

**CRIME AND
MISCONDUCT
COMMISSION**



QUEENSLAND

CRIME AND MISCONDUCT COMMISSION

TRANSCRIPT OF PUBLIC INVESTIGATIVE HEARING

CONDUCTED AT THE CMC, LEVEL 2, NORTH TOWER, 515 ST PAUL'S

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TERRACE, FORTITUDE VALLEY, WITH RESPECT TO

FILE: OPERATION TESCO

HEARING NO: 06/2009

DAY 45 – TUESDAY, 21 SEPTEMBER 2010

(DURATION: 40 MINUTES)

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LEGEND

PO Presiding Officer – MARTIN MOYNIHAN, CHAIRPERSON

CA Counsel Assisting – JOHN ALLEN

30 **INST Instructing – SUZANNE HARBIDGE and KATE McKENNARIEY**

HRO Hearing Room Orderly – MEL LETONDEUR

W Witness – JAMES PATRICK KEOGH

LR Legal Representatives - ALAN MacSPORRAN SC, with him MICHAEL NICHOLSON, instructed by KATE BRADLEY; MARTIN BURNS SC, with him CHRIS WATTERS, instructed by DANIEL CREEVY; TIM CARMODY SC, with him TROY SCHMIDT, instructed by CALVIN GNECH

THE HEARING COMMENCED AT 4.27 PM

MR ALLEN: Chairman, if you were prepared to sit till 5 there would be a very good chance of at least getting close to completing Superintendent Keogh's evidence.

PRESIDING OFFICER: I am happy to do that.

10 MR ALLEN: In that case, I call James Patrick Keogh and ask that he be sworn.

JAMES PATRICK KEOGH, SWORN

MR ALLEN: Is your full name James Patrick Keogh?

THE WITNESS: It is.

MR ALLEN: And you are a superintendent of police in the Queensland Police Service?
20

THE WITNESS: That's correct.

MR ALLEN: You have received an attendance notice with respect to this matter. Perhaps you may recognise that as being a copy of it.

THE WITNESS: That's so.

MR ALLEN: I tender the attendance notice along with the relevant oath of service.

30 PRESIDING OFFICER: Exhibit 122.

ADMITTED AND MARKED "EXHIBIT 122"

MR ALLEN: And have you signed a statement, the original of which I place before you now?

THE WITNESS: Yes. That's a statement I prepared in relation to this matter.

MR ALLEN: It is undated but was it signed today?
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THE WITNESS: No, it was signed yesterday.

MR ALLEN: Yesterday. Thank you. I tender that statement.

PRESIDING OFFICER: Exhibit 123.

ADMITTED AND MARKED "EXHIBIT 123"

MR ALLEN: And Superintendent, do you have a copy for your own reference?

THE WITNESS: I do.

MR ALLEN: You hold the position of district officer for the Gold Coast district in the south eastern region of the Queensland Police Service.

THE WITNESS: That is so.

10 MR ALLEN: And you have held a rank of superintendent and Gold Coast district officer since May 2007?

THE WITNESS: That's right.

MR ALLEN: If I could go briefly to some particular matters in your statement. At paragraph 27 of your statement at page 12, you make the point towards the end of that paragraph that one of the reasons why the district presents some complex and unique difficulties for law enforcement includes the fact that its relaxed beach side and holiday lifestyle attracts persons from all over Australia including criminals.

20 THE WITNESS: That is so.

MR ALLEN: Right. Does the relaxed beach side and holiday lifestyle have any impact upon police officers' approach to policing? I certainly don't gain the impression that the police officers dealing with holiday goers in Surfers Paradise have a particularly relaxed or holiday style approached to their duties.

THE WITNESS: Sorry?

30 MR ALLEN: Yes, it is not the case, though, that the relaxed holiday style lifestyle is something which is also reflected in the police duties?

THE WITNESS: No, Mr Allen. It is a very challenging police environment in contrast to somebody who would be partaking of a holiday down there in a relaxed environment.

