



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS



Occurrence #: _____

Statement no.: _____ Date: _____

Statement of

Name of witness: **KEOGH, James Patrick**

Date of birth: _____ Age: _____ Occupation: **Superintendent of Police**

Police officer taking statement

Name of police officer: _____

Rank: _____ Reg. no.: _____

Region/Command/Division: _____ Station: _____

Statement:

James Patrick Keogh states,

1. I am a Superintendent of Police and hold the position of District Officer for the Gold Coast District, South Eastern Region, Queensland Police Service (QPS). I was appointed to the position of Superintendent, Gold Coast District Officer in May 2007.

2. The duties and responsibilities of officers of various levels is articulated in the QPS policy document, *Operational Procedures Manual (OPM)* which relevantly states:

1.4.1 Introduction

POLICY

The Service is committed to providing an effective and efficient policing service to the community. To facilitate this, activities that are carried out by its members must be properly managed. Strategic and operational planning processes have therefore been adopted which are designed to ensure that the outcomes achieved meet needs and expectations.

1.4.2 Structure of Service

POLICY

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CONTINUED STATEMENT OF: **KEOGH, James Patrick**

The *Police Service Administration Act* imposes upon the Commissioner the responsibility for determining the appropriate organisational structure of the Service. Through executive directions, the Commissioner has established that structure to include commands, regions, districts, divisions and establishments.

1.4.3 Responsibilities of officers in charge of regions/commands

POLICY

The Commissioner has by exercise of executive directions assigned policing responsibilities to regional assistant commissioners, the assistant commissioners; State Crime Operations Command, Operations Support Command, Ethical Standards Command and the Assistant Commissioner, Director of Operations, Crime and Misconduct Commission which include:

1.4.4 Responsibilities of district officers

POLICY

District officers are responsible for:

- (i) the efficient and effective management of policing their district/division;
- (ii) resource allocation, planning, and control of activities within the district/division, consistent with Service goals and objectives;
- (iii) ensuring goals and objectives for their area of control are developed, implemented, reviewed and evaluated in accordance with the Service's strategic plan;
- (iv) taking action to identify trends within their area of control in order to better allocate available resources;
- (v) ensuring that programs for the training, development, welfare, performance measurement, and discipline of members under their control are implemented and that facilitators of such programs are adequately resourced;
- (vi) ensuring that members under their control comply with Service policy and demonstrate behaviour consistent with Service and community expectations;
- (vii) developing and maintaining appropriate community-based projects which foster more effective interaction between members of the Service and the community;

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CONTINUED STATEMENT OF: **KEOGH, James Patrick**

(viii) ensuring that members under their control are deployed effectively;

(ix) ensuring that members under their control receive adequate feedback concerning issues within their district/division;

(x) the financial management of their budget and funds; and

(xi) liaising with emergency services (including the State Emergency Service) and community based organisations in their area of responsibility, in terms of:

(a) developing plans to respond to specific incidents or events; and

(b) maintaining a register of contact numbers.

1.4.5 Responsibilities of officers in charge of stations or establishments

POLICY

Officers in charge of stations or establishments are responsible for:

(i) the efficient and effective management of policing within their area of control;

(iv) discipline;

(xiv) the efficient and effective deployment and management of all members under their control in compliance with Service policy, procedure and legislation; and

(xv) monitoring compliance with Service policy and procedure by all members under their control.

3. The Police Position Description for Superintendent provides:

POSITION SCOPE

This generic position description covers a range of senior management roles in both operational and corporate areas of the Service. These roles involve the management and overview of direct operational policing service delivery and in the provision of planning, policy, research, administrative or program support to operational functions or in support of the broader governance and management of the Service as a corporate entity.

Specific management roles include, but are not limited to:-

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CONTINUED STATEMENT OF: **KEOGH, James Patrick**
District Officer in a large district

Manager of a branch or major function/program

PRINCIPAL RESPONSIBILITIES (as applicable to particular positions)

- Provide effective leadership to the relevant work unit/s and promote the development and maintenance of a positive working environment, culture and professional behaviour.
- Manage human, physical and financial resources, having regard to the organisational environment and processes of government, to ensure the delivery of quality services and achievement of sustainable outcomes.
- Identify emerging issues and changing trends of operational or strategic significance to the area of responsibility through research, monitoring, macro- and micro- environmental analyses and other activities.
- Promote and drive the development and implementation of strategic and innovative policing activities to improve performance and the quality of outcomes.
- Ensure the conduct of regular evaluation and review processes for the purposes of continuous improvement and risk management.
- Provide timely and competent high level advice through the preparation of reports, briefing notes and policy.
- Develop and maintain processes for appropriate consultation, cooperation, negotiation and collaboration both within the Service and with other government and non-government organisations.

