and what is expected in 2022 or 2021, whenever I've given these presentations, and there is always room for improvement and change, and we've got to treat people respectfully, and by and large 98 per cent of police do. They join the police because they want to make the community a safer and a better place, and they're doing the right thing. Sadly, there are a very small percentage who are doing the wrong thing who tarnish the rest of us.

Q. The Commission of Inquiry has received a great many submissions from QPS members which suggest that sexism and misogyny at all sorts of different levels within the QPS is rife. Do I take it that you would not agree with that

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view?
A. No, I would reject that, and I will stand by my statement that I believe 98 per cent of people are doing the right thing. But I make no allusions there is some abhorrent behaviour that takes place, and there's one that is personal to me and you've heard it this week. Just give me a minute, please. Someone who is very close to me was subjected to some of this behaviour. I'm appalled by that behaviour, and I've lived and breathed it. And not only effect it has upon her but the family and the ripple effects and dealing with that again this week and the traumatisation. I don't condone nor I accept that behaviour, and I can assure you that person who said and did what he did, there is not - at that time I wanted to throttle that person. I'm a law-abiding person. I haven't done that. But it deeply affected me and others. So I'm acutely aware of what takes place. But I can say the majority of police are doing the right thing. But those people - that behaviour is not acceptable. So I know the effects and I know the ripple effects too well, and that is why I think it's important we support all people within the organisation.

Q. Short of matters such as threats to carry out serious physical acts against somebody, do you have any understanding or sense that women within the QPS are routinely subjected to less serious, more subtle forms of sexism such as name calling or being excluded from male groups, that kind of behaviour?
A. That may very well happen, and I'm not aware of all that, unless I'm advised accordingly. But I don't think people should be excluded because of their gender or whatever the case may be. But I do know within policing it's interesting, we've had some changes. You can look at - team rostering is an interesting thing, and it's not about racism or misogyny and that, but teams - where stations used to socialise together, now teams socialise together and they don't socialise with other teams. So you may have pockets where some groups will socialise together and others won't.

But putting people aside because of their gender, that's not the way, and good men, and many men I know, they call that out and they won't accept that sort of behaviour. So I think men have a really important role. But from what I have seen - and I don't think it's the intent of this Inquiry, but a lot of men have been tarnished of being

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misogynist, and I don't think that's the intent, but there has been a significant effect upon the membership that I represent, and I think it affects a lot of the women within the organisation as well because a lot of them have felt under siege when, as I said, 98 per cent are just doing the best they possibly can.

Q. Do I understand you to be saying that you understand that a lot of women within the QPS are feeling under siege as a result of this Commission of Inquiry?
A. I think both males and females have - it's had a significant affect upon them, possibly by the way it has been reported in a very negative way, and I know that I sat in on some sessions early and I saw some of my members give evidence, and the evidence that I observed was certainly wasn't what was reported, and that is really sad.

Q. The Commission of Inquiry itself has been inundated with submissions from members within the QPS grateful for the fact that some of these matters are being discussed openly, they say for the first time in their careers. Are those sorts of attitudes not being conveyed to you about this Commission of Inquiry?
A. No, I'm saying there have been some effects as a result. But those people who have come forward, I think that is really important that people have come forward and people should feel safe to be able to come forward in a safe environment. That is really important.

Q. My question was whether or not members are conveying to you a level of gratitude that these sorts of issues are being discussed openly?
A. Yes and no. Yes and no. Some people have come forward and I think it's important, and I look at the complaint system in policing where police make complaints against their colleagues, as they're entitled to do. I see that as a positive thing where things have to be called out. But there have been some negative connotations, and the way things have been reported it has affected the entire organisation.

Q. All right. Now, as I understand it, there are approximately 28 women in leadership positions within the union?
A. Yes.

Q. Does that presently remain the case?

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A. Yes, I believe so.

Q. All right. And you presently have no women on your executive committee; correct?
A. Not as at January this year.

Q. Do you think it would be beneficial if the union had more women in leadership positions, including on the executive committee, in the sense that it may allow your women members to speak more freely and convey to leadership their issues with respect to sexism and misogyny within the QPS?
A. Yes. But what I need to say is we are elected democratically across the state, and with the police union all the executive positions are geographically based and that is how people are elected. Have I encouraged females to run? Absolutely I have. I've supported some to run, and they haven't won at the ballot. I've also - we have our Women's Advisory Committee, which I've morphed into including diversity as well because I see that as vitally important. But I'm always encouraging. But within the police union I can say it's not something a lot of people aspire to be involved in because it can certainly be detrimental to your career. It has a lot of adverse impacts to your career. But there is work to be done, but we are democratically elected, and there are other things I'm working on, and I see what happens in other organisations where should you - for example, it's an all-male board at the top table, if you call it that, at this point in time, do you consider appointing other people from different backgrounds with a different skill set which can further enhance the board, and I'm going through that process at this point in time.

Q. Is there a problem in your view potentially with the culture of the union if your democratic processes are resulting in so few women being elected to positions of leadership and none on your executive committee?
A. No, I don't think it's the culture. No. Being involved in the police union, it's not an attractive proposition and, I can be honest, we're struggling to get people to be reps, male or female, across the state. But we are actively working on that to increase it, and I think that's vitally important. But it is democratically elected, and it does - whoever takes up those positions, it not only can have a severe impact upon your career as you move forward, it requires a great deal of time.

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But it is open to anyone, and I've supported many women who have wanted to run for positions, and when I initially ran for the local branch in Ipswich in I think it was 97, I actually ran a ticket with another lady because we wanted to see change within the organisation. So that was some 25 years ago. So that was part of a plan I had back then. But it hasn't always been easy, and it's not an attractive job. It can be - from the hierarchy, it can be not seen in a positive light as well, which saddens me because I think we have a vital role within policing, especially with the density of the membership that we have. But it is challenging, and I know within these roles - and I'll say this, I'll use myself as an example, the cost personally is incredible, and that is time and other things, and I can - and, unless you have supportive people around you in the police union role, it's really a tough gig to be able to do. And I've got to give credit to my son's mother because without her support I couldn't do what I do. So I rely on her to support me. So anyone who takes on this role, they need the support of those around them, otherwise they cannot simply do the job.

And I don't know why but - I've got a very open mind on how we move into the future, but being involved in the police union is not attractive. Some people see you as nothing more than a troublemaker, and they distance themselves from the organisation. So I think things need to evolve. But, yes, it's a democratically elected organisation.

Q. So do I take it from what you're saying that the difficulty with low numbers of women in leadership positions within the union is because you're not having enough women come forward to nominate themselves for those positions? Are you struggling to get women to stand for the positions?
A. Women and men, because it takes a lot of time outside of your ordinary course of your duties. You can't --

Q. No, sorry, Mr Leavers, I'm interested in exploring the issue of the numbers of women in leadership. So I understand you're saying across the board it's difficult to attract both men and women to nominate for those positions, but I'm interested for the moment in the women.
A. Yes.

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Q. Is the fact that there is such low representation of women within leadership positions a consequence of the fact that there are so few women willing to nominate themselves for them?
A. It could be. I can't say what is in the minds of people. I don't know. But what I've tried to do is be progressive and support wherever I possibly can.

Q. I'm not asking you to be in the mind of anyone. I'm just trying to get to the bottom of why it is that women aren't being elected to these positions. Is it because on the one hand you don't have very many women willing to stand for them, or do you have lots of women willing to stand for them who are then simply not being elected and a man is being elected in her place?
A. No, the latter I say is not the case.

Q. Okay. So the issue is with being able to persuade women to stand for these positions; is that correct?
A. Yes.

Q. And do you have any sense of why it is that women aren't willing to stand for the positions?
A. No, because there's different - you get different feedback, and I've tried to work with a lot of women as to why, and at times, one, you've got to have an interest, and I can say, one, when it talks to being in a union, that was not my goal in life, I can assure you for that, and I got involved because of specific reasons that occurred at the location I was. Sometimes there's got to be a reason as to why you want to get involved. But it is not seen as an attractive proposition, and if you move areas you have to rescind your position as well. So I don't know why, but I've tried to promote and I've done other things and initiatives which I have progressed to try and take away the negative stigma of being involved in the union.

Q. And what are those initiatives that you've tried to progress so far as women are concerned, that is in terms of putting women into those leadership positions?
A. I ran a course some years ago. It was a female-only branch official course, and the reason why is I didn't want just branch officials. I just wanted collectively to get people involved and the training course in Brisbane was to expose them to what we do at the police union, because it's not all the negativity that it's purported to be. We actually do a lot for our people when it comes to welfare

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and assisting them through day-to-day things. And, although I had people come, there was - I've got - no one really took up further involvement in the union.

Other things I've tried to promote - and I do it on a national level as well. We are trying to target people to actually get involved in the union and it's even been suggested working with the broader union movement. But we're very different to the rest of the broader union movement as well.

Other things like the ACWAP, the Australasian Council of Women and Policing - to go back in history, there was a massive disconnect between the unions and that organisation going back as a result of when Christine Nixon was the Chief Commissioner in Victoria. I don't know why the hatred is back in those days, but I drew the line in the sand and I said to the board we need to sponsor this and encourage and recognise excellence in policing within women - with women and which they do a good job on that and to get involved, and I've had other colleagues say, "Yeah, but what happened back then." I said, "Let's draw a line in the sand. I've forgotten about that. I just want to move on. We've got to be representative, and we've got to support everyone within our organisation." So I can't say I have all the magical answers on how to force people into it, but it's democratically elected, and I don't have all the answers.

Q. All right. Does the union support attempts by the QPS to increase female representation within the Queensland Police Service?
A. Yes, I have no issues with that.