MR ALLEN: All right. Does the atmosphere have any -- present any particular problems for officers' motivation, or their long-term ability to carry out their duties in such an environment?

40 THE WITNESS: I don't think the atmosphere does, no.

MR ALLEN: There has been some suggestions from a couple of witnesses that one approach that might be considered to address, amongst other things, the stresses associated with policing on the Gold Coast is some type of regular transfer in and transfer out of policing staff. Do you have any view yourself on that?

THE WITNESS: Yeah, look, I think there is merit in that, in particular some of your busier areas, such as Surfers Paradise that pose a greater risk to the officer's safety and well-being. I think there is merit in transferring in and out, as you have

put it, to look after their well-being and certainly refresh them in their policing duties. Yeah, most definitely.

MR ALLEN: Are there any current impediments to such an approach?

10 THE WITNESS: There is. We're bound by industrial law in relation to the movement of these officers. It is important to note that an officer at Surfers Paradise, for instance, is exactly that; an officer stationed at a designated station at Surfers Paradise in contrast to other areas and the moving of the officer is not quite a simple process.

MR ALLEN: I see. That's not a situation peculiar to the Gold Coast?

THE WITNESS: No, it is not unique to the coast; it is a statewide issue.

MR ALLEN: I see. In paragraph 33 of your statement in the second sentence, you make the point that guidance and encouragement of police behaviour while off duty is a complex matter.

20 THE WITNESS: Mmm.

MR ALLEN: Do you have any views as to how inappropriate off-duty behaviour might be better managed than it is?

30 THE WITNESS: Yeah, I do. Our situation here, as you would have heard in evidence, we're governed by a lot of regulation policy, process and procedure that does apply both to on duty and off duty, and whilst on duty we have a number of supervisors who are out there to supervise what takes place. Not so with off duty. We rely back to values based initiatives to look after the behaviour of our people while they are off duty and so certainly I think there is scope for improvement in that area.

MR ALLEN: How -- what steps could be taken to improve that?

40 THE WITNESS: Well, we've introduced, as you have heard from the previous witness there some ethical -- or training in ethics, steps to be taken is really reinforcement, continuing reinforcement of the expectations of the officers off duty. Perhaps there have been some issues encountered in relation to off-duty behaviour in contrast to on-duty behaviour. I think if you were to look holistically at the service, the majority of our problems that we're encountering at the moment are in relation to off-duty behaviour. So there is scope for continuous improvement in that area.

MR ALLEN: Well, you have mentioned reinforcing the message of what's expected, which is a process of education. Any other steps that could be taken towards that issue?

THE WITNESS: Look, I don't know it is as simple as a process of education. It is a matter as they come through the academy is they actually take on the conditions

of their employment to have a clear understanding that this is an expectation. It is not a flexible guideline. Underpinning this expectation is a commitment to train these people in a commitment to ethics and a commitment to a standard acceptable to what we require of contemporary policing.

MR ALLEN: Insofar as that raises the issue of recruiting, do you have any views as to whether the current recruiting process is sufficiently rigorous to ensure that only persons of the appropriate degree of integrity become police officers?

10 THE WITNESS: Yeah, look, it would probably be inappropriate for me to comment on recruiting as I don't have any scope of involvement in recruiting, nor have I conducted any review of the recruits coming through. So perhaps best I couldn't comment, Mr Allen.

MR ALLEN: Okay. In paragraphs 35 and 36 you talk about those qualities that are held by a good supervisor.

THE WITNESS: Mmm.

20 MR ALLEN: Given the importance of the position of the supervisor. At this time, how do the supervisors develop or acquire such qualities and skills?

THE WITNESS: Would you like to talk about off-duty or on-duty behaviour or a combination of both?

MR ALLEN: Combination of both.

30 THE WITNESS: Yeah, combination of both -- look, the supervisor is coming through as an NCO, he's a middle manager, he's a leader. He is provided supportive leadership from above by the senior sergeant, by the inspector, and certainly by the senior management of the district and the region. There are a number of courses, of course, that they can attend. We have heard here how they go through the management development program, so they are quite in tune with a lot of the processes that support a good middle manager. Not all of them live up to expectation.

