

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

10

TERRACE, FORTITUDE VALLEY, WITH RESPECT TO

FILE: OPERATION TESCO

HEARING NO: 06/2009

DAY 48 – FRIDAY, 24 SEPTEMBER 2010

(DURATION: 171 MINUTES)

20

Copies of this transcript must not be made or distributed except in accordance with any order made by the Presiding Officer concerning publication of these proceedings.

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 – PAUL ANTHONY WILSON

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

THE HEARING COMMENCED AT 10.05 AM

PRESIDING OFFICER: Yes, Mr Allen.

MR ALLEN: Mr Chairman, if I could just deal with a preliminary matter, and it relates to the statement of Senior Sergeant Dimond, which is Exhibit 116. I seek a non-publication order with respect to two annexures to that statement. They are referred to in the statement at paragraph 29 as the station work performance evaluation and at paragraph 31 as the Surfers Paradise operations calendar.

PRESIDING OFFICER: Yes.

MR ALLEN: That is at the request of Inspector Neil Haslam, because of some privacy concerns in relation to particular officers who are identified in that material, and the Commission feels it is appropriate that that non-publication order be made.

PRESIDING OFFICER: No one suggests to the contrary?

MR ALLEN: No.

PRESIDING OFFICER: All right, I so direct.

MR ALLEN: Chairman, I call Assistant Commissioner Paul Anthony Wilson and I ask that he be sworn.

PAUL ANTHONY WILSON, SWORN

PRESIDING OFFICER: Mr Wilson, I've heard of your operation. If you want to stand up or if you want a break or whatever, let me know.

THE WITNESS: Thank you, your Honour.

PRESIDING OFFICER: Or just stand up, if you want to stand up.

THE WITNESS: Thank you, your Honour. I've got a different chair.

MR ALLEN: Your full name is Paul Anthony Wilson?

THE WITNESS: That's correct.

MR ALLEN: You are an assistant commissioner in the Queensland Police Service?

THE WITNESS: I am.

MR ALLEN: You have received an attendance notice, a copy of which I show you.

PRESIDING OFFICER: That's Exhibit 132.

ADMITTED AND MARKED "EXHIBIT 132"

MR ALLEN: Thank you, chairman.

THE WITNESS: That's correct.

10 MR ALLEN: You have signed a statement dated 19 September 2010, the original of which, along with annexures, I will show to you now.

THE WITNESS: Yes, that's my original statement dated 19 September 2010, 13 pages, and 17 annexures, numbered 1 to 17, I believe.

MR ALLEN: Thank you, I tender that statement and annexures.

PRESIDING OFFICER: Exhibit 133.

20 **ADMITTED AND MARKED "EXHIBIT 133"**

MR ALLEN: If we could just do some housekeeping before we begin, Assistant Commissioner, I'm told by counsel for the Queensland Police Service that it will be appropriate that there be a non-publication order with respect to certain parts of the annexures, namely pages 1 through 17 of annexure 6, which is the south-east region plain clothes occurrence sheet system; pages 9 to 12 of annexure 7, which deals with the south-east region plain clothes officers development program; and a small part of annexure 15, the QPS Meeting the Challenge, wherein it identifies a mobile telephone number of a police officer.

30

Chairman, if you make that non-publication order, we will liaise with the legal representatives for the police service to ensure that the appropriate matters remain confidential.

PRESIDING OFFICER: I am sure no one says anything against that, so, yes, I so direct.

MR ALLEN: Assistant Commissioner, you are officer-in-charge of the south-eastern police region?

40

THE WITNESS: I am.

MR ALLEN: Your office is located in the Surfers Paradise police centre on Ferny Avenue at Surfers Paradise?

THE WITNESS: It is.

MR ALLEN: Did you assume command of the south-east region on 22 September 2008 --

THE WITNESS: I did.

MR ALLEN: -- after service in the Queensland police commencing as a cadet on 14 January 1974?

THE WITNESS: Yes, that's correct.

10 MR ALLEN: And holding many varied positions in the Queensland Police Service, including the Criminal Investigation Branch?

THE WITNESS: That's correct.

MR ALLEN: And in executive positions prior to your current posting?

THE WITNESS: That's correct. Detective chief superintendent for the service and assistant commissioner in charge of the northern region based out of Townsville.

20 MR ALLEN: I am going to take you, firstly, to some specific parts of your statement for expansion and clarification.

THE WITNESS: Yes.

MR ALLEN: On page 3 of your statement, you describe the geography of the region and indicate that there are three police districts and essentially that the region extends from the New South Wales border to Eight Mile Plains in the north and west to Beaudesert and Boonah; is that correct?

30 THE WITNESS: That's correct. Between Beaudesert and Boonah in the Ipswich district. So the border in the south, Eight Mile Plains in the north and between Boonah and Beaudesert in the west.

MR ALLEN: All right.