Q. Okay. Well, there's a difference between not having an issue with an attempt to increase female representation and supporting it. Does the union support attempts to increase the number of women within the service?
A. Yes, I do with women and also people from diverse or First Nations background, and there is no secret I was very critical of the former Police Commissioner on his recruiting program, where - and I used the word "woke", and I go through what that is. My concern was back then the organisation was not transparent and they lowered the standards for women to join the job. The net result of that was women who would achieve fairly on merit were being classified as people who had a lower merit. That was

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unfair, and a lot of the people who complained and who were most vocal to me in my role were women who had achieved on merit, they had worked very hard, and they felt like they had been wronged by the organisation, which was unfair, and a lot of women say to me, "We want to achieve on merit. We don't want to be tokens," and I fully support that.

What I do believe, the service was not transparent, it was untruthful, and I called that out, and the CCC found that during their inquiry. What I would suggest needs to be done, but I'm an advocate, is if we are not attracting enough females or people from First Nations backgrounds, and I've got ideas on that as well, as well as those from other cultures, we need to go to those groups and say, "What can we do to make it more attractive, or why do you not want to be a police officer?" And there needs to be a body of work to do that to attract people to see what can be done or what are the obstacles in place.

That is my view, and of recent times I've worked with people within the First Nations community and there's a college in North Queensland and there's - last September there was 105 students there who were all First Nations people. I think we should be going to environments like that and targeting - it's an all-boys school, so it's away from the women, but we should be - if we could get two or three of those young men to join the police, that would be a win, and let it be seen as a great career. So I think we should be targeting people from all different backgrounds but look as to why they don't want to join the police, not lower the standards because I think we need to maintain a set set of standards.

Q. In respect of the particular efforts that have been made by the QPS that you referred to just before as having been spoken on by the CCC last year, you were referring to the fifty-fifty quota project; correct?
A. Yes.

Q. When the CCC report was handed down in May of last year about the attempts to increase women in the QPS at a rate of or to a rate of fifty-fifty, you were quoted as saying that, "We are sick and tired of these woke pandering exercises in relation to quotas." Accepting, as I do, what you just said about the union's view on quotas, do you nonetheless accept that comments like that made in respect of attempts to increase female representation in the QPS

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appear belittling and dismissive of what must only be reasonably seen as a worthwhile attempt?
A. No, because I see the Police Service was being totally dishonest and not transparent. They should have called it out for what it was. If they were going to lower standards, be upfront and honest about it. Don't be deceitful. That was my issue.

On the gender, the woke, it can be seen as an injustice, whether it's perceived or believed or otherwise. But be open and honest. And some of the things that I've just suggested now, that is what needs to occur. No one wants to be a token, and when policewomen talk to me, they are some of the loudest and the biggest advocates, they want to achieve on merit and they don't want to be a token; and I think we actually did a great disrespect to women in that. So if my comments were taken in another way, it was out of the frustration because I had raised that issue for many years and the Police Service lied every step of the way and said they did not reduce standards. I had people telling me all the time on what was occurring. That's unacceptable.

And the other issue I have, we have to maintain these standards because in policing it's a life-and-death job. If people cannot meet the appropriate standards it puts other people at risk. Whether they're male or female or whoever they may be, there needs to be that set standard. Once you lower standards, that can affect the safety of police officers, it affects community safety, and the ability we have to be able to serve the people of Queensland in the manner which is expected of us.

COMMISSIONER: Bad language, though, wasn't it? That was bad language, "woke pandering"?
A. Yes, Commissioner. That was out of complete frustration of a dishonest system which had taken place.

COMMISSIONER: I accept what you're saying and what your view is, but it was still bad language, wasn't it?
A. I can accept that, but I -- l

COMMISSIONER: It just gives a bad impression, Mr Leavers?
A. I'm not against women. Those who are close to me know that's the case and I'm not like that, and I accept what you're saying, but my intention was it was out of a corrupt system, it was damaging to the organisation.

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COMMISSIONER: Yes, you've said that, and I accept that. But language matters, doesn't it?
A. Yes, it can. Yes.

MS O'GORMAN: In respect of the issue of language and language matters, you'll recall that the Women's Safety and Justice Taskforce commenced its inquiries in March of last year, that is March of 2021?
A. Yes.

Q. And you know that it released its first report in November of 2021 because you commented on recommendations within that report; correct?
A. Yes.

Q. You'd be aware that between March and November of 2021 that taskforce worked tirelessly and consulted extensively in order to inform itself about the QPS and its responses to domestic and family violence?
A. I accept that.

Q. Do you accept that the taskforce chair, the retired President of the Court of Appeal, the Honourable Margaret McMurdo, is herself a highly respected and very competent individual heading up that organisation?
A. Yes.

Q. You'll recall that when the first report was handed down the Honourable Margaret McMurdo recommended a commission of inquiry to probe police cultural issues?
A. Yes.

Q. You'll recall, I presume, that you responded in the media by saying:

> *This is yet again another woke, out-of-touch report by a retired judge that over-reaches where it pertains to police.*

And that you went on to say:

> *I'm pleased to see the Commissioner of Police agrees with me and is joining with the QPU in standing up for all the overworked, under-resourced frontline police in utterly rejecting Margaret*

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McMurdo's suggestion of a commission of inquiry into the Queensland Police Service.

Do you remember saying that?
A. Yes, I do.

Q. Do you accept that those comments made about the Honourable Margaret McMurdo, who had engaged in the extensive inquiries that she had about very important issues pertaining to police and domestic and family violence, were at the very least dismissive and belittling of that work and of her?
A. No, I don't, and I'm happy to further explain that.

Q. Please do.
A. Yes. What I saw was an inquiry which I had hoped would come out with some meaningful recommendations to solve what I call is a national crisis in relation to domestic violence. I've been campaigning for well over a decade for change and reform when it comes to domestic violence. I here see another inquiry. I agree with 88 out of the 89 recommendations, which is purely focused on the Queensland Police Service. Now, I can go into many other issues on other agencies which have failed every step of the way. But I'll put that to the side at this point in time.

The only recommendation I've seen come out of that is this inquiry at this point in time, and, as I've said just before, it has been perceived by the membership that I talk to regularly that it's been an attack on the good men and women of the Queensland Police Service. So I thought: why have another inquiry when we've already had an inquiry? We had the "Not Now, Not Ever". We've had many inquiries and nothing seems to happen, and at each and every occasion it seems to be it's an attack on the men and women of the Queensland Police Service. There is no changes happening in legislation. Here we have another inquiry, which may cost up to $5 million, which may very well be able to - that money could have gone towards victims or fixing a broken system. So that was out of complete frustration over a decade of wanted change because the system's absolutely broken.

I do accept, and I've publicly come out since then, those comments I made at the time, I have completely reset. I am actually hopeful. I have a glass that is half full

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that we actually get some meaningful recommendations which will mean changes in legislation, procedures and funding, which hasn't been spoken about at great length at this point in time, so we can actually fix this problem which - the domestic and family violence act came in in 1989. It has not got any better in the way I see it. So we need to fix it. And so, yes, it was out of complete frustration I said that.

But the only thing that has been enacted is one recommendation, and that is my frustration, and I hope, I genuinely hope, that we get some meaningful recommendations which are acted upon and are funded accordingly so we can fix this scourge on society. So it was out of complete frustration and the terms I used - and I did meet with Ms McMurdo, and there were some issues I raised, and I thought I was dismissed on those comments too because I see it through the lens of a police officer, that were completely dismissed, because I think we need to have a holistic view, not just sanitise evidence but to see what actually occurs and see through the eyes of a police officer, because that's what we do see.

So those comments I did make, I've reset and I am hopeful - although I've been told by many that I'm way too hopeful and we may not get change, I'm really hopeful and I hope that in five years time I'm not the only one still campaigning when everyone has moved on to get some genuine reform when it comes to the domestic violence space, because I believe we are failing victims each and every day, and the longer things go on - and I hope the report comes out in a very timely manner because we need to fix a broken system. Police are working in a broken system. They are being set up to fail, and while we fail as police, and they're doing the best they can, we are failing victims. So out of frustration I made those comments, yes.

Q. So, Mr Leavers, my question was whether you accepted that those comments that you made about the Honourable Margaret McMurdo were dismissive and belittling, and you said that they were not. Do I take it that you stand by those observations?
A. I believe we had an inquiry which I believe would --

Q. Sorry, there's an objection.

MR McCAFFERTY: Mr Leavers has said he has reset his

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views. He's pretty clear about that.

COMMISSIONER: But he didn't really answer the question, is the problem, Mr McCafferty.

MR McCAFFERTY: Well, he did, and he also offered some other evidence as well. But he said --

COMMISSIONER: So he did answer it, did you say?

MR McCAFFERTY: He did, I thought he did answer it and then --

COMMISSIONER: So how did he answer it?

MR McCAFFERTY: I thought he said, "I've reset my views. I felt that at the time" --

COMMISSIONER: So does that mean he doesn't - he said he didn't - he said he stood by the remarks, I thought.

MR McCAFFERTY: He was talking about the recommendation for this Commission of Inquiry, I think. I don't think it was directed towards the Honourable Margaret Anne McMurdo AC, but --

COMMISSIONER: I didn't think he answered the question. He answered it with a lot of words, but I don't think he actually answered the question. We'll let him have another go at it.

MS O'GORMAN: Mr Leavers, I asked you whether you accepted that your comments were dismissive and belittling of the Honourable Margaret McMurdo and her work. You said that you did not think that they were, and so my question is whether or not you stand by those comments, that is:

> *This is yet another woke, out-of-touch report by a retired judge that over-reaches where it pertains to police.*

A. Yes, belittling, I - it was never meant to belittle. But what I will say, we've had an inquiry and as a result we're having another inquiry. My complete frustration - I'm sick and tired with this government, every time there is an issue we're going to have an inquiry. I can't walk down the street without hearing

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about another inquiry into something else, and meanwhile nothing happens and victims are in danger. That is my frustration.