MR ALLEN: Well, how does the system pick up those who don't?

40 THE WITNESS: Okay, well, of course we have got the performance planning and appraisal system there for the sergeants. The officer-in-charge also meets with the sergeants. They have got systems for sergeants' meetings they have got middle manager workshops there that they attend and a lot of them are identified. It is a case of, again, trying to make sure there is continual improvement in these NCOs and their sergeants.

MR ALLEN: Do you have any views as to how the system could be improved in any respect?

THE WITNESS: Look, I think the problem we are faced with here, again primarily

relates to off-duty behaviour and I think we do have to put a stronger focus in relation to what our staff do off duty and that's certainly from an NCO or a middle manager's point of view is some area that we could place more emphasis on in relation to supervision and managing, appropriately managing, I might add, what staff are doing off duty. You know, I don't want to sound invasive or intrusive as to what these people do in their own private time. There is certainly a line to be drawn there in that respect.

10 MR ALLEN: So are you talking about encouraging immediate supervisors to try and engage with their subordinates so that they have a better knowledge of their home and off-duty situation rather than requiring some type of eyeball supervision of their off-duty behaviour?

THE WITNESS: I think historically in policing you would have seen supervisors, middle managers working off compliance issues, governance issues. I think the sergeant's checklist of 20-odd points of compliance to be met at the start and perhaps the termination of each shift is a good example but there is no real scope there to talk about issues that may impact on that member away from that

20 MR ALLEN: And are you talking about a greater engagement by the immediate supervisor with the officer to try and ventilate such issues?

THE WITNESS: Yes, most definitely.

MR ALLEN: In paragraph 37 of your statement, in the last sentence, you note that whilst the attempt is made to avoid having inexperienced officers performing senior or supervisory roles, sometimes staff circumstances mean that it is not always possible to have a senior officer as a supervisor.

30 THE WITNESS: Mmm, that is so.

MR ALLEN: Can you give us some indication as to how often that might be the case?

THE WITNESS: Well, in a bigger establishment where there are a number of supervisors or sergeants such as Surfers Paradise where you have 16 sergeants obviously they have got to take recreational leave, sometimes they will be on sick leave or absent on courses or absent for whatever matter, then a junior officer has to step up to that position and act in the capacity of supervisor. It is less frequent

40 MR ALLEN: Well, if we look at Surfers Paradise Police Station as an example, would it be fairly common that a more junior officer would act up as a supervisor?

THE WITNESS: I wouldn't say it is common but it does happen from time to time, yeah.

MR ALLEN: You refer in paragraph 40 to some steps that have been taken to

address the challenges of policing on the Gold Coast.

THE WITNESS: Mmm.

MR ALLEN: And in the -- in dot point number 6 on my count you refer to a proactive strategy for transfer or secondment of at-risk officers into other divisions.

THE WITNESS: Yes, that's right.

10 MR ALLEN: Can you please explain the nature of that strategy?

THE WITNESS: What it's about is officers there who feel they have had enough, and this relates to Surfers Paradise and they would like to move somewhere else, they may have been there too long, they may be encountering difficulties there. There is a process in place where they can self identify and we will help them go to a new location. So far we have moved one officer from Surfers Paradise up to Logan and that was by his choice. And we replace them with incoming staff predominantly from the academy or people who have graduated after 12 months' service.

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MR ALLEN: So it is not proactive in the sense that someone else identifies an at-risk officer and makes a decision as to their transfer or secondment?

THE WITNESS: No, the policy does allow for that, for management to identify somebody there who can be moved. And what we look at there is their complaints history, so if they are starting to become an at-risk officer there by way of complaints, there is scope for management to relocate that officer, albeit for only a short period of time until we address the issues that may be impacting the officer.

30 MR ALLEN: Are there any industrial impediments in transferring from one station to another if an assessment is made that there may be a valid reason for doing so against the wishes of the particular officer?