4. As the District Officer for the Gold Coast District I am responsible for the the largest police District within the State. The Gold Coast District is arguably the most complex and challenging District in the State. The Gold Coast is the sixth largest city in Australia with an estimated population of over 500,000 residents. There is unprecedented growth and complex socio-demographic factors. The Gold Coast City remains the premier tourist destination in Australia with approximately 4.9 million visitors per year or 94,000 visitors per week. The District has larger staff than other police Regions within Queensland. Assistant Commissioners are

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CONTINUED STATEMENT OF: **KEOGH, James Patrick**

appointed as the senior officer in charge of police Regions. I am able to produce Regional and District Organisational Charts to better explain this structure, if it may assist.

As the Gold Coast District Officer, I manage a budget of \$3.248 (non salary) million and an overall budget \$32.8million,

5. I am currently responsible for the management of:

- 834 staff (709 officers, 125 non-sworn members)
- 7 divisions (3 stations with 24 hour counters)
- 2 Criminal Investigation Branch offices
- CPIU
- Watchhouse
- Prosecutions
- Intelligence Unit
- 2 Residential Police Beats
- 2 Shopfronts
- 1 School Based Officer
- 44 VIPs and
- 2 PCYC

LEADERSHIP & MANAGEMENT

6. In performing the role of District Officer, I strive to provide effective leadership to the Gold Coast District and promote the development and maintenance of a positive working environment, culture and professional behaviour. This includes the management of human, physical and financial resources to ensure the delivery of quality services and the achievement of sustainable outcomes.

7. I am an active participant on a number of committees including the Regional Managers Coordination Network, District Disaster Coordinator in charge of the Gold Coast District Disaster Management Group, Work Place Health and Safety Committee, Absent Management Committee, Chamber of Commerce Surfers Paradise, Gold Coast Liquor Industry Consultative Association (LICA), Surfers Paradise Licensed Venue Association (SPLVA), Heart of City Advisory Committee, Gold Coast PCYC Committee, and Surfers Paradise Alliance.

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8. During my time as the Gold Coast District Officer, I have restructured operational planning for the Gold Coast District. In addition to daily briefings, I conduct the following meetings with an emphasis on leadership, performance, supervision and also to raise relevant discipline issues to be monitored;

- Commissioned Officers Meeting-weekly
- District Executive Meeting-monthly
- Local Area Command Meeting-bi monthly
- District Operation Meeting-bi monthly

9. I have developed and implemented a District Management Plan for the Gold Coast District aligning the QPS Strategic Plan to District activities. Further, the Gold Coast District has a monthly Audit Schedule for high risk areas including, HR, WPH&S, Financial and Exhibits which is undertaken by the OIC and Commissioned Officer. I have implemented a 28 day planning cycle for operations at both a local and multi-Divisional level for the period 2009-2010 incorporating 402 traffic, 156 good order, and 411 crime operations in the 2009-2010 period. These ongoing operations have resulted in significant achievements throughout the District. I am able to produce copies of the District Management Plan if required.

10. The District has seen a continuing reduction of reported crime in an area where there has been unprecedented population growth. In particular, for the last financial year there has been:

- 22.2% reduction in unlawful entry offences (997 less premises entered)
- 15.9% reduction in unlawful use of motor vehicle offences (229 less vehicles used)
- 10.6% reduction in robbery offences (30 less offences)
- 28.1% reduction in armed robbery offences (41 less offences)

11. I am responsible for overseeing the Criminal Investigation Branch (CIB) which was, until recently, centrally situated at Burleigh Heads (Southern Investigation Group) and Surfers Paradise (Northern Investigation Group). Within each CIB there is one Detective Inspector and two Detective Senior Sergeants. The Gold Coast is a challenging and dynamic environment; however the CIB continues to be successful in the investigation of serious crime, whilst continuing to reinforce the importance of ethical conduct and ensuring compliance to relevant legislation and policies.

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12. In addition to current QPS police and District policies, the CIB has implemented a number of Standard Operating Procedures (SOP) and risk management plans addressing key areas. These include:

- Search warrants –Obtaining search warrants
- Exhibit management-Handling of exhibits
- CIB Holding Cell-Use of 3rd floor holding room
- Night-wireless –Responsibilities for night-wireless duty
- OC Spray –Storage of OC spray
- Op Overt Strike (Major Crime Unit) –Role and responsibilities relating to the this CIB team
- Use of Police Vehicles –Management and use of QPS vehicles
- Use of stand-alone NIG computer-Procedures for using the computer to view CCTV footage
- Submission of briefs –Compilation and management of briefs of evidence
- Team Leader responsibilities –Responsibilities and duties of Team Leaders

Risk management plans;

- WPH&S
- Corruption Prevention and Professional Standards
- Use of Force
- Business Continuity
- Counter Terrorism
- Management and Planning
- Assets
- Financial
- HR-Roster, staffing, leave management
- Operational-Q-PRIME, briefs, major investigations

13. The monitoring of these areas is maintained by Team Leaders and DSS administration. In addition to these measures, all CIB staff are required to submit a monthly work performance analysis sheet to both their immediate supervisor and the OIC. A 6 monthly leadership performance review is conducted with each team leader before a panel chaired by 3

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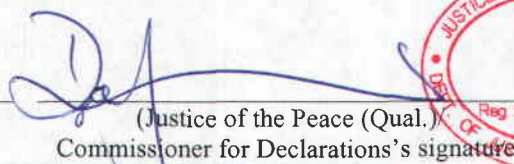
Commissioned Officers which focuses on the development and performance of individual officers.