Did I think - I would have thought that we would have got some meaningful recommendations which would have come out of that and there would not have been a need for this inquiry and we could have enacted things to effect some real change. That was my frustration.

Q. Do you consider that the report was another woke, out-of-touch report?
A. I agree with 88 out of the 89 recommendations.

Q. I'm not asking you about your views on the recommendations. I'm just trying to understand. You said back at the time that the report was another woke, out-of-touch report. I'm just trying to understand do you still consider that it was another woke, out-of-touch report?
A. I believe the report has some value, but I fail to see why we continue to need another inquiry when she was charged with the responsibility of having an inquiry. This is taxpayers' money. Let's just get on with the job and look after victims --

COMMISSIONER: Yes. Mr Leavers, do you understand that that was a taskforce, not an inquiry, and the difference is that a taskforce doesn't have the powers that an inquiry does? So the taskforce didn't have the ability to find out, for example, much of the information that we cross-examined or examined the Commissioner about yesterday. That's the difference between the two. Do you understand that?
A. I do, and I can accept some things. But I'm seeing the government can have a taskforce or a commission of inquiry to fix things, but it just seems to be we're continuing to have another - a go. Let's just fix the problems and get into it. And if the government can't accept recommendations of a taskforce, why have a taskforce and why not go straight to a commission of inquiry? That would be my view.

COMMISSIONER: Well, that may perhaps be an argument for another day. There may be some merit in that. But the point is, again, your language at the time was, I think you would agree, ill-considered?

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A. I can accept my comments at the time - and we know that, and you know I've reset and I've had a - a view I have some real hope for the future. I accept the woke comment. But what my frustration is is --

COMMISSIONER: You accept that it was ill-considered?
A. Well, not at the time because at the time that's what I thought at the time, and now I have reconsidered because I think there is a genuine opportunity to get some meaningful change, which I don't think has occurred, and I'm ever hopeful that comes out of this Inquiry, and, as you know, I gave evidence in a coronial matter and some recommendations have been made there, which have still not been enacted, which has certainly been a great disappointment to myself.

COMMISSIONER: So in retrospect --
A. The language could have been different.

COMMISSIONER: -- they were perhaps premature?
A. Commissioner, yes, but that's - I ask you to accept that out of the frustration - I feel like I've been fighting a battle for 10 years on behalf of 12,500 people who are at the coalface and who are getting whacked day in, day out and, for every negative one incident, the hundreds of things that are taking place and the real difference they're making in communities I believe has been neglected. Now, I'm not suggesting people here today are thinking that, but that is the public perception and that is the way my members feel.

COMMISSIONER: No, certainly this Inquiry has called evidence of police officers doing some very good work; there's no doubt about that. But what this Inquiry is a little concerned about is sometimes you use language that perhaps reinforces views within the Police Service that aren't helpful, by saying things are woke, the reports are out of touch. Those sorts of things, Mr Leavers, aren't particularly helpful.
A. Commissioner, I can accept some of that. But I ask you to accept my frustration because I want to --

COMMISSIONER: I understand that. I understand that.
A. I want to fix a broken system, and my intention was never to denigrate women or any other person. That is not - I want to fix a broken system, which I hope does get fixed, and even, as I spoke before, a couple of the

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recommendations out of Her Honour Bentley, and that was a multi-disciplinary taskforce in Logan and Kirwan, from three months ago, you know what? Not one thing has happened. Can I tell you how disappointed I am and how frustrated I am that change is just not happening. But that requires commitment from everybody to work together, not in silos, and it's got to be funded correctly, and I went publicly on that.

COMMISSIONER: I think we found out during the Inquiry that they have to have things to committee in the Police Service to change a word in the OPM. So if you think something else is going to happen in three months -- A. Commissioner, I'm hopeful for change quicker. I'm sick of the delays and my frustration, and I think like that we could be saving lives in Kirwan and Logan, which are hotspots or pressure points for us, and the frustration I'm - when I go to Kirwan Station, my people - they're burnt out. They are flogged day in, day out. All they do is DV. When they join the police they join for many reasons, not purely to respond to DV. I accept that's our calling and one of our roles, but they are hurting, and when I see - if we can't change OPMs within a week or so, you've got to understand I'm frustrated on many other parts, and I want other organisations - and we see the Department of Justice and the police department, can we not work together so we can actually protect victims?

So my frustration - I accept the word "woke", I get that, but my frustration is I want change and I'm not seeing it at the moment, and if we can't change a word in the OPMs for three months and then we've got these good recommendations made by Her Honour Bentley, I'm deeply concerned. So hopefully you can apply some more pressure, Commissioner.

COMMISSIONER: We'll see. Sorry, Ms O'Gorman, I interrupted you.

MS O'GORMAN: Mr Leavers, I think you said that you subsequently reconsidered or reset your views at least so far as whether or not it was worthwhile for there to be a commission of inquiry in respect of these issues; correct? A. Absolutely I have.

Q. All right. And what is your current view about the utility of this Commission of Inquiry and the sorts of

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matters that have been aired in it?
A. Clearly there are some issues in relation to Queensland Police Service. I think some things can be reset. I think there needs to be ongoing training and education. Not all things are bad. I think we need to refocus entirely when it comes to domestic violence. We need a reform of the legislation. We actually need to have people who are at the coalface heavily involved with that legislation so it is workable.

I've looked at other models. Tasmania has some good models. There is a model - I was talking with the CEO of ANZPAA last week. There is an online reporting model in the UK where if a person is not in fear of immediate violence that is a very efficient and effective system. So I think we should be looking not only just in Queensland and Australia, around the world, on how we can do this more efficiently and effectively, makes it easier for the police to be able to protect victims, because I think we're failing people every day of the week. But my people only act within the legislation. They do their job.

And do sometimes police make mistakes? We make mistakes. We're going to make them today. We're going to make them tomorrow. But if we're acting in good faith and trying to do the right thing - but I get back to it, 98 per cent of my people are busting their gut to be able to do the right thing and protect people. But the legislation is cumbersome, it is complicated, and it is unworkable.

And I've spoken with police on the ground. I was in Cairns six or eight weeks ago - it was whenever the Commission met, actually - and there was a person in custody, and it was quite complicated, for DV. You had two sergeants and a senior constable discussing on how they could go about bail and what direction they should go. If you've got three very experienced police officers trying to navigate this legislation, it shows me there's a problem. It needs to be simplified because, if it is convoluted and complicated and cumbersome with the paperwork, that not only affects police, who are fatigued; it means we cannot protect victims accordingly. So I think there is - and my views on multi-disciplinary teams - do you want me to go into that?

Q. Well, I think we've received your submission and a

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statement which touches on those aspects, so I'm content to act on the basis that we have your views there.
A. Yes.

Q. Mr Leavers, I just want to take you to one further topic, and that is in relation to the issue of local management resolution and how that's viewed within the QPS. You understand the process that I'm talking about, of course?
A. Absolutely I do, yes.

Q. All right. The Commission of Inquiry has heard evidence over the last couple of days about instances in which local management resolution has been used to address complaints in relation to quite serious sexist conduct, including sexual harassment, as well as conduct that is racist in its nature. You might be aware of those sorts of examples that have been discussed over the last couple of days?
A. Yes.

Q. All right. Did you know that that process is being used in that way?
A. No, I didn't, and I was heavily involved in the new police discipline system, with what local management resolution is all about, and I'm happy to go into further detail in relation to that.

Q. Well, I was just wanting to know whether you knew that local management resolution was being used in what appears to be quite a prevalent way to address conduct which is either sexist or racist?
A. Depending upon the conduct of what that behaviour is at that point in time, because the new discipline system was built on the foundations of about education and rehabilitation. Like with many other things throughout our society, education and rehabilitation are paramount, and that was what LMR was.

Now, the local management resolution, depending on some of the matters - and I've heard some of the allegations. Some are proven, some weren't, but they are allegations, so I can't comment on the entirety of some things because I don't know the entire facts. But with local management resolution it has been - there have been some many successes where behaviour has been corrected as a result of local management resolution, which is meant to be

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dealt with in a timely manner. The previous discipline system was cumbersome, where some matters have taken over a decade to be resolved. So there needed to be something to be addressed, because not only did police lose confidence and it affected morale within the police station, but also the community lost confidence as well.

So with the local management resolution, when that is applied, that can be applied for minor matters such as your standard of dress or you need to - if you've used force - used force is an interesting one because that would be classified as misconduct if the handcuffs have been put on too tight. That may require retraining as a result of that. But when it comes to local management resolution, when a complaint comes in, whether it be through the Police Service or to the CCC, once it is classified as misconduct the CCC has a watching brief on that every step of the way. So any decision which is classified as misconduct, if LMR is given, the CCC either approves that or when they're advised of that they can agree with it or they have the right to appeal that or commence their own proceedings. They can also take over any investigation, as per the legislation, should that be required. So once it's classified as misconduct - and things like racism and misogyny and use of force, that would be - there is a watching brief by an independent anti-corruption watchdog which has oversight of this every step of the way.

So on the individual circumstances it's very hard for me to comment, but it is a very useful tool. Now, if the processes haven't been followed correctly, that is not the responsibility of the union. That means other people need to look at the processes. But the intent is good. I believe it has been certainly beneficial.

What I can say in relation to some comments by police, some are inappropriate, and then sometimes you've got to take into context what actually happened at that point in time as to why those comments were made. Now, I'm not saying that any racist behaviour is acceptable. But let's look and dive deeper into what happens and what has happened with that police officer at that point in time.

And where I go with this, you can work in certain areas which are very trying. Now, because people make a dumb, stupid or silly comment should not mean they should be hung, drawn and quartered. I don't believe that. Let's

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look at where they have been and what has occurred and what has led to that. Within policing, the psychological welfare of our people is a real issue, and I will suggest most police are damaged. If not by three to five years they're not damaged, they will be, and that is a real issue. We need to look at what has occurred.