THE WITNESS: Yeah, absolutely. Look, the bottom line is it has got to be fair to the officer. So all circumstances have to be taken into consideration and the movement of the officer, even be it for a short period of time, must be able to withstand scrutiny, and that's in fairness to the officer.

40 MR ALLEN: And what process is involved in challenging such a decision?

THE WITNESS: Well, they can take it to review. There is provision to review decisions made.

MR ALLEN: I see. Do you have any suggestions as to whether there should be greater powers to transfer police officers between stations or even divisions?

THE WITNESS: I think rather than transferring them from division to division, I think there is scope to actually appoint them to a district so that they can be moved from location to location within the district. And, again, we have got to temper that

with fairness, and certainly take into concerns the interests of the member. Like it would be unfair if a person lived at Runaway Bay to continually push them down to work at Coolangatta, some 25 kilometres away.

MR ALLEN: Mmm. But appointment to a district rather than a station would provide at least some greater degree of managerial flexibility.

THE WITNESS: Most definitely.

10 MR ALLEN: You mention over the page, and still in paragraph 40, the third dot point down, three new commissioned officers positions within the south-east region.

THE WITNESS: Mmm.

MR ALLEN: Hasn't there been a detective superintendent acting as a regional crime coordinator for some years now?

20 THE WITNESS: Yes, there has.

MR ALLEN: All right. Has there been some other three new commissioned officers positions in addition to that?

THE WITNESS: Additional inspectors.

MR ALLEN: I see. As a superintendent in your position, you have the -- both the Northern Investigative Group and Southern Investigative Group of the Criminal Investigation Branch under your oversight.

30 THE WITNESS: Yes.

MR ALLEN: Do you also have effective oversight of all of the uniformed police in the district?

THE WITNESS: That's right.

MR ALLEN: Okay. Where does the detective superintendent who is the regional crime coordinator fit in there?

40 THE WITNESS: He answers to the chief superintendent and as the role implies, he is coordinator of crime and resources with a main function to draw support when needed from our external agencies, such as the Federal Police, the Crime Commission, State Crime Operations Command and he also plays a very active role in relation to our major crime, our homicides, on the main basis that they do draw from those units I just mentioned.

MR ALLEN: I see. So is there a line of command then between the detective inspector and the regional crime coordinator in addition to the reporting relationship between the detective inspector of, say, Southern Investigative Group

and yourself?

THE WITNESS: There are two lines of command there to the regional crime coordinator and myself by mere way of rank. We are superintendents, the inspectors are what they are, inspectors.

MR ALLEN: Right. But in practice, do the detective inspectors report to both of you for different purposes?

10 THE WITNESS: On a day-to-day basis and when we look at generic crime the inspector will report to me. When he is looking at his serious crime or the major impacts on plain clothes area, the serious impacts he will report to the superintendent.

MR ALLEN: I see. Do you see a justification in that division of reporting by detective inspectors to the two superintendents?

20 THE WITNESS: Yeah, most definitely. I have a geographic responsibility in relation to performance and performance reviews. The crime coordinator has a great deal of expertise in bringing in the support services needed to get these major jobs across the line and that in itself is a full-time job. In short, in answer to your question, I couldn't do both jobs effectively.

MR ALLEN: I see. And from what you are saying, it would be too much of a burden for the person who is regional crime coordinator to have full supervisory responsibility for detectives in all their capacities?

30 THE WITNESS: Yeah, absolutely. The detectives have to address the generic crime, they have to work with the uniformed staff who are under my control, sometimes they will draw from the uniform staff to relieve in the CIB at a more management level, the senior sergeants from the uniform stations have to work with senior sergeants from the CIB and they have to form within the district a cohesive working group.

MR ALLEN: You mention in paragraph 44 something you call the Picture, occurrence sheets? What are they?

40 THE WITNESS: Before my time as superintendent, initially there were no occurrence sheets, they worked off patrol logs. I introduced occurrence sheets there and then we have come to a Picture system here that can more accurately depict time-frames when officers are attending certain tasks. It also has a human resource component there where we can reconcile industrial issues such as equity and shift allowances.