14. Further, in addressing crime the Gold Coast CIB works closely with State Crime Operations Command (SCOC) and other external law enforcement agencies in employing successful strategies. An example of this co-operative is the joint task force alliance, Task Force Alliance. This task force consists of staff from the SCOC, NIG and SIG targeting serious drug offenders and property crime. To date the task force has been successful in prosecuting 359 persons, seizing \$4,480,863 in drugs and \$2,483, 804 in property.

15. As the District Officer for the Gold Coast District, I am responsible for the management of 75 planned major events in 2010. Managing these events requires considerable resources in the planning, coordination and management. The events include a Motor racing carnival with estimated 320,000 over four days, Schoolies with estimated attendance of 250,000 requiring 285 police, NRL, ARL and ARU games. I perform the role of overall commander with respect to all of these major events. The regular major events that occur within the Gold Coast District include: Schoolies Festivals, New Year Celebrations, Motor Events, Gold Coast Marathon, Wintersun, Gold Coast Titans NRL games – Skilled Stadium, Robina, AFL games – Carrara Stadium, Music Festivals – Big Day Out, Summerfields Day, V Festival, Quicksilver Roxy Pro – Surfing Event.

16. I am responsible for ensuring that the management of human resources enhances the District's ability to achieve operational and organisational outcomes. The management of staff, both sworn and unsworn has been assisted through a team focused approach to sick leave from commissioned officers, officers-in-charge and District Rehabilitation Coordinators. I attend the Absent Management Committee meeting, where individual cases are discussed, and participate in career transistioning for members who have developed permanent physical restrictions. I frequently meet with the Manager, Human Resources to discuss a variety of staffing matters, and where applicable involve the Human Service Officer (HSO) and/or the Chaplain. In addition I obtain the assistance of the HR section to assist in monitoring sick leave, auditing of leave and undertaking of roster reviews. I am also reponsible for overviewing and approving applications by officers to perform multiskilling duties as well as the introduction of the South East Regional Policy for the Rotation of Constable /Senior Constables to Southport


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and Surfers Paradise. I am able to produce the SER Policy 5/2010 for rotation of Constable and Senior Constables, and the SER Policy 4/2006 on Multiskilling.

17. Additionally, I am responsible for ensuring the management of assets and finances. In this regard, I have overviewed and managed planning in relation to strategic accommodation of policing at the new Surfers Paradise, Robina and Coomera police establishments. Importantly, I recently overviewed the successful completion of new police stations for Southport Police (\$6million) and Surfers Paradise (\$4.5million). As District Officer, I am responsible for the District budget including \$1.2 million in allowances for higher duties, overtime and weekend units. I ensure Divisional accountability and timeliness in high risk areas including minor equipment and overtime in line with District/Regional priorities.

18. I have taken an active leadership role by continuously advising senior executive management about reforms of the policing strategies for the Gold Coast and in particular the Surfers Paradise Division including: advising the Assistant Commissioner concerning the introduction of the first 3am lockout, introducing of a minimum staffing model to police Surfers Paradise Division on weekends and introducing the first regional operation addressing anti-social behaviour in Surfers Paradise CBD. (this particular operation provided integral data to support the 3am lock out policing strategy), facilitating meetings with stakeholders such as local government, Liquor Licensing (Fair Trading), Local and State members of Parliament regarding policing strategies linked to the lockout, and as QPS representative, appearing at the Consumer Appeals Tribunal in support of the 3am lockout. This later became state legislation after numerous appeals lodged against the lock out by licensees were unsuccessful. In addition I overviewed a staffing submission prepared for the Surfers Paradise Division with the outcome being a staffing level increase from 100 to 125.

19. I am a foundation member of the Gold Coast Liquor Industry Consultative Association (LICA) and Surfers Paradise Licensed Venue Association (SPLVA). I introduced change management strategies to overcome very hostile licensees who opposed the 3am lockout. Subsequently, the licensed venues now work in conjunction with police as evidenced by agreements including the use of shatter proof glassware as a strategy to reduce wounding offences and introduction of personal scanners into the licensed industry on the southern end of the Gold Coast. Further, I overviewed the implementation of the Safety Radio Network, which allows direct radio contact between all nightclubs and the Chill out Zone. This network is

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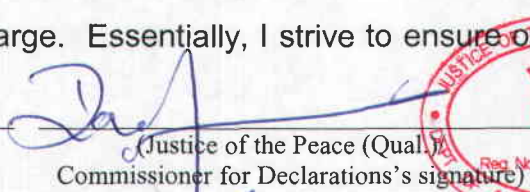
monitored and supported by Police. This provides an early intervention strategy, targeting possible troublemakers within the Surfers Paradise CBD, and alerting both police and security providers. This strategy was mentioned favourably in the Alcohol Related Violence in Entertainment Precincts report by the Queensland Parliamentary Justice and Safety Committee.