Now, what jobs have they been to, what environments have they worked in and how have their views - because when they go to the academy they are physically fit, they are psychologically fit, but they are damaged through the course of their duties, and why have they been so. Now, I've been to some areas - I'll give you an example. I was - and we see things through a different set of lenses that may not appear to those who are working in other organisations, and, without being disrespectful, by the time things get to court people only see things on the paper or the oral evidence. They don't see what has been seen through the lens of a police officer which has caused them to be severely damaged, which is really concerning to me, and that's why my organisation has been paramount in working in relation to the psychological fitness and welfare of police.

But when you go to so many incidents it does damage you. I remember going to a job in Tivoli, and this has remained with me, and you see the worst that human behaviour has to offer. I remember there was a three-year-old in a nappy, and I was dressed like this minus the jacket, I was in the Juvenile Aid Bureau, and the three-year-old said, "Mum, the fucking pigs are here," and I thought, "God help us. If that's what I've got to deal with a three-year-old, what is the culture of the parents?"

So when you are continually seeing these negative things it does have an impact. So I think we need to reset and be able to assist police. If they do come out with a flippant comment back at the station which could be perceived in a wrong way, we need to look at the causation as to the reason as to why that's occurred because it's not always necessarily bad. So I think this is a really broad area we need to look at, and some of the things that I've seen in policing - I remember going to various places in the Juvenile - the way some --

COMMISSIONER: Okay, Mr Leavers, I'm going to stop you there because you're sort of off target a bit here.

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A. Yes.

COMMISSIONER: So LMR was introduced for minor matters; yes?
A. Yes.

COMMISSIONER: Presumably not intended to be used six, seven, eight, nine, 10 times for the same officer?
A. Not for the same conduct.

COMMISSIONER: Yes. And it's seems as though it's being used incorrectly, which is not the union's fault; is that what we're getting from that?
A. Yes, I suggest it possibly - whilst I would suggest it's being mismanaged, because it has a very worthwhile purpose and it is used - and with LMR, too, an officer has no choice but to accept the local management resolution. So if a complaint is investigated and there is found there is insufficient evidence to be able to substantiate a disciplinary hearing and/or more serious through to criminal charges, LMR can always be given and the police officer has no choice but to accept that if there has been nothing found that they have done wrong. So there is no choice for that. But if it has been used inappropriately the Police Service, which has a watching brief, or the CCC has a watching brief, that probably needs to be addressed. But I do believe it is very successful. But, what I've probably heard, it hasn't been administered as the intention was.

COMMISSIONER: It's successful in theory but it's not working properly. I think that's pretty well established. In fact the Commissioner agrees.
A. It has been in three years, and between the Ethical Standards Command and the CTC that should probably be looked at, because the intent - and I think there are a lot of - I'm all about rehabilitation. It's like the courts when no convictions are recorded. Those sort of positive things to give people opportunity, I'm all for rehabilitation and to assist people where we possibly can, and I think that is the cornerstone of our discipline system. But if the behaviour is criminal or corrupt that goes to another level. But it certainly has its place, but it needs to be managed accordingly.

COMMISSIONER: All right.

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MS O'GORMAN: I just have a couple more questions about the LMR process, Mr Leavers. Do I take it from what you've said that you agree that LMR should not be used to address conduct which either amounts to sexual harassment or is otherwise sexist in nature or is racist in nature? I think you said that would be misconduct and should be dealt with by the discipline process?
A. No, misconduct, it would be classified as misconduct but then there would have to be an investigation as to the entirety of the circumstances, as to you've got to take into context on how the behaviour or the comment was actually made. But I don't see it as a one size fits all and there are all these other factors as to what could have occurred at that point in time. Yes.

Q. All right. Does the union get involved in assisting with representation of a member if they're going through the LMR process?
A. Yes, we can be; yes.

Q. When you say "can be", are you always or does it just depend on whether or not that member comes to you and asks you for assistance?
A. Most members come to us. It depends upon the nature of what the investigation was. But what we do at the Police Union - and we've given some advice and I've given some advice, there is one particular matter where I've actually mentioned to the member, I said, "The LMR has been given. You must comply." And my opinion wasn't enough and one of our legal officers spoke to him and gave that same advice. So we do. But what we also do, we not only assist the subject matter, we assist the complainant and the witnesses, which is something I brought in in 2009 as a result of I saw a court case where I believe my organisation was lacking at that point in time. So as a third party body we have to support everybody.

Q. And so on that point if one of your members is being investigated for conduct in respect of another one of your members you will arrange representation for both the person who's being investigated and the person who was affected or made a victim of that conduct; is that right?
A. Yes, and that is the right thing to do and something --

COMMISSIONER: How do you manage that conflict? There's a conflict there, obviously?

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A. Different people look after different people.

COMMISSIONER: So Chinese walls?
A. Chinese walls takes place, and often I rely on not only what I know myself but I will talk with the lawyers and they will advise if there is a conflict, I have to respect them. But everyone deserves representation and I still believe to a fair point we still have the presumption of innocence. But I have to protect everybody.

MS O'GORMAN: I understand. Thank you, Mr Leavers. Those are all of the questions that I have. Thank you, Commissioner.

COMMISSIONER: Mr Leavers, could I just ask you some general questions that will probably be short answers, I hope.
A. Okay. I've got to learn to be - okay.

COMMISSIONER: How many people work at the union?
A. A staff of 23.

COMMISSIONER: 23. So when you say you've got 28 women in leadership positions, what are they?
A. They're our branches around the state. So say Charters Towers I have a subbranch which has a president, a secretary, can have a vice-president but a lot of those positions are vacant around the state. So I have a branch at Thursday Island, Charleville, Ipswich. I have branches throughout the state.

COMMISSIONER: So they're not elected people?
A. Yes, they are.

COMMISSIONER: They are; okay. So, the leadership positions, are they the presidents?
A. Within the branch structure the president - some have a vice-president and you can have a secretary or an assistant secretary, they don't all have that, but although one's the president their role is to probably chair more of the meetings. They basically perform the same function.

COMMISSIONER: President and vice-president?
A. And the secretary. They become our representatives and our eyes and ears on the ground and they represent our members.

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COMMISSIONER: Right.
A. And just because someone is the president doesn't mean they have more authority than the secretary. They work in unison to be able to support our members.

COMMISSIONER: All right.
A. So, although the positions are like that, it's not necessarily a hierarchical system in place.

COMMISSIONER: Okay. So when you say 28 women in leadership positions that could be a secretary, a vice-president, a president in the branches?
A. That's correct.

COMMISSIONER: Okay. And in Brisbane out of your 23 in the office?
A. They're full-time staff within the office.

COMMISSIONER: And how many women are there?
A. It's got to be at least fifty-fifty.

COMMISSIONER: Okay.
A. I'll have to come back to you with the correct number, but, yes, I think fifty-fifty if not more the other way possibly.

COMMISSIONER: Okay. And the leadership position, fifty-fifty in leadership positions in the union in Brisbane --
A. No, that's within --

COMMISSIONER: Or just staff?
A. The staff structure of the union, yes.

COMMISSIONER: And some of those no doubt would just be normal PAs or secretaries?
A. Yes, and those in workplace health and safety. I have a research officer and a lawyer, who's on leave at this point in time, and she actually has accompanied me to some - well, the hearing before Ms McMurdo or through the process, yes.

COMMISSIONER: All right. I'm just trying to work out what that was. You said you didn't like the idea of standards being lowered for the recruits. Isn't getting 17-year-olds to join lowering standards?
A. No, and the reason I say what's happening there is

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the Commissioner's view - and Mr Hunter will correct me if I'm wrong --

COMMISSIONER: No doubt.
A. Yes, is they can apply at 17, but they can't commence at the academy until they're 18. Now, the reason behind that --

COMMISSIONER: Isn't that lowering the standard, though?
A. No, we're trying to get people - we have a national recruiting crisis, not only in Australia, in New Zealand and the Western world. We need to be able to capture people to get them into the workforce. My view, with a 3.5 per cent unemployment rate that is effectively full unemployment. And we're competing with organisations like the ADF.

Now, we need to probably I think get into schools, and there's a lot of police who have had successful careers who have joined at a very young age. They used to be cadets. They did high school, but then it morphed after that. In my era you could go in after grade 12 and you did an 18-month course and you couldn't be sworn in until 19.

But we're in a situation where we actually need to grab people with quality and educate them and bring them through the system, because if we're going to wait until 21, 22, we may very well lose. Now, do I think we need to be representative of society and get people from all different ages? Yes. But what I'm seeing now is as people get older they are less likely to move around the state. Younger people generally will go and do as they're told, to a fair point. But that's changing as well. But we need to have a very open mind and try and attract as many recruits, because at the point we are at at this point in time we are not going to be able to meet the recruiting numbers that we require to move forward.

COMMISSIONER: Twenty by 2025 or whatever it is.
A. Yes, that's 1,450 sworn police and 575 civilians. We are going to struggle to meet that requirement the way we're currently tracking. So we need to get people who have the standards.

And when it comes to people from a CALD background or a First Nations background I am one who believes we should be putting programs in place if someone doesn't have the

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required skills to assist them so they can come into our workforce. I think that is vitally important and that is something I would like to think to see is necessary. But we need to get young people before they move on to something else.

COMMISSIONER: So, in relation to that recruitment problem and the suggestion that perhaps people at 18 can go in, is there any merit in the scheme like the ADF where they can achieve some sort of higher education while they're in the police force in those early years to broaden their outlook? A. Absolutely. You're probably reading my mind. I think we should be looking at all these opportunities. And another role I have, I've actually called for a federal summit with all police commissioners, ministers, the federal Attorney-General who looks after policing at a Commonwealth level, including New Zealand, as well as the employment minister, because I think we need - everything's got to be on the table to see what we can do to attract people to policing.