THE WITNESS: It covers the three local governments of the Gold Coast, Logan and the Scenic Rim.

MR ALLEN: You annex there some regional maps?

40 THE WITNESS: Yes, I do. I annexed the organisational charts for the region, the Gold Coast district, the Logan district, the Coomera district and a regional map, and then the three district maps, Gold Coast, Logan and Coomera.

MR ALLEN: At that point in your statement on page 3 you refer to the total staff for the south-east region?

THE WITNESS: That's correct, total staff of 1,730, 1,442 sworn and 294 staff members, with a breakdown then of how they are broken up between the regional command and the three district commands.

MR ALLEN: How is the staffing model, that is the nature of positions, within the region and the mix of ranks designed to ensure supervision and accountability of officers? Can you explain the mix of ranks that we're looking at, from first-year constables up, ultimately, to yourself?

10 THE WITNESS: About 30 per cent of the Gold Coast district is under four years' service, 70 per cent are in excess of that. Then you have first years -- I have the exact numbers of the breakdown, if your Honour would like them, of the police in the region, as to what they are in each of the different districts.

MR ALLEN: Is that contained in any of the material annexed to your statement?

THE WITNESS: No, it isn't.

MR ALLEN: All right, please go ahead.

20 THE WITNESS: The regional units are as stated, total strength of 159, Coomera 178, Gold Coast 632, Logan 472; staff members at regional 83, Coomera 16, Gold Coast 107, Logan 88, total 294. Due to the model we currently have as a result of the implementation of the Coomera district, having two units and three districts, there's a different structure in place at the moment within the south-east region, and there are a number of regional units under a regional structure that traditionally would sit under a district structure. For example, communications centres, training, dog squad, forensic crash units and scenes of crime and water police, and the reason for that is that because there are three districts and three district officers and the OPR system in relation to the service in relation to performance reviews, you can't have three district officers and only two units. So what we've done is we've taken those units as a result of the creation of the Coomera district to a regional level and --

30

MR ALLEN: You mentioned the OPR system?

40 THE WITNESS: The OPR system is the operational performance reviews, and that underpins the entire service performance review system, which are done annually centrally, and alternatively remotely in the districts in relation to the district performance. Traditionally, these units would sit in the districts, but because of the structure of not having the three districts and two units, we have in turn put them up to a regional level. I will briefly go through those. The regional communication centres, which are at Broadbeach and Beenleigh, have a total strength of 38, the DETO, which is the district training is 12, the dog squad is 9, forensic crash unit 13, major events for the region is 5, the regional duty officers is 5, the regional office is 16, our scientific officers is 5, scenes of crime for the region 43 and water police is 13. Then going to the Coomera district, we have a breakdown of all the establishments there, making a total of 178.

MR ALLEN: I probably don't need you to go to the detailed breakdown in relation to Coomera district.

THE WITNESS: Then Gold Coast, and Logan is similar.

PRESIDING OFFICER: Do you have a copy of that document?

THE WITNESS: Yes, your Honour.

PRESIDING OFFICER: I will simply make it part of the exhibit constituted by your statement.

10 THE WITNESS: It's been verified by my HR manager, your Honour, and you may find that there's some difference between -- in the underlying breakdown of the units and the structure.

PRESIDING OFFICER: That doesn't matter. It's the broad picture we need.

THE WITNESS: Yes, sir.

MR ALLEN: I think you said in the Gold Coast district there are 70 per cent of staff who are less than, was it, four years service?
20

THE WITNESS: No, 30 per cent less than four years and 70 per cent greater than four years' service.

MR ALLEN: There has been questioning as to the ratio of experienced supervisors at the rank of sergeant to constables, including first-year constables and whether that's sufficient. Are there a sufficient number of the experienced supervisors at sergeant level to junior staff? If not, are there problems in achieving that?

30 THE WITNESS: Well, let's just take Surfers Paradise, for example, there's 126 staff, there's 18 sergeants, there's 40 senior constables, which is just under 30 per cent, which equates to 14, so you've got two senior sergeants, you've got 18 sergeants and you have, as I said, 40 senior constables, so that's 60. And the rest are constables, so you've got -- of rank, and to be a senior constable, you have to have a minimum of seven years' service. So 50 per cent of the staff at, say, Surfers Paradise, have in excess of seven years. So you'd have the 18 duty sergeants, you've got the 40 senior constables and then you've got the remainder being constables.

40 MR ALLEN: Does that provide a sufficient level of supervisors of the requisite experience to effectively supervise the junior staff, in your opinion?