20. I consider the firm stance that I have taken as District Officer to address crime in and around licensed premises as demonstration of leadership and would be a clear message to all officers that inappropriate relationships with person/s in the entertainment and liquor industry would not be tolerated. In the last 12 month the District LEAPS unit has processed 86 applications for licences, 23 variations to licences, 24 breaches, assisted in the closure of 2 licensed premises (Temple and Bar Code) and referred 16 breaches to OLGR, with action currently pending. The majority of these matters relate to premises within the Surfers Paradise CBD.

21. Additionally, I made submissions to the local government concerning good order offences recommending enhancement of the GCCC camera and security in Surfers Paradise and a total review of CCTV coverage by way of security audit. These recommendations were unanimously supported by all Councillors. In relation to police officers forming associations with persons in the liquor and entertainment industry, in my weekly meetings with my commissioned officers I reinforce the need to monitor the relationships and intervene if the relationship is deemed not appropriate. An example of action that I have undertaken includes the removal of literature from police premises advertising Triple 000 parties which encouraged police and other emergency services personnel to attend. I have also taken a firm stance with organisers of major events including music festivals and sporting events so as to ensure that appropriate levels of police and security, responsible service of liquor and appropriate planning strategies are employed. As a result of the strong and vigilant position taken by the QPS, we have been criticised by event organisers.

22. In terms of supervision, I commence duty at about 4.30am everyday (including weekends) and review and monitor reported crime (through QPRIME) and occurrence sheets for stations and units. In this regard, I implemented throughout the Gold Coast District a web-based standardised roster and occurrence sheet known as PICTURE. I constantly monitor rostering practices and deployment practices and reinforce my requirements to commissioned officers and officers-in-charge. Essentially, I strive to ensure optimal rostering practices having


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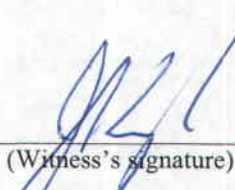
the greatest number of staff to match the highest number of calls for service. I require full and complete details to be completed in occurrence sheets to ensure the most effective use of resources. These then created a culture of commissioned officers and officers-in-charge monitoring occurrence sheets. In this regard, I consider this strategy raised the level of supervision of staff for the Gold Coast District.

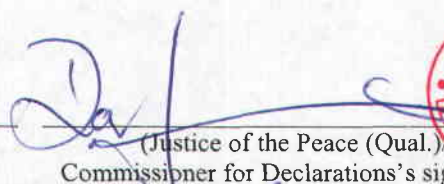
23. I receive verbal briefings each morning from the District Duty Officer. The briefing will include advice concerning overnight events, deployment of staff and any discipline issues. The District Duty Officer will also provide briefings throughout the day and night of any significant issues. I then provide advice and guidance on how these matters are to be dealt with. I provide taskings to District Duty Officers to monitor the daily operations of all police throughout the Gold Coast District to ensure these operations are furthering the QPS priorities. I am able to produce the SER Policy 11/2006 for District Duty Officers and Police 2/2005 for Handovers. I am also able to produce a template for a Shift Supervisor's Check-List.

24. As I have earlier stated, the Gold Coast District is a very busy district and this is clearly evident on weekends which requires the highest number of police rostered on duty. In identifying these peak periods, I require a commissioned officer to be rostered to work afternoon shift. I task the commissioned officer to monitor relevant major events/incidents and ensure particular attention is taken to the policing operations in and around licensed premises and entertainment precincts. In addition, the two busiest divisions (Southport and Surfers Paradise) now have a second Senior Sergeant to assist in the planning and monitoring of operations. Surfers Paradise in particular attracts significant crowds on weekends, after major events and public holidays.

25. Coupled with the large number of licensed premises in a small geographical area, and also a significant media profile a number of additional measures have been implemented at the Surfers Paradise station to assist in providing strong leadership and the monitoring of staff including;

- The introduction of 26 CCTV cameras throughout the station
- A Commissioned Officer is rostered on in Surfers Paradise 10p-6a Friday and Saturday nights


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- Review by an independent officer of CCTV footage from weekend arrests, examining the use of force options used, and the conduct of the officers. If any breaches of discipline are detected a QP466 is submitted for further investigation.
- Arranged additional OST training for staff
- An SOP was implemented relating to the immediate transporting of violent prisoners to the Southport watchhouse.
- Senior Management provided staff with information relating to appropriate conduct
- A rotational policy has been introduced to facilitate the temporary transfer of officers due to fatigue issues or complaint history

26. To date, the implementation of these measures has resulted in a reduction of complaints against police, particularly in the area of excessive force. In addition, I have a Professional Practice Manager (Commissioned Officer) who briefs me daily on complaints and overviews internal investigations and assists in identifying any possible trends. I did this because I had identified that complaint management was an area that required the experience and knowledge of a Commissioned Officer. This senior officer was drawn from the current pool of supervisors within the district, and is not a gazetted position. It is noted that however that on August 26 2010 the Commissioner of Police, announced the creation of two (2) Senior Sergeant Professional Practice Managers.