MR ALLEN: So is Picture some type of computer software that manages the occurrence sheets?

THE WITNESS: That's right. It is a Picture program.

MR ALLEN: For how long has that been in operation?

THE WITNESS: It has been on at least I think 12 months.

MR ALLEN: Is that something which was only introduced at district or regional level or is it something that was statewide?

10 THE WITNESS: No, it is on a trial basis from the district level and there are a team working on it at headquarters to consider whether or not to roll it out as a statewide program.

MR ALLEN: I see. In paragraph 50 you refer to the SELF test, S-E-L-F.

THE WITNESS: Mmm.

MR ALLEN: Can you explain what that is?

20 THE WITNESS: Yeah, look the SELF test there looks at trying again -- trying to get the person to take accountability for their own actions, you know, insofar as whether or not it is lawful, whether or not it is fair, whether or not it would stand scrutiny. When I talked before about perhaps a need to look more at ethics, to look more at accountability, the SELF test is a simple version of actually looking at those issues.

MR ALLEN: I see. You mentioned yourself that from your own observations and, I expect, from perhaps comments made by others, and also the conduct of some young male officers that you have had your suspicions over recent years that there might be steroid use occurring?

30 THE WITNESS: Mmm, that's so.

MR ALLEN: You say that whilst you don't feel that that's the normal widespread, amongst young men it brings its own set of challenges particularly in a policing environment where your officers are already exposed by the nature of their work to conflict and violence. So you wouldn't dismiss the issue of steroid use as being one of no concern to the service?

THE WITNESS: Oh, definitely not, no.

40 MR ALLEN: Okay. Are there any steps that might be taken or should be taken in light of such a concern?

THE WITNESS: Yeah, most definitely. Look, police are part of society, and certainly here and if you could use the Gold Coast as an example where there is a lot of people into fitness. The fitness industry there is experiencing or does experience from time to time problems in relation to steroid abuse. It would be foolhardy to think that's not going to impact on an organisation such as the police, and in particular policing on the Gold Coast. So, again, I think there is a need for a heightened need of awareness in relation to this problem and from this heightened

need of awareness the structure in relation to the training needs to be taken forward on this particular topic.

MR ALLEN: So you see room for further education of police officers as to the risks associated with steroid use?

THE WITNESS: I do.

10 MR ALLEN: Do you see any other steps that might be appropriate if there are concerns of inappropriate steroid use by police officers?

THE WITNESS: If you were to look at steroids as substance abuse I think you could package the lot together and perhaps roll out packages that actually address substance abuse for police in contemporary society. Perhaps you might be leaning towards drug testing -- a very evasive process but I think before I would lend my support for drug testing I would want to see considerable research done as to what drug is causing the issues, how we have gone with our process as far as self managing the problem, and then as a last step perhaps the drug testing would need to be introduced. Police face many challenges out there. In particular, on the Gold
20 Coast this could be a considerable impost to them again and impact on what could be seen as a fragile morale.

MR ALLEN: You have had the opportunity, at least since the luncheon adjournment, to listen to Detective Inspector Dowie's evidence. Was there anything that you wanted to pick up on from that or comment further upon?

THE WITNESS: Yeah, look --

30 MR ALLEN: Given the nature of the issues that are under investigation in this hearing?

THE WITNESS: Yes, certainly. I think one of the things I did pick up on, and it was touched upon by Mr Dowie. He talks of the operational demands on police and they are exceptionally high. You know, in high crime areas from the CIB to the uniformed officers, and at the end of the day's play, equally as demanding and more so in recent years is the issues of governance and compliance and ethical practices, and ethical behaviour and the test of scrutiny. And if you -- you have got to grow with those compliance issues, and I think the time will come where, as far as supervision goes, whilst we have a number of supervisors looking at operational
40 issues, we will have an equitable amount of supervisors looking solely at governance and that's very resource demanding.