I still think it's a good career. I joined at a younger age of 20. And I think we need to make it attractive. The problem we are seeing in policing and our union - our own research is those between three and 20 years service no longer want to work unsociable hours. That is a challenge we have. It is not a particularly attractive job to be fighting on the streets at 2 or 3 o'clock in the morning. And when they see all the adverse criticism which gets reported at times they say, "It's not for me."

My son, who's 19, I spoke with Jack and he's doing an apprenticeship in carpentry, and it's only in the last few weeks I said, "Mate, I wouldn't go near policing if I was you," because he's thought about it. I said, "Stick to something else," I said, "because it is not nice on the way people are being targeted because they only hear the negativity, not the positivity." So I think we have a crisis and I think we've got to get in younger, but also look at other groups on how we can attract them and what we can do. But it's the Western world, but it's a national issue we have. The Commissioner and I, I believe, are on the same page. We have to do something otherwise we're going to be at a crisis point in three years time.

And young people are good people too. I think they're

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more community minded than what people of my generation are. They care more about the environment and many other things. And I think, having them come in, that can be beneficial to the older people within the organisation to be able to better understand their views as well, because sometimes I see we can be very critical of young people and I think they cop a bit of a tough run at times because they're good people, they're just growing up in a different world with different pressures as to what people in my generation had. So I think that we should be working hard. If we don't get them, we're going to lose them.

COMMISSIONER: All right. And just one last issue. Are you a police officer?
A. Yes, I am.

COMMISSIONER: Okay. But obviously not paid by the Police Service?
A. No.

COMMISSIONER: So what's the arrangement there? I'm just curious, really.
A. I'm on a full-time secondment to the Queensland Police Union. I'm elected. I still hold the rank of sergeant within the Police Service, and should I go back to policing that's where I would continue on with my career. But my remuneration is paid for by the Queensland Police Union. But I am a serving police officer.

COMMISSIONER: Okay. So whoever's president of the union is a serving police officer on secondment, basically?
A. Yes, that's correct. Can I just say I don't access other powers or anything like that, although I had to on one occasion because I can't hide my face publicly. I was told about someone trying to run in front of a car. I had to tackle the fellow and call the police. But I don't do any policing functions. I purely do my role as the president. But I can't hide from things and I still have the same responsibility as other police, is to protect life and property. But I'm not out there on the tools doing that, so to say.

COMMISSIONER: All right. Ms Hillard?

MR McCAFFERTY: Just before Ms Hillard rises, it's clause 14 of the constitution. Your Honour will see the reference to --

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COMMISSIONER: What constitution?

MR McCAFFERTY: The Police Union constitution obviously.

COMMISSIONER: Okay.

MR McCAFFERTY: It sets out the roles --

COMMISSIONER: Thanks, Mr McCafferty. All right. Ms Hillard?

<EXAMINATION BY MS HILLARD:

MS HILLARD: Mr Leavers, if I can just start with one of the things that you said right at the end, that your police officers only hear the negativity and they don't hear the positives, you're in a position of power, aren't you, where you can speak with an authoritative way to support both your victims and those who are perpetrators to encourage a positive cultural change, aren't you?
A. Absolutely.

Q. So if we are talking about recognising the evidence that this Commission of Inquiry has received that there are hundreds of women experiencing sexual harassment that don't make complaints for a lot of different reasons, you're in a position to be able to encourage them and support them in that process?
A. Absolutely I would.

Q. And I appreciate that you have indicated that in your anecdotal view that you don't think the numbers are particularly high, but the evidence from this Inquiry shows that at the very least from the Commissioner's own survey that was conducted two per cent of people report experiencing sexual harassment, five per cent of people report seeing sexual harassment, and 78 per cent of people don't report that; they're really quite significant numbers, it's not just one or two, is it?
A. Seventy-eight don't report - you've got to look at the context and the question as it was, and I haven't read the question. But what I do say is what is reported we can only go by certain things. But what I will say is - and I stand by it - that 98 per cent of people are doing the right thing and they're calling people out. I do know some people - and this happens not only in policing - some may

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wish to pursue a complaint, some don't, and I think at all times you've got to take into account the wishes of the victim.

Q. I suppose, though, if you're saying 98 per cent of people from your perception are doing the right thing, you don't actually know the real figures of people who are experiencing sexism because of the fear of coming forward and making complaints, wouldn't you agree?
A. If there are more, there are more. I can't tell you what I don't know.

Q. And I suppose that when we talk about your position and the authority that you have, I appreciate that you might have the view that the majority of your police are doing the right thing, and I think that's accepted that maybe the majority are doing the right thing, but it minimises, doesn't it, for those who are victims when they experience negative things, doesn't it?
A. Yes, if someone experiences a negative thing that is not good and it has a severe impact, and as I related a personal experience with myself, and I accept the impact. But I do accept that 98 per cent of my people - the members that I represent, sorry - are doing an outstanding job under very difficult and challenging times.

And can I say this. It's very easy - when you're in an environment where your life depends upon your partner each and every day, it's quite dynamic and quite challenging. It's unlike many other industries. The ADF may go through that as well. But it's not like other industries, where you're working with a colleague one day and you rely on them to save your life the next day. It's a real challenging environment. So it's not easy.

Do I suggest that things happen that may not get reported? That could very well happen. But I can only go on what is there. But we are doing all we can. And most of the people - and I've been inundated over the last week about good people who are just doing their job each and every day, men and women, who through what has been reported here feel like the entire organisation has been tarnished and they're saying it's like a Fitzgerald Inquiry mark 2, and that really saddens me because the people we will lose will be the good people.

Q. One of your answers that you gave earlier on was you

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were referring to people, your police officers, generally speaking becoming psychologically damaged and you were explaining perhaps that that might be a basis for why people might engage in particular behaviour?
A. There's no excuse. Like in any aspect of our law, there are mitigating circumstances. Where I would like to get to and we're in the - this is something Brian Codd, Assistant Commissioner Codd and I agree, both of us are passionate about the mental health and wellbeing.

Q. So if we're talking about the psychological and the mental health factors of police separately from sexual harassment, it is not excusable, is it, to sexually assault a person by rape, by touching, by touching them on an intimate place on their body, none of that is excusable by psychological behaviour just because an officer is experiencing that, perhaps?
A. No, I've never said that.

Q. And when you gave some of your evidence earlier on you made a comment amongst one of your answers that people continually see these negative things; it does have an impact. Now, it's part of a complex answer that you were giving, but if I can just draw on those words. When people continually see women being subjectively treated as sex objects it normalises that behaviour, doesn't it, because it is a negative thing and it does have an impact?
A. That's unacceptable in society all around, I'm going to say, and, sadly, police are representatives of society. We have high standards. But we need to look at the entirety of society on the way things are sexualised. So that's bigger than just policing.

Q. But you are dealing with your police officers, who you say 98 per cent of them are doing the correct thing - maybe that's a true figure, maybe that's not - but at the end of the day your role is to represent also your victims who are also members; isn't that right?
A. Which is exactly what I do.

Q. And so when your victims need to come forward and to make a complaint or be supported to make a complaint they need a pathway to do that, and you say you go out and you talk to them and they can otherwise notify you; that's correct, isn't it?
A. I have representatives as well and we do look after people who come forward and we assist them every step of

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the way and take into account their wishes, and we will support them. That is something we do and I'm proud that we do that.

Q. But if we know from surveys that have been conducted by the Police Commissioner at her request that 78 per cent of people aren't reporting sexual harassment there is a lot more work to be done by the union for your victims, isn't there?
A. I will say the Police Service has a lot of work to do. Now, we as an advocacy agency, we will do everything we can to support our members. But I would suggest the Commissioner or the Police Service, there is a great body of work to do that. Now, with the Working for Queensland survey I will say this. Some people take it seriously. Some don't. Some use it as a gripe because - for whatever reason it may be, and I'm not diminishing anyone's complaint. But sometimes it needs to be taken into context, and perhaps the Police Service needs to dive deeper into those issues as to why people would or they would not come forward.

Q. Well, let's look at that if you like. About 70 per cent of the Police Service responded to the 2021 survey that was conducted; it was in fact 68 per cent?
A. Yes.

Q. It's quite a large number of the entire Police Service that responded; isn't that right? And there was a subcategory of why they didn't come forward and they could pick why they didn't come forward: no consequences; nothing would happen; didn't feel comfortable; fear, et cetera. So they actually had a list and they provided reasons for why they didn't come forward. Knowing that information, what is the union going to do to help your victims who are your members?
A. We assist our victims to come forward, and that is the Police Service has a role. Now, when we go back talking about consequences I find that very interesting, because we look at our whole criminal justice system where people talk about consequences. You have to take into account the circumstances behind it. Now, not everyone gets the result or the outcome they want with the penalty they want. That happens throughout our entire judicial system, in fact the whole of society. That's not just a policing issue. The Police Union will do --

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Q. If I can just pause you there. You would agree that if someone sexually assaults - a police officer sexually assaults another officer by touching them on the vagina that that is something that requires a consequence?
A. Absolutely. And if the victim comes to the Police Union we will support them in every which way we possibly can.

Q. Now, you haven't actually provided any firm numbers on how many people come forward to talk about sexual harassment. You say in your evidence that you would be out there often, you would talk to people and you would make yourself available and you travel across the state. But are there any numbers that you can point to or can indicate how many people make sexual harassment complaints to you?
A. No, I don't have the figures there; no.