SUPERVISION

27. As previously indicated, the Gold Coast District is the largest police district in the state. It has a resident population of 500,000 people with an additional 94,000 tourists/visitors every week of the year. It is Australia's premier national and international tourist location. Geographically it involves large tracts of water and canal systems, rugged hinterland and terrain, and extensive road, highway and freeway systems stretching along a narrow strip of coastal land with cross border regulatory and law enforcement issues. The "glitter strip" hosts a major casino and over 700 licensed venues, all of which present complex, unique and protracted difficulties for law enforcement, none the least of which is the fact that its relaxed, beachside and holiday lifestyle is attractive to criminals from all over Australia and elsewhere.

28. Such challenges are met by increasingly sophisticated management systems and processes, including dedicated training of supervisors and managers, new policies and

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procedures which require the constant checking and supervision of staff and a range of risk management and reporting frameworks which support our operational managers.

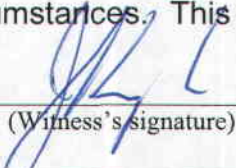
29. The very nature of the work of a constable of police requires a degree of autonomy and relies on trust. While it is possible for officers to avoid a supervisor knowing where they are, the regular checking of staff by duty officers and supervisors, patrol logs, running sheets and occurrence sheets, constant radio communication and the use of GPS devices during major events such as Schoolies all contribute to the constant monitoring of staff and the managing of risks associated with staff going missing or being absent from their dedicated post, patrol area or relevant duties.

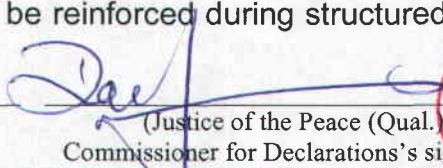
30. A Merit based system of promotion exists across the QPS. This provides for the matching of skills, ability and experience into specific roles, particularly supervisory roles and encourages the movement of staff from different locations around the State to develop their skills across different areas of complexity.

31. Officers may be promoted from within the Gold Coast district or from elsewhere in the State. Whichever applies, the appointee knows full well that they are being located in one of the busiest and most difficult policing environments in Queensland.

32. On a daily basis, supervisors in the Police Service are required to supervise field and operational tasks, ensure professionalism and integrity, monitor the delivery of timely and courteous law enforcement, accurately report occurrences, attend to staff welfare and HR issues and ensure the safety and security of all officers under their care. These duties are monitored and reported on the Gold Coast by the use and completion of Supervisor Check List.

33. The Supervisor's Check-List is the essential reporting instrument to record proper and effective supervision of officers whilst on-duty. However, the guidance and encouragement of police behaviour while off-duty is a more complex matter. This issue raises the question on how to reinforce ethical messages and training provided during initial training at the Police Academy. The requirement of ethical behaviour at all times is reinforced through a multi-layered approach to self-discipline, professional conduct, personal ethics, and ultimately the commitment of each and every individual police officer to uphold their oath of office, no matter what the circumstances. This can be reinforced during structured governance systems including District


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Meetings, Sergeants Meetings, and Constable Meetings. Conduct on and off duty is articulated in the Code of Conduct and needs to be reinforced by supervisors, including leadership by example.

34. Ultimately, ethics rests with the individual, which raises the question of recruiting the right people and what individual ethics they bring to the job. Importantly, unstructured and informal supervision is paramount and contributes significantly to off-duty behaviour. Where this breaks down, so too does the conduct of off-duty police.

35. The good supervisor will have an awareness of his or her subordinates' off-duty activities and life and be attuned to indicators such as changes in work performance, sick leave, tardiness or poor dress standards, signs of stress and anxiety in the workplace, inappropriate behaviour toward work colleagues, a series of public complaints about an officer's behaviour, poor judgement or decision-making, erratic driving, poor report writing and so on. Each can be a warning sign of some broader personal dilemma or issue.

36. Good supervisors provide a degree of pastoral care, mentoring and personal advice to junior officers and encourage frank and fearless feedback. In a situation where an officer engages in secretive, deceptive or surreptitious behaviour however, misconduct may go undetected, and the truth is; while we do our best, occasionally some officers will engage in misconduct.

37. Because policing requires the provision of a 24/7 emergency service, there is a constant need for accurate, timely and recorded handover at the commencement and end of every shift. This task falls to the shift, station or team supervisor. Where that officer is a regular or long appointed Sergeant, suitable training, expertise and knowledge will exist to master this role and function. Where a junior officer, say a senior constable or constable is reliving-up in such a position, less training and skills will be present. While we try to avoid having inexperienced officers performing senior or supervisory roles, sometimes, due to sick leave, training requirements, staff shortages or other rostering requirements, it is not always possible to have a senior officer as the supervisor.