THE WITNESS: In my opinion, that's a good mix, compared to across the state. In fact, some of the south-eastern regions -- you go to Runaway Bay and Coomera, you get up to 60 per cent of the staff are senior constables. And in the recent EB change, senior constables used to get quicker promotion if they went to rural and remote. But in the recent change at EB5, they now get it where they are in the location, they go to 1.6 and then they go to senior constable if they have passed their constable development program. So in fact there is probably better than average, when you look at certain places in provincial cities that I've served in

around the state, a better mix. I take -- supervisors start at the senior constable level and then to the sergeant level. As I said, a senior constable is at seven years' service and a sergeant could be somewhere between 10 and 15 to become a sergeant as a minimum, and beyond.

10 So in my opinion, whilst it would be very good to have a lot more supervisors on occasions, but when you take leave and all the different other impacts these days in relation to modern HR practices, sometimes those numbers diminish and on the raw material of the statistics there is probably a better than average mix in the Gold Coast district than most other parts of the state, in my opinion.

MR ALLEN: As I understood Mr Leavers' evidence, he is of the view that in practice first-year constables are largely being supervised by second and third-year constables, rather than more senior officers as they carry out their duties on the beat. Is that your understanding?

20 THE WITNESS: Usually when they first get sworn in, their first initial phase is with a permanent field training officer who's done a specific course, and that person is remunerated for doing their course and does have direct supervision for the first eight weeks, every shift. Then for the rest of their first year they have a percentage whereby they've got to be with a field training officer a certain percentage of the time. That doesn't always come to fruition, unfortunately. And in my opinion there is a good mix and in relation to the volume of senior constables and sergeants compared to constables within the Gold Coast.

MR ALLEN: Did you say that it is a requisite that seven years' experience before promotion to senior constable rank?

30 THE WITNESS: Well, unless it's at five. If it's 1.6, it could be at five years. It's five or seven, it may have changed. I was of the belief they go to 1.6 or 1.7, I'm sorry, your Honour. They could get progression at five now, I could be wrong.

MR ALLEN: We say it's five.

THE WITNESS: My HR manager tells me it's still 1.6. If you go to 1.6, that's six years, and then 1.7. So on my advice it's still that seven years.

40 MR ALLEN: When you say 1.6 and 1.7, are they certain pay points within the rank based upon the experience?

THE WITNESS: The EB, and they have to achieve certain things to get to that level.

MR ALLEN: You mentioned the changes that flowed from the creation of the Coomera district. What was the trigger for that change?

THE WITNESS: Well, it happened before I arrived. It was a political decision to create the Coomera district. But quite clearly the underlying fact is the Gold Coast police district is by far the busiest police district in the state of Queensland. On a

24-hour basis we have more major events, often, than the rest of the state put together on occasions. Last week we had 15 major events between Friday night and Monday morning. It is a very, very busy policing district.

When I arrived, one of the first tasks I had was to look at the five years of planning for the creation of the new Coomera district. But because the local government boundaries had changed and the role with the DDC role with emergency management, the Commissioner directed me to go back and relook at the five years of planning and create a new district. The original district is probably nothing like what we ultimately created.

What we did was we took about a third of the calls for service off the Gold Coast district. If you look at it geographically, we took Coomera, Nerang and Mudgeeraba off the seaboard, so it goes from Runaway Bay to Coolangatta, we took the three western divisions off near the M1, that was the back half, a third, and then we took the bottom half of the Logan district. The Logan district starts at Logan and goes down to Beaudesert, and in between the Gold Coast and Beaudesert you've got Canungra and Mt Tambourine. So the ultimate in the map, your Honour, shows the new Coomera district being a combination of about 6 per cent of the Logan calls for service and about a third of the original Gold Coast calls for service. As a result of that and the combination, that was the catalyst for a whole range of things that have been done in relation to my last two-year tenure there.

MR ALLEN: What has it achieved, that change, with respect to the policing in the region?

THE WITNESS: Firstly, the Gold Coast district, your Honour, is still the busiest district in the state, with a marvellous performance review recently in their performance. The lesser amount of supervision that the district duty officer, the district officer and his staff have to perform in relation to risk management is a third less than calls for service. So, as a result of that, the district officer in his command has more time just to concentrate on a smaller geographical area.

MR ALLEN: Before the change was there one district duty officer for the entire district?

THE WITNESS: That's correct.

MR ALLEN: But now it excludes Coomera?

THE WITNESS: Yes, and we have created new district duty officers at Coomera. So there are three district duty officers across the region, one for the Gold Coast, one for Coomera and one for Logan and one regional duty officer that does the entire region. So that's the main thing. It has given the district officer more time to concentrate on a third less calls for service. What it has also done, it has taken 6 per cent off Logan. The district officer who sat in Logan central, for him to then traverse down to Beaudesert, Canungra, Rathdowney, it was like a completely different geographics. What we have created is the geographical location of

Coomera, Nerang, Mudgeeraba, Tambourine, Canungra, Rathdowney and Beaudesert, it's created a whole new district. It has got a whole new focus, it's got a whole new CIB, it's got a whole new CPIU. Whereas the CIB wasn't traditionally out at Nerang, it was NIG and SIG, and when I arrived I decentralised them, which goes into Project Aveo. But there was a detectives' office at Beaudesert, which was part of the Logan district CIB as a satellite office. As I said, we created a traffic branch. It is now a district in its own identity.