Q. Would it be one a week; would it be one a month; one every three months; do you know?
A. It depends. I've had other comments which have come back to me where it's been alleged racism, and I take that very seriously. Some have been --

Q. Let's just focus on the sexual harassment.
A. Okay.

Q. Would it be as frequent as one a month?
A. It could be, yes.

Q. Would it be as frequent as one a week?
A. No, probably not. No.

Q. All right. And would it be as frequent as one a day?
A. No.

Q. All right. And so if we are talking about five per cent of people who have witnessed sexual harassment in the workplace from that survey in 2021, that's around about 385 people who have witnessed it, you're not getting those numbers complained to you, are you?
A. No.

Q. So when we talk about the role of the union and supporting your victims can I suggest that one of the things that would be helpful would be women leadership on your board; would you agree?

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A. We have elections. We don't have tokenism within the organisation. It is elected like the House of Representatives. People are entitled to stand for a position if they wish to. As a male I don't support those type of behaviours which you have just put forward to me and I will do all I can and I put things in place to be able to assist everyone. I don't go into race, gender or cultural backgrounds. I will help anyone, regardless of who they are. I treat them as people and I will support them.

Q. It's interesting that you make the reference to it's like the House of Representatives but, for example, our federal government at present is a Labor government. The Labor government have had targets or quotas, whatever word you want to say, for women for a number of years; that's right, isn't it?
A. Yes, they have.

Q. And that has resulted in an increased number of women holding positions elected federally this time in the current government; isn't that right?
A. It is a democratic organisation. People are entitled to run for a position if they want to. That is their decision.

Q. Well, we talk about being a democratic organisation and people being elected. But if you just look at pure maths 30 per cent of your members are women. It makes it very difficult for a woman to be elected to your board, doesn't it?
A. With my board it is quite unique. They are geographically located and those jobs are very, very onerous. But anyone is entitled to run for those positions, should they do so. I've actually - the last female on the board I actively campaigned and worked with her to help get her elected, and I have with others over the past. But I don't control every vote, but I do what I can. But we're not saying this area is for female and this is for a male or this is for another person. No, we don't do that. They are democratically elected.

Q. Why is there no position created for a woman representative on the board?
A. I actually gave in evidence before I'm looking at exploring other options, which is happening with other boards which are not in policing, where there is an

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opportunity to have someone appointed directly to the board. But I don't make all those decisions. As the president I'm guided by the governing body, which is our conference. There are some decisions I can make. There are some I don't. I can certainly lead in a direction. But I'm looking to move forward in another direction.

There are some other jurisdictions in policing where the entire membership from that jurisdiction, everyone is up for the vote. So technically they could all come from the one station. And so they have been able to achieve things like that. But the electorates which govern our board are geographically located and so that is not possible.

Q. It is possible if there is amendment to the relevant constitutions and the governing rules and regulations, isn't that right, for the creation of a woman specific position on the board?
A. I have said before I'm looking at other options to be able to move forward. One thing that has come through loud and clear from women within my organisation, tokenism is something they will or do not want to support. I am looking at other options and other things as well, and I haven't presented this to the conference, on how I think we can probably do things a bit differently. But things are changing and we've got to move with the times.

Q. If we talk about this idea and concept of tokenism, tokenism partly is that there is a perception that you're taking a position from a man because you're being preferred because you're a woman.
A. I don't agree with your proposition there, no.

Q. Now, if we message as the union leader and have a female position that is actually created on your board by your governing voting body and it is messaged as a positive thing, then it can only be a positive thing, isn't that right?
A. It's interesting. I've road tested that and I've spoken with different people and I have certain views, because I know how other boards operate. I've been told from females by appointing someone who is female, who wouldn't have voting rights but can be an adviser to the board, that is tokenism as well. There are some things you just can't win on. But I think we need to move forward and explore what we can actually do. We need to look at how to

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make the union work more attractive to all people and encourage people to run for elected positions. But, unlike other political parties, we don't designate that this area is for a male and this area is for a female. It's a democratic organisation and that is how it works.

Q. You can have a democratically elected First Nations position as well, couldn't you?
A. That is possible.

Q. You could have a democratically elected LGBTQIA+ position, couldn't you?
A. Yes. You could even look at the English system where you have several different ranks and it's become a complete debacle over there. I've actually - and you wouldn't be aware at this - at our conference I've reached out and a fellow who has appeared before this Inquiry who is heavily involved in the LGBTIQ community and engaged him and working with him because I see that as necessary, and I work with him. That is really important. Now, 30 years ago that wouldn't have happened, and I think that is really important. So I'm reaching out. But we have elected positions which are geographically located across the board. But, if we need advisers and other people, we need to look at that as we move forward. But we are - that is how it is. It is elected. I don't control everything.

Q. What I'm asking you as the union leader for an extended period of time if you are going to take actively steps to actively promote a position on the board for a designated woman and advocate for changes for that to happen?
A. I've said I am looking at changes to be able to look, should no-one be elected, whether or not we have someone appointed by the board which would assist us with our decision-making process. I cannot make that any clearer.

Q. If we are talking about this Commission of Inquiry and you have given evidence in your statement and orally today about changes and you're anxious for change to happen and change takes a long time, so just bearing that evidence in mind, you would recognise, wouldn't you, that it is important to understand the underlying reasons for why some of these domestic and family violence responses are not fantastic at the moment, wouldn't you agree?
A. I need you to clarify that.

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Q. Well, you've been asked questions about sexism and misogyny. They can feed into the way that domestic and family violence is responded to. That's what this Commission is looking at; isn't that right? Is that your understanding of it?
A. It's looking into the response by the Queensland Police Service to domestic violence, and I have come through with some very firm recommendations on how I believe we need to progress it. Now, as I've said, 98 per cent of police you wouldn't be aware of the great work they're doing each and every day and go above and beyond what they're required to do legislatively to support people who are victims or involved in domestic violence. That has not been heard of. So our people are doing a great job, but that is not being recognised at all.

Q. Your police officers may in fact not know that they may or may not be responding optimally; would you agree?

MR McCAFFERTY: Your Honour, he can't possibly answer that question.

COMMISSIONER: No.

MS HILLARD: Let's reword it in this way. Your police officers, for example, may not be trained to recognise certain approaches to domestic and family violence could be influenced by their gender views; would you agree with that?
A. Well, it's interesting, in the Hannah Clarke inquiry I'm the one who's advocated for greater training when it comes to domestic violence. Now, there has been very little training and it's only just started since the "Not Now, Not Ever" report in 2015.

Q. I think there were other witnesses at that inquest that spoke about the need for training as well?
A. Yes, but you're asking me about my organisation. I'm passionate about training. My delegates and people around the state who I interact with, they want training. The legislation is cumbersome. They want to know what is available and how can they better deal with it. What they foremost want is changes in legislation which is unworkable, cumbersome and affecting the ability on the way that they can protect victims. So we're all for training. We are not against training. And I think training needs to be continuous, it needs to be ongoing in an array of

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fields.

Q. So if this Inquiry makes whatever recommendations they make around training being trauma-informed, domestic and family violence-informed and also gender-informed, if those are recommendations that are made, you'd support those kinds of recommendations, would you?
A. Yes. The caveat I'll put on it is government needs to fund that and fund it well and truly, because for every day training that's 12,500 shifts lost. So government needs to fully fund this because where we are tired in policing is the window-dressing; we're doing this, but the budget is not there. And that means - and it was spoken about, the evidence of Assistant Commissioner Mark Kelly. You can do an online learning product. And I know police. They do half an hour, they go out to a job, they go back and do a bit more. It's not meaningful training.

So the Police Service needs to commit to training, but government needs to fully fund it. Because it's fine for government to come up with all these catchcries and vote winners, but they have actually got to get fair dinkum and start funding these things and resourcing it appropriately, because we're doing it on a shoestring budget, it is unsustainable, my people are breaking at this point in time, and when my people break they let down the community through no fault of their own. I'll go through in the funding --

Q. If we accept all of that, that there is a need for funding and a need for resources, that's not disputed, but if we look at recruitment specifically --
A. Yes.

Q. -- throwing money at it isn't necessarily going to help trying to get people in, because you identified the 3.5 per cent I think you said unemployment rate and things like that?
A. The unemployment rate.

Q. And the Commissioner asked you questions about 17-year-olds and the like and also the ADF type program of people coming in. One other area perhaps that can be looked at in terms of recruitment and diversity in recruitment can perhaps be considering part-time flexibility in people participating in the recruitment academy training; would you agree?

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A. That is an option. But can I say again that needs to be fully funded, and can I give some practical examples.

Q. I accept it has to be funded in order to do that. In terms of recruitment methods to encourage numbers and encourage diversity --

MR McCAFFERTY: Commissioner, the union is not responsible for recruitment. That's the QPS. The union is an industrial organisation.

COMMISSIONER: Yes. Ms Hillard is just asking Mr Leavers' position, given it's such a powerful union. It's probably not bad to hear his views. Perhaps shorter views.

MR McCAFFERTY: I know that the Commissioner has asked nonetheless.

MS HILLARD: Mr Leavers, if we're talking about recruitment and there's a desperate need for recruits because their not even meeting the quotas at the moment; that's right?
A. The quotas.

Q. So it has to be looked at, and one of the ways it can be looked at is to encourage other people to join and make it more attractive; you would agree?
A. Absolutely.

Q. And so you have a view, do you, about making it a more flexible recruitment process to allow part-time academy training or part-time involvement?
A. If it is fully funded, and I need to say this. I have no issue with it, but someone has to work the night shift because eventually the same people cannot continue to work the night shift day in day out because they have families, whether they're men or women as well, and we've had situations when certain workplaces the same people are working weekends and nights continually and then we see dysfunctionality within their families and it falls apart. So it has to be funded. Now, once you leave Brisbane you need --

COMMISSIONER: You're talking about part-time sworn officers there?
A. Yes, Commissioner.

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COMMISSIONER: This is not part-time training. I think Ms Hillard is talking about recruits studying part time.