MR ALLEN: That's certainly not the case now.

THE WITNESS: It is certainly not the case now. And if you are to look at some of the evidence led by Mr Dowie, where he talks of notebooks, or he talks of diaries and he talks of the multiple homicides, at what point does the Mr Dowie of the world say, look, I have actually got a day spare. I can sit down and read this document, I can look at this risk management document, and it is quite easy to

introduce these practices, these policies, these processes in place but at the end of the day's play you have got to have time to actually manage them. Or you can liken it to the medical fraternity where doctors pretty much self regulate until they actually hit a hurdle or something goes pear-shaped and they try and rectify it. I don't know that the time will ever come in my time in policing that we will have enough police to step away from what could be seen as a challenging rate of crime to simply sit down and look at the administrative and compliance issues.

10 MR ALLEN: Would you necessarily need sworn police officers to fill that role of auditing compliance?

THE WITNESS: Not necessarily police officers but you would need persons there who have a very good understanding of the roles and responsibilities of the operational police officer.

MR ALLEN: Yes. And would you envisage that there would be any preference for persons fulfilling that role as members of the Queensland Police Service, or would there be an advantage in that sort of role being undertaken by an external agency, or is there room for both?

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THE WITNESS: Look, I think there is possibly room for both. We do have an external audit process and the CMC actually is an external audit process, but doing it sporadically, spasmodically or more importantly at a time when there is a problem certainly will ostracize that unit. I think they have got to be on board from the outset, be part of the solution to address the problem.

MR ALLEN: Were there any other comments that you had with respect to the sort of issues that we're examining?

30 THE WITNESS: Yeah, look, again, Mr Dowie rightly pointed out of the 100 detectives he has got one or perhaps two detectives here that haven't performed to expectations and I think sometimes no amount of supervision will get you 100 per cent compliance. If you look at policing in the remote areas, there isn't the tiered or layered system of supervision that we see on the Gold Coast out there. I think the office of constable by its mere nature is one of accountability in all circumstances whether you are working supervised or remote.

MR ALLEN: Or off duty, as you have mentioned.

40 THE WITNESS: Or off duty, yeah, and I think that's something that we really -- we really need to look at.

MR ALLEN: Thank you, Superintendent.

PRESIDING OFFICER: Any questions from the Bar table?

MR BURNS SC: Thank you, Mr Chairman. Superintendent, was there an end of financial year review of the district?

THE WITNESS: That is so, Mr Burns. We have what's called an operational performance review and the annual one coincides with the end of the financial year.

MR BURNS SC: I see. What was the outcome of that? Are you aware?

THE WITNESS: In my time on the Gold Coast which was some 10 years, the results achieved by the police on the Gold Coast, I considered to be unsurpassed as far as achievement goes. With 10 to 50 per cent reduction in serious crime ranging from robberies to house break ins to stealing of motor vehicles, so at the end of the day's play with the problems confronted on the Gold Coast, as we have heard here, and certainly printed somewhat erroneously in the media, the achievements of the 800-odd staff down there are, I think, nothing short of exceptional.

MR BURNS SC: Thank you. Thank you, Mr Chairman.

MR MACSPORRAN SC: I have nothing, thank you.

PRESIDING OFFICER: Mr Carmody?

MR SCHMIDT: Thank you, Mr Chair. Superintendent, just off the top of your head, I understand it's not in your statement, are you able to say roughly how many calls for service or jobs the police actually attend in a month on the Gold Coast?

THE WITNESS: No, I couldn't, and if you are going to go down or look at calls for service, I do identify this with some caution. You need to understand if you are at Surfers Paradise and you are on the beat, you are doing responsive calls for service that aren't listed through what calls for service are, which is computer assisted dispatch. So that will throw your figures out straight away. I am very loath to go down or use that as a source of reference.

MR SCHMIDT: You would certainly be comfortable saying the Gold Coast police are very busy, wouldn't you?