10 So what has been created is a whole new paddock has been tilled, your Honour, in relation to policing on every facet. It is a complete district itself, so what was previously the back half of the Gold Coast and the bottom half of Logan now. In my opinion, it itself has achieved some marvellous results in recent times. It's only been going since 7 November last year, we are currently reviewing it, and in a review process in every facet of it.

MR ALLEN: Does it anticipate the fact that that's going to be a high growth area?

20 THE WITNESS: Yes, currently Coomera has a 15 to 16 per cent growth rate. It is part of those three -- those three divisions are part of the Gold Coast city. They tell me by 2020 -- the Gold Coast is currently the sixth biggest city -- it will be the fifth biggest city on the current growth levels. By 2050 they estimate it will be somewhere nearly as big as Melbourne, on its current growth levels, in the Coomera area 15 to 16 per cent growth rate, and that's without going across to the geographical area south between Logan and Beaudesert, which is also huge growth.

30 MR ALLEN: As I understand it, you, when you became assistant commissioner of the south-east region, found that the planning for that new Coomera police district had been going on for five years, but when directed to develop an entirely new plan, you managed to do that in a matter of months?

THE WITNESS: That's correct.

MR ALLEN: Why had it taken five years to develop a plan that was in fact then rendered obsolete by you developing one in a few months?

40 THE WITNESS: From my knowledge of it -- and I wasn't part of the project team before -- it was touted as a lot of things starting in the embryonic state in an organisation, and it was started as a police department initiative, as I am as the assistant commissioner responsible, as probably my predecessors and others were with the idea, a team put together. It didn't get announced as a political initiative by the then Premier Beattie -- the exact date I don't know, it was around 2006/2007. So the actual formal announcement by the Government was some time in the latter part of that five years.

But, as in all futuristic development and preparation of policing establishments -- I'm currently looking at things, as I said earlier, with the growth of Coomera, the growth of Beaudesert and other things now. So it is a broad comment of me of five years, but I'm told that's why the project had started on it, but it was only in that shorter period before, and it was the Government's decision, your Honour, in

relation to changing the local government boundaries, and it was Beenleigh in or out of the Coomera district and part of Jimboomba was moved to -- they were both moved into Logan city and away from Scenic Rim and from Gold Coast. So it was a political decision which required the Commissioner to change it.

MR ALLEN: You mentioned Project Aveo?

THE WITNESS: That's correct.

10 MR ALLEN: Can you explain what that is?

THE WITNESS: As a result of the Coomera police district and my experience prior to getting there and looking at historic issues in relation to detectives and having an extensive career, discussions that I had with the Commissioner -- and he approved it -- that there was an urgent need for a complete review of the investigative practices of the Gold Coast district investigative areas. They had been the CIB and the CPIU. They were centralised as a result of the Pickering review ordered by Commissioner O'Sullivan in 1997, and the detectives that were decentralised in those times were centralised into two locations which are now
20 called NIG and SIG.

MR ALLEN: Northern Investigative Group and Southern Investigative Group?

THE WITNESS: That's correct. And they were centralised there for a whole range of reasons as a result of the Carter inquiry. That was approved by Commissioner O'Sullivan and it had been in existence until 2009. And I went to the Commissioner and said I would like to review this, and reviewed -- a very extensive review was done, extensive consultation with all the staff, a committee put together, it's a 300-page document, in relation to all of the issues.
30

MR ALLEN: Why was there an urgent need for review?

THE WITNESS: The Coomera district needed to have detectives. A third of the calls for service were taken off. One thing I did when I arrived, as the commander of the region, was decentralise the detectives to a certain extent. I put some back at Coolangatta, Broadbeach, Southport, Runaway Bay and out at Coomera and Nerang. I am a great believer that they need to be decentralised, rather than being placed in two locations at Burleigh Heads and Surfers Paradise.

40 As a result of the Coomera district, a number of detectives were moved across -- both CPIU and CIB were moved across to Coomera, and so the model was broken from traditionally as it was with the northern and southern investigation groups.

There was a whole range of issues in the terms of reference in relation to the activities. Having been the detective chief superintendent of crime ops, there was a media issue in relation to detectives -- I'll take one step back. When I first got there, I did a review of the performance of all the detectives. I found that they were the lowest in doing covert operations, they were the lowest --

MR ALLEN: Compared to?

THE WITNESS: To the state average, to the rest of the state, being the busiest district in the state, with the most target-rich environment that exists in the country of organised and major crime.

MR ALLEN: The lowest in doing covert operations?

10 THE WITNESS: Covert operations. I refer to it in my statement there, in relation to Project Aveo, these are three different areas.