38. There have been a range of supervisory and management improvements across the Police Service, including the Gold Coast, as a result of the current Operation Tesco and

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previous CMC investigations, inquiries and reports. While I believe it is fair to say that such inquiries consume substantial resources, attract unwanted and, on occasions, unfair media criticism and often detract and delay the police service from its core function, most police are committed to a continual improvement cycle and we welcome the opportunity to enhance our service to the public and to improve community relations.

39. For example, the Fitzgerald Report heralded significant changes to legislation and the introduction of HRMM and OPMs for enhanced risk management and reporting frameworks. The Carter Inquiry and the Pickering Report resulted in the Decentralisation of the CIB and the placement of Inspectors in charge at both CIBs on the Gold Coast. Operation Capri and the Dangerous Liaisons report changed informant management and reporting structures and provided new training for the risk management of informants. Operation Grinspoon (a copy of the report about which I was provided last Friday, 17 September 2010), has seen senior management recognise and promote closer supervision through occurrence sheets, meetings, orientation processes and related increased governance on the Gold Coast, including newly created positions such as the DDO position which has been initiated and trialled and a LEAPS unit which has been initiated, trialled and established.

40. There has already been a significant amount of work done to address the challenges of policing on the Gold Coast, including:

- **Higher level supervision** during identified risk times, using District and Regional Inspectors
- **Independent senior officer reviews of CCTV footage** of the Surfers Paradise Police Station
- Violent prisoners being **transported directly to Southport Watchhouse**
- A focus by division management on developing proactive supervisor attitudes aimed at **reducing incidents of assault and use of force**
- Daily read-outs and training sessions **emphasising the minimum use of force**
- **A proactive strategy for transfer/secondment** of at risk officers into other divisions
- **Installation of an additional six CCTV** cameras and signage within the Surfers Paradise Police Station bringing the total coverage within the police station to 26 cameras

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- **A Strategic Criminal Intelligence Assessment of the Gold Coast District**, subject to ongoing review
- **New Crime Investigative Partnerships** between the Gold Coast Division (GCD) and State Crime Operations Command, the Crime and Misconduct Commission, Australian Federal Police, NSW Police and the Australian Crime Commission
- **Three new commissioned officers positions within the South Eastern Region**, including a Detective Superintendent as Regional Crime Co-ordinator
- Project ABEO – a **review of the organisational structures and investigative practices** of the GCD and the Criminal Investigation Branches
- A review of the Gold Coast CIB and CPIU **work performance**
- Reviews of the South Eastern Region's **Risk Management and Financial Management Systems**
- A new system providing **greater accountability, work performance monitoring and record management** for plain clothes officers
- **Training packages aimed at enhancing integrity** for specific ranks have been developed are being delivered
- The Assistant Commissioner, South Eastern Region has addressed officers and staff members in the region regarding **integrity and operational professionalism**.
- **Blue Light Taxi** policy implemented.

BLUE LIGHT TAXIS

41. I am familiar with the term "Blue Light Taxis" which refers to the use of police departmental vehicles to transport police (and other persons) in a private capacity. The inappropriate use of police vehicles to transport off-duty police on the Gold Coast is not, in my view a systemic problem, and to the best of my knowledge is not a widespread practice. I do not condone and have never thought it appropriate for off-duty officers to become intoxicated and then rely on fellow officers to give them a lift home or elsewhere. Among other reasons, this is a completely inappropriate use of public resources, interferes with routine law enforcement services and undermines public confidence in the Police Service.

42. I am unaware whether or not the practice of transporting off-duty police in a departmental vehicle has interfered with routine or even urgent calls for service. However Commissioner Atkinson recently announced a new policy prohibiting this practice, including a new reporting framework so that any instances of conveyance or transport of police is recorded, including the

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circumstances, senior officer approval, and what other jobs, delays or calls for service were occurring at the time.

43. When not tasked by the Police Communications Centre police performing patrol duties have scheduled and routine functions to perform. These include tasks driven by Intelligence, Traffic Enforcement, Proactive Patrols, Patrols of Known Hot Spots, Intercepting persons on street checks, stagnant observation duty, schools and other public building patrols, shopping centre visits, walk-throughs of licensed premises and general inquiry work resulting from previous investigations or allocated tasks.

44. Such patrol work is monitored, supervised and recorded by the PICTURE occurrence sheets, supervisor logs, occurrence sheets, RDO and DDO supervision and checks, including location and site checks by the mobile duty inspector.

45. While this process could be further enhanced by GPS, such as that utilised by most taxi-cabs, I am confident that the monitoring and supervision of our patrol staff and their attention to official police duties is vigilant. Having said that, the issue of "Blue light taxis" comes back to the integrity, discipline, personal character and commitment of individual officers, and as we know from past and present CMC inquiry's, some officers engage in misconduct. My view is that the system is working, we are catching them and rooting them out via a continual improvement process.