THE WITNESS: Look, I have been a serving police officer for 30 years and I have worked in what I consider to be some of the hardest areas in crime and I have never seen anything like that.

MR SCHMIDT: Thank you. Are you aware of the policy that the QPS uses to assign staff to particular police districts?

THE WITNESS: Yes.

MR SCHMIDT: And is it fair to say that's based on the residential population, there is a police to population ratio?

THE WITNESS: That's so.

MR SCHMIDT: On the case of the Gold Coast, on your figures you're indicating approximately 500,000 residents, with 94,000 visitors per week?

THE WITNESS: Yeah, that is so.

MR SCHMIDT: Effectively, you have got a 20 per cent increase -- or not quite a 20 per cent increase of your population each week, haven't you?

THE WITNESS: Yes. Your visitors -- I wouldn't say each week, but more focused on the weekends.

10 MR SCHMIDT: Yes. On the average it is approximately a 20 per cent increase. Clearly, in the case of the Gold Coast, you don't have 20 per cent extra amount of police officers to cope with that extra demand, do you?

THE WITNESS: No, I don't, but having said that, as the commander for the area, I have the capabilities to draw Statewide to support the Gold Coast. It is roughly 75 events a year and I draw, with the support of the Commissioner, staff from the Public Safety Response Team, and a whole range of other areas, whether it is State Crime Operations, whether it is the mounted unit, whether it is the railway squad. So there is a support mechanism base there in Brisbane that does assist the Gold
20 Coast in its operations and its general weekend policing.

MR SCHMIDT: That is generally for major events, isn't it? It is not happening every single weekend?

THE WITNESS: No, no, no, I will call them down there more often than not to get by and to get through the weekends, most definitely. Public Safety Response Team arguably would spend more time at the Gold Coast than anywhere else in the State.

MR SCHMIDT: Now, it is certainly the case for a station like Surfers Paradise that
30 it would be beneficial to have more experienced staff, given the nature of their duties, interaction with bouncers, and so forth?

THE WITNESS: Yes, yes, certainly more experienced staff would be an advantage.

MR SCHMIDT: Do you find it a difficulty -- to put this into context, I believe the senior sergeant in charge, Mr Dimond, gave evidence yesterday that the majority of his constables have less than four years' service. The way he calculated that, on my understanding, was that first year constables in the district were subsequently
40 assigned in their second year to Surfers Paradise, do their tenure or years there. Some would stay, most would leave?

THE WITNESS: Yes, that's right.

MR SCHMIDT: So, on that basis would you accept that there needs to be some form of incentive to attract police to actually work in a station like Surfers Paradise?

THE WITNESS: I think an incentive would be good for Surfers Paradise. What

are you saying, similar to remote areas?

MR SCHMIDT: Perhaps. Obviously there would be a benefit to the service and corresponding, I suppose, reduction in misconduct or potential for conflicts of interest if you had more experienced, capable officers at that location?

THE WITNESS: That would certainly help.

10 MR SCHMIDT: You have just indicated before to Counsel Assisting the possibility of appointing staff to a district, and subsequently moving them in and out of stations?

THE WITNESS: Yes.

MR SCHMIDT: You would accept that that wouldn't be appropriate in cases like, let's say, central Queensland where an officer can be reported to Rockhampton District and then have to be moved 3 or 400 kilometres west, for example?

20 THE WITNESS: That's right. It would be unworkable.

MR SCHMIDT: You would obviously qualify your remark to say that should be in cases on the Gold Coast, in your view?

THE WITNESS: Yes, that's so.

MR SCHMIDT: Just excuse me for a moment. Now, if I could just take you to page 16, it is paragraph 40. You refer to Project Aveo, A-V-E-O?

30 THE WITNESS: Yes.

MR SCHMIDT: That was a review conducted of the CIB and the staffing levels, wasn't it?

THE WITNESS: It wasn't a review of the staffing levels, it was a review conducted of the CIB in general and to look at what would be best practice.

MR SCHMIDT: And if it was conducted only very recently, the last few months?