MR ALLEN: Page 6.

THE WITNESS: Page 6, thank you very much.

MR ALLEN: The second paragraph; is that right?

20 THE WITNESS: "Low number of covert operations, registered human source informants, as well as low number of confiscation of profits from crimes." And in conjunction with the new plain clothes regional detective superintendent and detective inspectors that had been put in the area, we went about a process of also having a strategic intel assessment. Having knowledge of it, being the detective chief superintendent for two and a half years from '05 to '07, I was fully conversant with what organised and major crime issues did exist on the coast, and it was very, very important that we reviewed it, looked at it.

30 One of the other issues I did was develop a media strategy, because all other agencies -- and unfortunately our own agencies, including the CMC, had come down to do visitations or raids, and unfortunately there were leaks as to where the things were occurring.

MR ALLEN: To the media?

40 THE WITNESS: The media would be waiting for the detectives. And as a result of that it was very important that I address that issue and introduced a complete new media strategy as well, at the same time as having an intel review plus having these particular areas looked at. It went ultimately to the Commissioner, who approved the Project Aveo report in relation to it, which involved state crime command, the Gold Coast, the CMC and extensive consultation was done in relation to all the different staff in the region.

In fact, all of the participants were surveyed. They were surveyed on topics like knowledge of the Pickering review, the structure, centralised v decentralised, leadership supervision, management, management culture, corruption prevention, risk management, intelligence, resources. Topics covered also were the frontline of CPI and CPIU, management structure, supervision culture, welfare, satisfaction. We put out a whole range of questionnaires and surveys to all the detectives and all of the key groups, which clearly showed that there was a need to well and truly look at the structure there.

MR ALLEN: Okay. If I just pause there, what did the finding of low numbers of covert operations, registered human sources, applications for confiscation of profits of crime indicate with respect to the effectiveness of the CIB policing up to that point?

10 THE WITNESS: Low performance, apathy; that they -- that there needed to be some motivation. From what I gathered, the detectives had been there without stimulation and motivation. And, as I say and acknowledge, the new people that have moved in, they were very, very critical that I wouldn't get a review, that I wouldn't allow decentralisation, and that they were centralised in these areas.

MR ALLEN: What had been the purpose in the centralisation that occurred after the Carter inquiry or as a consequence of the Pickering report?

THE WITNESS: The Pickering report was in relation to risk management and an anti-corruption measure to have the officers in very, very -- in two offices where they could be supervised and scrutinised.

20 MR ALLEN: This changes that approach?

THE WITNESS: Well, in my opinion, after 12 years, the process of Pickering hadn't been reviewed. When you look at the performance, it needed to be reviewed. And the geographics of the Gold Coast had well and truly changed in 12 years; the population, crime. And what needs to occur is the whole process of the way the detective structure existed needed to be looked at.

30 You go out to Nerang and Coomera, as I said, 16 and 17 per cent growth rate in relation to those areas. If you just take detectives who are at Burleigh Heads, for them to get a search warrant signed, in traffic, that could be two or three hours out of their day going to the Southport courthouse to get a search warrant signed in accordance with the service policy. Just the tyranny of distance.

40 And of course in my opinion -- and the Commissioner agreed with me -- that it's about time we looked and we put the detectives out into those areas where -- a typical example is Coolangatta, it's one of the busiest cross borders in the entire country. For years we had detectives at Coolangatta. There have been a lot of issues in relation to cross-border policing and we didn't have detectives at Coolangatta. There's a courthouse there, there's a large watchhouse, there's detectives at Tweed Heads, and there are detective back there now, which is very, very important.

I'm of the belief that some decentralisation, and with some other initiatives that we have implemented, that we can continue to have a stringent supervision risk management, and the cultural change and the self-valuing of the peers and the desire of the detectives for change and improvement in their work.

And they are very, very busy. You have heard Mr Dowie give evidence very passionately here the other day about the volume of work that he's had in the last

recent times, eight homicides and one other reportable death. A similar sort of volume of work at Logan, with half the detectives, in a similar sort of time. But that is all just reactive. There's no proactive activity because they are so busy playing catch-up with what they are doing, basically what's coming over the front counter in relation to the volume. It's the most target-rich environment that exists for organised and major crime.

10 We do have now a project running between state crime operations command, Operation Alliance, where we allocate six detectives and they allocate six detective, and with the great intervention that we've now got after a long time of phone intercepts, there have been some major international jobs in the recent times, some fantastic efforts done by the detectives in relation to organised and major crime.

MR ALLEN: The work levels that really require reactive policing rather than proactive, is there simply no way to address that, given the resource constraints, or are there means that you can address that?