MS HILLARD: Yes.
A. Can I just say the flow-on effect is if we commence that - I'm not against it. I'm not against it. But the flow-on effect is, depending on where people are sent, if you have someone working two days a week, if we're going to send them to Cunnamulla or Charleville, we've got to buy a house - I'm not just talking about the funding for wages - or we send someone to Aurukun or Mount Isa, we've actually got to provide that accommodation. The cost is substantial.

Q. I understand all of that. But if we just look at recruitment only and if you want to attract older people who might have another career, at the moment they have to come and take probably a pay cut and participate in the course full time. Would it encourage a more diverse, older group perhaps to apply if they had some more flexible options in the recruitment training?
A. It may or may not. The problem that the Police Service has seen in other jurisdictions, depending on what people do, the part-time - there are genuine merits. The training course could certainly go on to two years. You've got to have the capability and look at the training aspect and the cost for that. That is one issue.

But then you need to look at the ongoing training and the actual cost and the support that goes with - everything else that goes with it. So in theory it is a very good idea. In practice you've got to show us the money, and the money's got to come with it, because in my experience it doesn't and it is set up to fail. And the other important point in policing it needs to be the primary job. We don't need someone working two days a week and their primary job is running a business or having another job. Policing is your profession and it needs to be the primary job. That's what we need to do. And that has become issues in other jurisdictions where policing is just a guaranteed income two days a week, and then the other job is the reason why they're existing. That really impacts upon policing, and people have to be available and we have to work with people through different stages of their career and life.

But someone's got to do the night shift and someone's got to work the weekends because that's when the work's on

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in policing. We know the majority of our work is from Thursday night through to Sunday night. So that's when someone's got to work, because you can't just have the same people working those shifts.

Q. All right. If we acknowledge from what you're saying that it's difficult to have people recruited and we need people operationally working on the frontline, whatever words you want to use, working those shifts; right?
A. Yes.

Q. There would be some merit, wouldn't there, to supplementing the operational Queensland police force recruitment program with a civilian body to supplement the skill sets of the police, and let me give you a couple of examples - specialist workers in social and domestic violence, specialist managers - that kind of thing to supplement the operational police?
A. Part of my evidence, not only here but in other areas --

Q. And I'll give you another one: admin support and secretarial support, for example.
A. Which is why at the last state election I campaigned and I got a commitment out of the Palaszczuk government for 2,025 extra staff with 575 of those staff to be civilians because I recognised the important roles that civilians can play in supporting police so we can have police on the frontline. That is something I've been passionate about advocating for because there are some roles which are vital which does not need to be done by a sworn police officer. So instead of getting 2,025 which for governments is a better commitment because the public love it when you say, "I'm getting 2,025 blue uniforms," but I recognised we needed the admin support which was imperative. And the Commissioner and I, I believe, are on the same page when it comes to that, although I want a lot more than 2,025 I've got to tell you, but that's the best I got.

Q. In fairness as well where there are gaps perhaps - and you may or may not know - at management level, finance level, policy level, whatever, they could be supplemented externally as well to help relieve the load from police?
A. I think they need to be an employee of the organisation. I'm not a big one on outsourcing.

Q. Whether seconding or not or outsourcing, I'm saying

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police that are not having to be recruited and come through the process and then waiting for however many years before they're experienced enough to take those jobs?
A. Depending upon the individual role that you're really - we're getting down into the weeds on the individual roles as we do. What I did see - and in theory was good - was the Public Safety Business Agency, that was the biggest debacle ever to hit the Queensland Police Service in the last 25 years. The inefficiencies and the problems with that were nothing short of a disgrace, where the Commissioner of Police did not have control of their own staff and were dictated to by another government organisation. And they were performing HR and other roles. I'd be shocked if the Commissioner didn't agree with me on this: it was the biggest debacle our organisation has seen.

Q. Just excuse me a moment. I have no further questions, Commissioner. Thank you.

COMMISSIONER: Thank you. Mr Hunter?

MR HUNTER: We have no questions, thank you.

MR McCAFFERTY: Commissioner, can I ask for a very short break. I just want to take instructions on one matter.

COMMISSIONER: Yes.

MR McCAFFERTY: No more than 10 minutes, I promise.

COMMISSIONER: Just smiling at the thought of you getting instructions in 10 minutes; that's all.

MR McCAFFERTY: There might be another reason for a break which is personal to me.

COMMISSIONER: All right. We'll adjourn for 10 minutes.

SHORT ADJOURNMENT

MR McCAFFERTY: Thank you for that indulgence, Commissioner. I'm very grateful.

COMMISSIONER: That's all right.

<EXAMINATION BY MR McCAFFERTY:

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MR McCAFFERTY: I just have two very small areas for Mr Leavers. Mr Leavers, it was put to you by my learned friend Ms Hillard that the federal Labor Party has - and I'm paraphrasing her of course - an election quota for females. Can I ask what your view is about election quotas?
A. Yes, look, the Police Union has no intention of adopting the electoral policies of the federal Labor government.

Q. Now, I know you're not here as an expert but I think it's uncontroversial that Coroner Bentley in the inquest of the death of Hannah Clarke found that you are in fact an expert on how DV incidents are impacting police officers and its effect on policing in Queensland. I want to ask you a couple of questions about resources. First, how many interactions would you have with frontline officers --

COMMISSIONER: I'll just state for the record I'm not treating Mr Leavers as an expert.

MR McCAFFERTY: No, I was about to say I think I said that he is not being called today as an expert for that purpose, and nor is he of course because there's been no report provided. I just want to ask you some questions about resourcing. Now, you have a lot of interactions with frontline police officers?
A. Yes, I do

Q. What is your present view about the resourcing for domestic and family violence in this state?
A. The resourcing of domestic violence and family violence in this state is woeful. It is not sustainable and capable of doing what is expected by the community and agencies across Queensland.

Q. Now, let me pause there. What do you believe is required in terms of additional resourcing to get to the standards expected by the community?
A. What we do need is an injection on figures that I've come up with with at least another 500 police across Queensland purely dedicated to domestic and family violence.

Q. Just pausing there, 500 further officers purely for frontline work?
A. Yes.

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Q. Okay. Sorry, I cut you off.

COMMISSIONER: Frontline work or frontline and specialist work?
A. To work in the space of family and domestic violence. That won't mean that the other 12,500 police won't respond to calls for domestic and family violence. But with the regions that we have around Queensland we need injection of those staff which equates to about 500 to be injected along with other specialist workers and agencies across the state of Queensland. So that means we need bases on the Gold Coast, Logan, Toowoomba, Ipswich. As we go up the coast and to service remote communities we actually need to embed specialist not only police but people like psychologists, people from Child Safety, as well as lawyers and work with elders to be embedded in those communities. Not fly in and fly outs. We need the accommodation cost. This is not just wages. As well as support services, counselling service, rehabilitation, we need that embedded right across the state of Queensland.

Further to that, as we go north we know that the tyranny of distance has a huge impact upon police. So through certain times of the year the only way to travel to different locations is via air. It is not --

MR McCAFFERTY: Just pause there. I don't mean to cut you off, but let's look at the human resources required. So 500 further police, and then you mentioned other expertise engaged in and that's effectively what you really mean to be a multi-disciplinary approach to policing domestic and family violence.
A. Yes.

Q. Now, did you envisage that such a multi-disciplinary approach would require I think you said a psychologist?
A. Yes.

Q. A mental health professional?
A. Yes.

Q. Who else?
A. A lawyer.

Q. Yes?
A. To work with other NGOs and councils to be able to

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assist people, because a big problem I do see is victims when they have been disempowered they don't need the strength and they need supports, so they need the assistance for that. We need to look at other roles as well. Rehabilitation of offenders. And this is where Lloyd Clarke and I agree. We do have people who offend, but we can't arrest our way out of it and keep taking enforcement action. We actually need to genuinely look at rehabilitation, otherwise the cycle perpetuates and never actually stops. So that is an important role. So, depending upon the community, if we were to look at Doomadgee you need respected elders with the ability and the respect within that community to lead the way because --

Q. Not that I want to put words in your mouth, but someone devoted to rehabilitating offenders, a psychologist?
A. Yes.

Q. A lawyer. In First Nations communities representatives of those communities to interact with the communities; is that what you envisage?
A. Yes.

Q. What about on the child protection front?
A. Absolutely the child protection front, and that means police from the Child Protection and Investigation Unit as well as Children Services, but also the health department too. With some research - and I ran a national symposium on youth crime. What was clearly abundant as a result of that and working with other agencies is sadly a lot of children who are born in First Nations community suffer from the alcohol foetal syndrome. So I think it is imperative we get in at a very early age, and it includes education within schools about respectful relationships from a very young age. But we need to work with health workers because some of these people are born as a result of not their being with things like the alcohol foetal syndrome, see how we can best manage that and give them a better opportunity in life than what they would ordinarily have. So this is very expensive and I think it needs all levels of government to come together.

Q. So we can add a health practitioner to the list?
A. Yes.

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Q. Now, would you envisage, Mr Leavers, that this multi-disciplinary team would be represented in each of the 15 districts?
A. Absolutely.

Q. Have you got any idea - and a guess is fine of course - of what the human resources alone might cost?
A. Probably just on wages at least 150 million recurring every year, and when you start to look at the other resources that are put into place with multi-disciplinary teams and accommodation, private and as with office space, you're probably looking - with brief sums that I have done, we're looking at an increase in the police budget of probably half a billion dollars a year if we're going to treat this seriously.

But I will say at the moment I know the police budget is around 3.2 billion. In all fairness to the Commissioner she needs a budget north of $4 billion a year to be effectively able to do her job. And I will say I'm not here to defend the Commissioner, but it's very difficult for commissioners on contract to go and ask for extra money. It could be very problematic or career-ending. I'll be up front and bold and say for us to be able to do the job properly with all the changes in legislation and all of the things we need to change, we need a budget which is appropriate which needs to be north of $4 billion, otherwise we are set up to fail. And when my frontline police fail, and who are doing their best, and I accept they're all doing a great job, they're doing the best they can, when they're set up to fail by a system which is beyond their control, we fail victims, and that has a significant psychological impact upon my people.