46. The Police radio and communications network operates for the purpose of directing police to tasks, ensuring the location of police is known, providing back-up and support as required, ensuring the safety and security of officers and maintaining a constant and accurate information flow. This model is used universally in policing, and accompanied by suitable and regular supervisor checks, physical personal inspections by supervisors and related log and patrol reporting, I believe this system is working well.

INAPPROPRIATE ASSOCIATIONS

47. An inappropriate association in the context of policing is any relationship which creates an ethical dilemma by compromising a police officer's capacity to fulfil his or her oath of office. Associations require constant attention by all police and require vigilance and the need to recognise that each case needs to be judged on its own merits. Such judgement again calls

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upon the inherent integrity and commitment to ethics by each individual officer, the importance of which cannot be devalued or understated.

48. This is balanced against the individual's right to free association, so that officers are not subjected to unreasonable restrictions on their private activities purely as a result of their employment with the Police Service. For example; a Police Officer being associated with active and known crime figures or OMCG members, would normally be a cause for concern and would constitute an inappropriate relationship. However in circumstances where a police officer was using an OMCG member as a registered informant no such conflict may arise.

49. Inappropriate relationships are rarely detected from direct evidence and usually come to notice as a result of circumstantial events, observation and/or suspicious behaviour. As to this, it is worth noting that police are suspicious by occupation, if not by nature. Supervisors are critical in noting the conduct of their staff in this regard and a range of observation and reporting frameworks underpin the present approach to detecting and investigating inappropriate relationships.

50. To avoid potential inappropriate relationships, officers routinely refer to guidelines such as the department's SELF Test, along with a range of systems and guidelines for strengthening ethical practice, including; Ethics training at Academy; First Year Constable (FYC) orientation at the Gold Coast District, including an address by the Assistant Commissioner (AC) and senior management; Ongoing training within QPS development programs; and; QPS Policy Number: **17.1.10.6 - Conflict of Interests**, which is available on the QPS intranet website and in hard copy form.

GIFTS AND BENEFITS

51. I have become aware of media reports concerning the alleged supply of free alcohol to off-duty police officers at Gold Coast nightclubs. I do not subscribe to nor support this type of behaviour. Occasionally, Detectives, including undercover operatives might be authorised to consume liquor at a licensed premises and/or to accept a free drink for the purpose of maintaining cover or for other operational reasons, but in my experience such instances are rare and should always be documented.

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52. In my view the accepting of free drinks is completely unacceptable and creates a substantial loss of public faith and confidence in the police service. I would be very surprised and disappointed if such conduct was found to be widespread.

53. A range of risks result from this type of practice, including compromising an officer's ability to perform his or her functions while on-duty, confidentiality of information, security and safety of our personnel, and related risk of inappropriate relationships. These matters are highlighted in the Code of Conduct and related HR Procedures, and I am confident that this type of conduct is limited to a small minority of officers, some of whom have already been identified and counselled or disciplined.

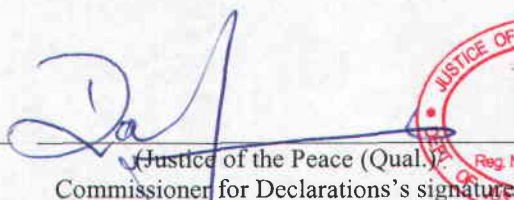
54. At regular meetings with my Inspectors and Officers-in-Charge, I remind supervisors of their obligations to ensure the Departmental Gifts Policy and Gifts Register is being complied with. I believe this message is being relayed to general and junior staff, and in any situation where a breach is detected, officers can and should be disciplined, no matter whether they are on or off-duty.

55. I am aware of intelligence concerning Outlaw Motorcycle Gangs (OMCG) frequenting and allegedly receiving protection money from Gold Coast nightclubs.

56. The Surfers Paradise Licensed Venues Association (SPLVA) has been provided with advice and a direct link to the District officer regarding OMCG activity, including lecture and training sessions on how to deal with this situation should it arise at their premises and the need to report a complaint to police immediately.

57. OMCG and criminal elements have always been, and will continue to be attracted to licensed premises. Joint CMC and Police operations: Overt Strike; Taskforce Hydra; our LEAPS program; 'walk-throughs'; and; related proactive policing strategies for licensed premises result in a high level of police presence and deterrence in respect of such activity, and programs such as the SPLVA and police 'safe premises' project resulted in any OMCG members wearing colours being removed or refused service at licensed venues.


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58. This information is relayed to police, particularly Detectives working on OMCG investigations and to uniform police in Surfers Paradise who are kept up to date via Intel flyers on a regular basis and also on the Operation Wing Clipping Section of the Bulletin Board.

59. This information is reflected in the District Risk Management Plan, particularly relating to security and welfare of police, and integrity issues – associating with known criminals. I am concerned at allegations that OMCG members are being paid 'protection money' from Surfers Paradise licensed venues.

60. Operation Hydra previously addressed a range of OMCG issues on the Gold Coast, including the question of alleged protection money at nightclubs. I am aware that inquiries are continuing in this regard and for operational reasons, I am unable to comment further at this time.