20 THE WITNESS: I think there needs to be a -- because of the target-rich environment that exists there, it's Australia's number one tourist destination, it's an international tourist destination, you have all the nightclub scene, you have the gym scene, you have all the sporting teams there, you have all the -- there's boxing, you have all the surfing industry, the racing industry, the gaming, the gambling, and it's got all those ingredients that have -- and talk to Detective Superintendent Hay from the Fraud Squad, the bulk of his organised and major fraud comes from the Gold Coast. If you look at the intelligence that exists there, it has got that.

30 So what we need to do is we need to look at the way the detectives do business. As Dowie passionately said, how they do the volume of work that comes in. We have looked, in conjunction with state crime, at looking at that. If we were in a -- what I would like, if I could get it, would be an organised and major crime squad, with detectives --

MR ALLEN: Within the region?

40 THE WITNESS: Well, state crime operations command Gold Coast office. So you have a very, very expensive travelling allowance, EBs, at the moment. We have -- I provide accommodation, if the detectives come down, in a police house, and we would save hundreds of thousands of dollars in the costings that go in relation to that. They work in conjunction with the local detectives, and it's very, very important that we address.

Now, the detectives, if you're there playing catch-up, like Dowie said, all the time on reactive on job after job, if you instantly -- when we've brought in phone taps and we've brought in these major jobs that detectives have now got hold of, it instantly gives them a lift, it instantly gives a whole new vibe to what they are doing and increases morale. It's a very, very important supervision.

We have established new liaisons with the Australian Federal Police, the Australian Crime Commission, the CMC, state crime operations command and the New South

Wales Police, and of course all those organisations now -- and it's a credit to the detectives -- they come forward to us before the operations now. So there are no media issues any more, there are no leaks before raids. That's also a risk management strategy, when you've got several agencies there doing the jobs.

10 Weekly, your Honour, we would take possession of extremely large amounts of cash on drug raids. Overnight, it's alleged that there was a large possession of dangerous drugs and a considerable amount of cash in possession of just a dealer who was out doing his rounds. Again, I've had to buy money counting machines to count the volume of money. Last week, it will be alleged that there was one dealer that we didn't know about that was in possession of \$50,000 at the scene when he was propped by the detective from two or three agencies, and went back to the house, \$450,000 cash just lying there, it will be alleged.

20 So these issues, when you've got multidisciplinary teams. So ultimately what would be there would be a multidisciplinary team of intelligence, accountants, lawyers, at that level, to really well and truly look at the organised and major crime that exists. But, your Honour, it's also a -- the potential of being a toxic, yet exciting, environment because of the potential of corruption. Of all of those issues, as we know historically the Gold Coast has, I'm very pleased to say with this inquiry we've only found half a dozen bad apples or less that exist there in relation to this, on my knowledge of what Tesco has found. So that's a quantum leap from historically what we have seen in the '70s, and I have been in the CIB since the '70s, the '80s, the '90s, to where we are today.

30 And that environment there very much needs to be managed and it very much needs to be managed on organised and major crime, it needs to be organised, as Dowie talked about with his Gaint chart there, of all the jobs, and there need to be a combination. But they are very, very expensive, they are very, very costly. Phone taps have been the greatest blessing we have ever had. Putting in a multidisciplinary team well and truly lends to that environment. It clearly sits, in my opinion, in the most target-rich environment of major crime that exists in the country.

PRESIDING OFFICER: Does that also involve more contact and liaising with other police forces and Federal and other State agencies that deal with crime of this kind?

40 THE WITNESS: Yes, your Honour, and as I have mentioned a couple of days and in recent weeks there has been other agencies there. As the commander of the area it is pleasing to me when we've seen such large amounts of drugs, large amounts of cash, that you've got other agencies there. So if you have a potential pocket of corruption, you've got other agencies there that instantly have other people on the ground and the tentacles of a corrupt officer can't quite go to all of them. So that's very, very, very good, whereas if it is just one unit going around doing it all the time and dealing with other agencies throughout the country, as we do -- because it is an international destination, the Gold Coast -- as we deal with the other agencies, that multidisciplinary team is vital. But at this point in time, we don't have the staff and we don't have -- if I had got the staff that had been asked for out of Aveo or the

staff that have been asked for -- I don't have the infrastructure.

MR ALLEN: Is there benefits in any strategies directed towards organised and major crime being linked to anticorruption strategies?