Q. Thank you, Mr Leavers. That's all I had by way of re-examination. Thank you, Your Honour.

COMMISSIONER: Just on that psychological effect, do you think that there's a - or do you think that the injury management system in the QPS is robust enough?
A. No, I don't. And, Commissioner, we are still recovering from a result of the Public Safety Business Agency where they took a lot of the injury management advisers out of the police regions and a lot of those positions were - they were dismissed. And in the last election I sought a commitment out of the Palaszczuk government to have specific people to be allocated to the

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injury management section and to be relocated within the regions, because they know their own people, because that was a huge gap within our organisation and we were failing people at every step of the way.

And when I see people go off on sick leave - look, I was appointed by a former government to the board of WorkCover and I see the stats. The longer someone is off, the less chances they are to return to work. I think we need to be involved immediately and do everything we proactively can and encourage people to seek treatment, whether it's a physical or a psychological injury, at the earliest opportunity.

And domestic violence does take a tremendous toll on people because you're seeing people at their worst, and sometimes you actually feel helpless. And I go back to a job - and I know that's not your question, but I think it's good to contextualise it. I went to a job in Goodna and I locked up both mum and dad, and there was an 18-month year old child and I had the child in my arms and I thought, "This poor little" - my words were, "This poor little bugger, his life is over before it's even begun," because I know what the end result was going to be. But that has an effect on police and how we are psychologically.

So I think we really need to - with the injury management, they need to be effectively resourced and empowered to do the job because their workload, some of them had well over 50 on their case load, and that is impossible and well above the standards which is accepted to which means they can effectively do their job. So that is one instance.

And I did get through the presumptive legislation for PTSD for police, and I encourage all police to go and seek treatment for a psychological injury. Can I say I've got to give him a plug, is Brian Codd. Him and I both publicly speak about this because police don't look after their own mental health. They look after everyone else's, but they fail to look after themselves. And then they deteriorate. Some police may as a result have bad behaviour, it becomes a dysfunctional family and they get divorced, and they don't do it. And I'm the first to get up there and I say to people, "If it's good enough for Brian Codd" - and my son was nearly killed in an accident three years ago and

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I've relived the fatals - "But if it's good enough for Coddy and it's good enough for me to go to a psychologist, it's good enough for you. Get in there, get in there early and look after your health, because once you fall off that cliff often there's no coming back."

But the impact of seeing domestic violence continually has the psychological effect and it actually drains you and affects you, and that can have the ability to affect on how you respond to calls for service into the future, and that's just because of what we've seen. So I think there's a lot of work to be done and I would welcome that. I think it's really important.

COMMISSIONER: And it is very important for someone like an assistant commissioner to speak out about that; I agree. That's not only brave but also very proactive. And for someone like you, actually. But from what you've said you think most of your members suffer from a level of post-traumatic stress if they have been in the service for more than three years; is that what I'm getting from you?
A. I do, and I do think it's the residual effect. I'm a big believer in even if you have - you see a psychologist - it's hard to get a good one anyway, but if you can see one and check --

COMMISSIONER: Well, it's hard to get in to one.
A. It can be a three to six month wait, as I found. I have a good one; she's great. But if you can get in and have those check-ups I think that can probably save you from falling off the cliff later on and keep you balanced. And a healthy mind is really important. And that may stop some of these behaviours that we've actually been talking about, not that I'm excusing some behaviours either. But I think it's really important.

COMMISSIONER: So I thought in your statement you weren't keen on people seeing psychologists for fear of promotional disadvantage?
A. My concern is, Commissioner, with the police department I think the services need to be separate to the police department.

COMMISSIONER: Right.
A. My reason is it can be seen as a negative thing if you're going. But also once certain records are made - this is a quandary we do have - anyone can get their

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hands on that record - those records, whether that be through the court system or through the Family Court or whatever else it may be; those records exist. And that is a problem for our people and that is why sometimes people are reluctant to come forward. Can I say this for an example. Like, it's good for Brian and I. We've got jobs. But we can go to the psychologist every month if we need to, but if we leave the organisation we've got to be two years free of seeing a psychologist, otherwise we couldn't apply to come back in.

COMMISSIONER: Right.
A. It just seems outrageous that's the way the Police Service has gone. And I just think it's 2022. We're actually accepting of mental health and it's so important - I see the destruction in society - that we've got to treat it seriously and normalise it as if I pulled my hamstring I'd be going to the physio every month, and I just think there's that work to be done. But that is the fear upon police, that once there's a record it may very well be used against it. But, in saying that, I do - and that is the concern of my people. But both Brian and I have spoken at this on length. We both publicly present and say - we use each other and say, "Look after your mental health. It's really and vitally important so you can function as a normal human being."

COMMISSIONER: So how do you solve that problem?
A. Education. We continue to provide education. What I do - when I go and talk to the recruits, I have the opportunity when they start, I give them a book. It's by Dr Kevin Gilmartin. It's about emotional survival for law enforcement officers. He's a recognised expert and a doctor in psychologist from the US. I say, "Read through that because it will explain some of the issues that you see in policing." I'm happy to provide a book for the Commission, if that assists. And what it does, it goes through what occurs in policing and why we see things through a different set of lenses and why we become so cynical because of the nature of our work and why we become so hypervigilant and why we are damaged people, and it's to recognise the symptoms.

And we encourage people. I say, "Take it home. Get your partner to read the book, those who are close to you, and if you have adult children" - inappropriate for a young child - so they can start to recognise the symptoms at a

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very early stage so you can get treatment.

I've also produced a self-help guide which is a quick guide. I actually stole it off my colleagues in New South Wales and re-badged it to suit Queensland conditions, but it's a self-help guide and it's about the positive promotion and normalising and say, "If people recognise this, go and get treatment." I had a colleague, I went to school with him and I won't mention his name, and he went through some tough times and he said to me, he said, "How did you know I was struggling?" I said, "Mate" - and I'm not an expert, as I know - I said, "I'm just a cop like you. But I've known you since we were 12. You were struggling." And I said so - and I continued on and I put him in contact with a very good psychiatrist, and he said, "You actually saved my life."

So what I say to police now is, "You can't rely on the Commissioner, she's got her role, or your supervisor. But if you know your mates and you know they're struggling you pull them on." If I was to say to Mr McCafferty, "You're going all right," and he said "yes" and I know it's not, it's my job as his mate to pull him on and say, "You're not. You need to do something about it," and you drive it. Mates have got to look after mates, and that's the way Brian Codd and I are trying to change behaviour, and we're spending a lot of money in the welfare space so people can have the ability to go externally to the Police Service.

So the Police Service are doing a bit, don't get me wrong, but I think it's a work in progress which is going to continue to have continual reinforcement to say, "It's okay to seek help." So that's something I'm pretty passionate about. And even with the presumptive legislation I would like to think with that now that that makes the employer be more responsible and we can actually assist people prior to them having to go to the other extreme to put in a WorkCover claim.

COMMISSIONER: Yes.
A. So I'm all about being preventative and education. Even things with police work and with shift work, there's so many basic things. Sleep, exercise and diet are one of the three most important things but no-one recognises. Start to look at that, and if there are changes, because once I see the ripple effect I see the destruction in

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families, and that saddens me. So that's the way I want it to go in the future, and I think it affects everything we do in policing.

COMMISSIONER: And one final question. How do you solve the fly-in fly-out or encourage officers to spend more time in remote communities? What's your suggestion?
A. What we've done in the latest enterprise bargaining agreement, which hasn't been voted on, is if you stay there for more than your initial tenure you can jump pay bands - but I know it's not about money always - but to give them an opportunity when they have done their time to get back to a reasonable location. For example, many years ago my brother spent some time at Doomadgee, five years in that area, and Mount Isa. The deal he got was to go back to the north coast. So we've got to incentivise it that way.

But what I do think, we've got to think outside the square because years ago - and I think society's not moving quick enough on this - is traditionally the police officer went and their partner followed them. Well, in 2022 partners have careers and sometimes partners have the more dominant career. So we need to see if we can work with other agencies, particularly government agencies, and a lot of police are connected with teachers and nurses and other government jobs, is let government agencies work together and see how we can try and achieve that. But we need to recognise remote and rural service and have some financial rewards as well. But give them an opportunity. You can only stay in so many places for so long.

And this is selfish I think. By the time if you have children they get to a certain age you may want to have a choice as to where you send them to school and give them the opportunity and not have them to fight too much or take a demotion to get out of that location. We actually need to reward them for doing the hard yards in these communities or these hard to fill places across the state.

COMMISSIONER: So should that be weighted when they apply for promotions, that service?
A. Absolutely. I agree. I'm aware of former Assistant Commissioner Condon did a paper on that and it was shelved by the former Commissioner. I think there is a lot of merit in that and I think the Police Service needs to re-think that. And Commissioner Carroll probably wouldn't know about it, so I'm not throwing her under the bus on

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that.

COMMISSIONER: All right.

MS O'GORMAN: I don't have any further questions for Mr Leavers. If he might be excused.

COMMISSIONER: Yes, thanks. Thanks, Mr Leavers. You're excused.
A. Thank you. And thank you, Commissioner, for the opportunity.

COMMISSIONER: Thanks, Mr Leavers.

<THE WITNESS WITHDREW

MS O'GORMAN: Mr Leavers was the only witness for today. It's not anticipated that there's going to be any more public hearings, but it's probably most appropriate to simply adjourn.

COMMISSIONER: All right.

AT 12.50PM THE COMMISSION WAS ADJOURNED

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