61. I do not believe that it is possible for a police officer to be the recipient of regular free drinks at nightclubs and then to perform his or her law enforcement duties effectively. This is because the relevant officer has been compromised, and may unwittingly be drawn into providing information to licensed venue operators and others. The officer is in a position whereby, if known, both the public and fellow officers would have severe doubts about his or her capacity to fulfil their oath of office.

CULTURE

62. In my view the key misconduct risks on the Gold Coast can be summarised as: constant exposure to a vibrant and attractive entertainment precinct and offers of free hospitality; hot spot for substance use and abuse; Young police being caught up in a glitzy lifestyle and 24/7 holiday atmosphere; and a unique, busy and dynamic policing environment. These factors may combine to tempt police to engage in a range of behaviours including alcohol and drug use, steroid use and inappropriate relationships in the nightclub scene.

HR ISSUES

63. In my view a range of HR issues are impacted by the nature and behaviour of younger police. While I mean no disrespect to younger people, a recent academic study has been undertaken on the behavioural traits of Gen-Y, who are typically highly educated, questioning, if not resistant to authority, impatient, technologically savvy, experimental and often with a high

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disposable income. When combining these features with the responsibility required of a police officer, all encompassed in a location like the Gold Coast, I do believe that young police are less responsive to supervision and that this dynamic adds to our potential risks. Having said that, I also recognise that the work of a police officer on the Gold Coast, particularly in the entertainment precinct on Friday and Saturday nights requires confident, fit, strong, young, police, and I maintain my previous statement that the vast majority of our personnel are doing an excellent job under difficult and trying circumstances.

64. I have held suspicions over the last couple of years, not based on evidence, but resulting from my personal observations, information, and the conduct of some young male officers, that steroid use may be occurring. Again I don't think that this sort of conduct is the norm or widespread, but among young men it brings its own set of challenges, particularly in a policing environment, where our officers are already exposed by the nature of their work, to conflict and violence.

65. I am not qualified to define all of the exact behavioural issues associated with steroid use, except to say, that it is my belief and understanding that the misuse of steroids by young men can make them angry, in some cases violent, and can adversely affect their judgement, problem-solving and decision-making skills.

66. As indicated above, I had suspicions of steroid use by one or two young male officers over recent years. I had no evidence in support of my suspicions and consequently took no action, other than to monitor the situation and remain vigilant for any evidence in support of my suspicion.

67. Ethical risks on the Gold Coast are generally managed by the generic risk management plan, compliance with SOP and Operation Plans, and a multi-layered approach, including, but not limited to:

- Supervision of operational tasks
- Field Supervision
- Professional practices review and monitoring
- Monitoring the police radio network – eg. are the crews responding appropriately in a timely manner
- Compliance with HRMM, OPM, Admin Manual, SOPs, PPRA, QPRIME

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- HR Policies and Procedures
- Code of Conduct Requirements, including regular training
- Welfare – support by senior management for staff at critical incidents
- Related Industrial, WH&S and public sector legislative requirements

68. In addition, junior and new staff to the Gold Coast participate in orientation programs and training such as the FYC confirmation-orientation packages and Station and section orientation packages. These sessions are supported by mentoring of new and junior personal, supervisor observations and performance checks, a Rotational Policy which moves new and junior personnel through various sections and roles, and Profiling, including Complaint profiling, identified by the supervisor and the self generated SELF test.

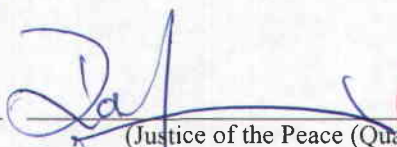
69. Potential integrity risks and vulnerable officers are identified by a process involving the O/C, Inspector, District officer and ultimately the Assistant Commissioner, all of whom are heavily involved in monitoring officer conduct and developing a series of ethical risk identification and reduction systems, processes and training. As previously indicated a range of improvements has occurred in this area since the conduct of Operation Tesco and related CMC investigations.

70. The criteria applied in integrity risk identification usually commences with observations and reporting on 'performance slippage issues', including poor dress standards and grooming; delay in report writing and related correspondence; unexplained mood swings in the work place; public complaints and so on. On recognising these factors, intervention usually occurs via counselling in the first instance and where behaviour does not improve, a more detailed review and inquiry as to the causal factors of an officers behaviour is conducted.

71. The line supervisor, usually at the rank of Sergeant of Police, is responsible for monitoring officers in an effort to reduce integrity risks and/or identify any related issues. The importance of the role played by middle management should not be underestimated. However as with most things in the public sector, and especially in the Police Service, this comes down to the availability of suitable and sufficient resources.


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CONTINUED STATEMENT OF: **KEOGH, James Patrick**
District Officer

CRIME & MISCONDUCT COMMISSION
No: 06/2009 Date: 21.9.10
IN THE MATTER OF: OP
TESCO
EXHIBIT No: 123
M. LETONDEUR CLERK


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