THE WITNESS: Yes, all the detectives in their introductory are part of the new -- which are listed here -- the plain clothes, the new operational managers leadership specifically for plain clothes, in relation to the Dangerous Liaison Report, the anticorruption is very much -- and Detective Inspector Trezise who is the author of the bulk of that very much show it is very much on the forefront, it is in our risk management plan, it is in our regional plan in accordance with service policy and it is very much. I think in this particular instance there was an attitudinal change during Tesco when the issue of taxis, police taxis, pineapple taxis, that the detectives were asked and they rang Inspector Dowie who rang me and I got Detective Superintendent Hutchinson, with the permission of the Tesco, to investigate the matter immediately. So that was a very significant change. You saw from within that they were operating on the new direction. It is a simple thing like that. It is a very, very good example of where the detectives' attitude has changed. They immediately reported it and that was at 6 o'clock on the Thursday night. By 3 o'clock on the Friday afternoon I directed that detective back to uniform duties because by midday he had been interviewed by the superintendent, made a full confession in relation to the misconduct, and when you get that sort of change, your Honour, by your staff on the ground, we know we're starting to, and I think the detectives appreciate the review. There is still some people with some negative thoughts there but the wide-ranging review that was done with Aveo, the phone taps, we're now doing the proactive stuff -- because they have been there for a long time doing the reactive stuff, as Dowie said, and not getting anywhere near the proactive stuff.

30 MR ALLEN: You don't see any integrity risks with the decentralisation of the CIB?

THE WITNESS: I do.

MR ALLEN: How are they --

THE WITNESS: There is always integrity risks at anything. I mentioned a couple before with large amounts of money, large amounts of dangerous drugs, inappropriate relationships, but, again, with the self value and enforcing the integrity training that we've got from when they start in the service, what we've implemented in the last 12 months -- and that's very pleasing, your Honour, with this inquiry, that we have been allowed -- and Peter Barron and Felix Grayson have allowed me during the last two years to help go forward. Because previously, historically, these sorts of inquiries would occur and we would get the book after and then play the catch-up. Well, in this now we're part of the process, we haven't been part of the coercive hearings -- we have cooperated fully but we have been part of the process.

So in relation to the decentralisation of detectives, what have we implemented?

We have implemented a new plain clothes occurrence sheet system which is on the -- I forgot the name of the platform in Microsoft -- it is -- and it is a very robust system that works. Historically, previously, your Honour, the -- if one detective was on it, no-one else could get into the system, it was an old antiquated system in relation to recording but what we've now got is as many people can access it and as many people can read it. So what does occur, I have provided all my senior managers since I have been there with wireless lap tops. So in other words --

10 MR ALLEN: Just before we leave the occurrence sheet, is that the only difference in the system than what was previously, the fact that multiple people can access it?

THE WITNESS: No, a lot of other things.

MR ALLEN: What other changes enhance accountability as a result of the change?

THE WITNESS: Okay. Of the occurrence sheet?

MR ALLEN: Yes.

20 THE WITNESS: It is live 24/7. The supervisor, 24/7, or the inspector can sit at his residence 24/7 if he is off duty and he can see exactly what's occurring. The new instructions are that they are to put as they do everything on the sheet throughout their day. So when they start, they log on, they put all their occurrences, they put their rests. It then goes through at the end of the month and it -- at the push of one button it calculates all the work that they've done for their work performance sheets. It also then goes through and acknowledges all the different things that they would have been required to put on in accordance with their shift objectives, their patrol objectives, their Court, all of their activities throughout the day which the supervisor can read 24/7 through wireless connection. That allows a one-stop shop
30 on what they are doing. Now, detectives, we have to -- we choose them, they have to be disciplined, they have to have the ability to work alone, they have to have the ability to initiate things and it is part of their traits that are needed. It is very disturbing, some of the things that I have heard in the last few days that have taken place in recent times, to me personally. But with the new occurrence sheet system, with that, with the ethical training, with the new people that are leading and with the attitudinal change and the development of self values by them -- and their desire to want change. We still struggle to get staff to go there because people think the place is still on the nose. But we've got a media strategy and we're going about making sure that we do go to -- out there to make sure that we do attract and
40 try and recruit and retrain.

MR ALLEN: Even with this new occurrence sheet, you have still got to rely upon the integrity of officers in the -- in honestly inputting information as to what they are doing.

THE WITNESS: Unless you had a --

MR ALLEN: For example, we have heard evidence that in relation to the previous occurrence sheet system that an officer providing a blue light taxi would enter it

into an occurrence sheet as "patrols" in a certain area. There is still scope for that happening.

THE WITNESS: That's correct.

MR ALLEN: Yes, okay. So it is really just part of the process of --

10 THE WITNESS: It is part of a process. It is not an ultimate thing. But one thing that I always talk to supervisors about is when they look at an entry that the detectives have done, that all the risk management, all the records of exhibits and all the numbers, and if they do a job you see all the risk management attached to it, so you know that they've done it and that's your first stop each morning, each day, or live 24 hours, you can see that they are doing what they are required to do. But as you correctly say, if -- unless we had trackers on them 24 hours a day, they could. But as a supervisor I would expect my detectives to -- supervising, the inspectors, senior sergeants, to look at what someone's done for the eight-hour shift and if they did see a transport entry there, make them explain what the transport entry was. And we saw a cultural change just recently amongst them themselves in that regard.

20

MR ALLEN: Can I ask you about -- well, firstly, just picking up on something you said there, is there an argument to be made for GPS tracking on police cars, even just for Workplace Health & Safety reasons?