40 THE WITNESS: That is so.

MR SCHMIDT: Is it true that one of the recommendations which came out of that -- I won't hold you to exact figures -- was approximately 30 additional detectives were required on the Gold Coast?

THE WITNESS: I haven't read the document. It hasn't been made available to me at this point.

MR SCHMIDT: Well, your experience at looking at the detectives under your command, would you say that that is consistent with what you believe was

necessary?

THE WITNESS: Look, I would welcome 30 more detectives. I would probably welcome 300 more detectives but it is a matter I would really have to research.

MR SCHMIDT: Certainly. And the new Coomera police district is just being created?

THE WITNESS: That's so.

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MR SCHMIDT: It is the case that you have actually lost some five or so detectives to that police district, haven't you?

THE WITNESS: That's right, yeah. But I must point out with the creation of the new Coomera police district, I gained in supervision. To look at your district duty officers, your senior sergeants that previously covered from Runaway -- well, Coomera to Coolangatta, west to Mudgeeraba and took in Nerang to the hinterland, that has been cut off now. I have got this layer of supervision back since November where I look at the coastal strip, Runaway Bay down to Coolangatta. So

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MR SCHMIDT: Certainly. Now, if I could take you to paragraph 66. You say in there you had suspicions of steroid use by one or two young male officers over recent years?

THE WITNESS: Mmm.

MR SCHMIDT: Can you indicate how recently that was?

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THE WITNESS: Late last year, yeah.

MR SCHMIDT: And I assume from that your suspicions are based on obviously the size -- physical size?

THE WITNESS: No, I was actually looking at the use of force issues, and the complaints I was getting from Surfers Paradise, and then starting to look at the officers involved. Look, I am an active member of the Police Youth Club and we have had issues there where nonpolice, I will point out, has been the subject of

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MR SCHMIDT: And is there a reason they weren't subject to target drug testing?

THE WITNESS: I didn't have any evidence to take forward targeted drug testing.

MR SCHMIDT: If you had, obviously, reasonable suspicions, that would have been the approach you would have taken, isn't it?

THE WITNESS: Obviously.

MR SCHMIDT: And things such as their size, complaint history, increase in aggression would give you reasonable suspicions?

THE WITNESS: Yeah, true. But it is also important to point out that steroid use relates to a lot of other medical ailments. You know, people with asthma I know take a form of steroid. So I quantify that with I have no qualifications in the form of medical practice.

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MR SCHMIDT: Finally, superintendent, just in respect to the issue of blue light taxis, it is the case prior to Tesco and the Commissioner's recent direction that as a practice it wasn't actively discouraged, was it?

THE WITNESS: No --

MR SCHMIDT: Well, for example --

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THE WITNESS: Put it this way: If I was aware of blue light taxis taking place, yes, I would actively discourage it. We're a busy environment down there. Very busy environment. But other areas in the State who are not so busy, may not discourage it. You have also got to understand with blue light taxis there are times there it is used for purposes away from police. If it is used for a welfare issue for a police officer, I have got no problems with that.

MR SCHMIDT: Thank you, superintendent. Excuse me. Thank you, Mr Chairman.

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MR ALLEN: I have no re-examination, unless the chair has any further questions --

PRESIDING OFFICER: No.

MR ALLEN: -- could the superintendent be excused?

PRESIDING OFFICER: Yes. Thank you very much, you are excused.

WITNESS EXCUSED

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MR ALLEN: And if we could resume at 10 am tomorrow?

PRESIDING OFFICER: 10 am tomorrow.

MR BURNS SC: Mr Chairman, Superintendent Keogh is the last of the witnesses from my client union. If I may be excused? Mr Watters will remain for the balance of the hearing.

PRESIDING OFFICER: Certainly. Thank you, Mr Burns. We will adjourn until 10 o'clock.

THE HEARING ADJOURNED AT 5.07 PM

EXHIBITS

10	EXHIBIT 122	Attendance notice and oath of service	3560
	EXHIBIT 123	Statement of James Patrick Keogh	3560