30

THE WITNESS: Oh, look, you go to high speed pursuits, you go to urgent duty driving, you go to a quick response for -- at a communication centre for the first available closest car for code 1, code 2 jobs, without even going to detectives, with all the first response policing, and when you get into metropolitan policing it is obviously going to be a futuristic thing and with our rolling out of our new CAD system and the service there, taxis -- you can see when you watch the motor racing on TV, your Honour, they can tell you where the car's braking, where it is, what speed it is doing, so it is a risk management system that will well and truly, when it does come in, I think it protects our officers plus it also protects the integrity of our officers that they are doing the right thing. So there is some wonderful off-shoots in relation to those that come from the tracking of a motor vehicle.

40

MR ALLEN: Could I ask you about the second full paragraph on page 5 of your statement where you refer to five new senior management positions for detectives being created in the south-east region?

THE WITNESS: They weren't created, they were just consequential vacancies from previously.

MR ALLEN: I see.

THE WITNESS: I haven't said they are created. What it is is that the detective superintendent has retired and the new detective superintendent, Mr Hutchinson, who was the previous detective inspector at Logan, the detective inspector at the southern investigation group unfortunately had been vacant for some five years,

10 which isn't good enough, in my opinion, but the -- Detective Inspector Dowie was promoted and placed into that. So that in itself, you have got an investigative office without a permanent team leader. The detective inspector office at the northern investigation group was vacant and Detective Inspector Trezise was transferred into that, and, of course, the consequential vacancy at Logan where Detective Inspector Jory was promoted into that, which is another one, and the detective senior sergeant at Coomera. It's at that level at this stage for the coordination. When I arrived there there was about 10 commissioned officer vacancies and in my time there there has been approximately, as well as those, another eight inspectors transferred into the area and they have moved there. So we well and truly have got some new experience blood in relation to plain clothes and district policing.

MR ALLEN: Okay. The detective superintendent regional crime coordinator.

THE WITNESS: Yes.

MR ALLEN: What function does that role perform?

20 THE WITNESS: The detective superintendent commenced in the regional crime coordinator as such, at the rank of inspector or superintendent commenced in the mid-80s. I know exactly the homicide that it came from when there was a lack of coordination by a district detective office to have the bigger picture looked at because the homicide went beyond the bounds of the division, the district, the region, the nation and, in fact, that particular homicide went overseas. And the people that were calling the shots in the district structure didn't have the detective experience. And when we deal in homicide, we need -- and that organised and major crime, that expertise. So the crime coordinator was initiated and they have evolved over the years to the rank of superintendent. They traditionally sit at a regional level. Some places, as we have in the Gold Coast, the metro north, north coast and others you have them as detective inspectors down at the district, but a regional crime coordinator's basic role is coordination of all major and organised crime investigations. He has also the human source, he also has liaising with state crime operations, he also has the liaison with all the other crime agencies that exist. If a homicide occurs at a particular location in a district, in my opinion the crime coordinator in conjunction with the detective inspector has the responsibility to investigate that particular incident within that district and coordinate it. Now, the crime coordinator in the south-eastern region is lucky that he has the three detective inspectors of inspector rank in his structure. And they then together establish the entire investigation. It is quite involved, there is a lot of jobs. He has also got the detective appointments in relation to their PC development program which is another initiative, your Honour, that's been rolled out in relation to the plain clothes staff in the region, which the regional crime coordinator sits on the development of detectives to see what they do. In the parts of the Gold Coast district at this stage they also sit there in relation to looking at what the detective sergeants do as well in their performance.

30

40

MR ALLEN: How do they have a role in relation to reviewing the detective sergeant's performance?

THE WITNESS: Quite simply. In conjunction with my authority, in conjunction with the detective inspector, they establish a panel, they accept an amount of criteria, they tell the detective sergeant in so many days' time your performance for the last period in conjunction with your PPA and others and they go through quite a stringent list of their performance and what they are doing. They have a one-on-one meeting, it is quite formal. And then the pluses and minuses of the performance of the detective sergeant, or, alternatively, the senior constable or the constable are well and truly looked at. It is a great initiative which started in north Brisbane district, and the methodology behind it. And it allows our plain clothes constables to have a map and our senior people to have a map of what they need to do to ultimately obtain their detective appointment. As we know, the detective training is in three phases. It is like a tertiary qualification they do which they get credits for in investigative investigation at our tertiary institutions. It is quite extensive, it is quite lengthy, it is incredibly demanding of them whilst when you are working in an establishment like Dowie's got to do the detective training, they have got to do other studies and research as well. The crime coordinator plays a vital role. Not only that, he is the senior detective of the region and I would expect him to set the standards of behaviour. I use him for doing investigations as I talked about before. He liaises with the district officers, he comes along to the performance reviews and looks at the bigger picture. He liaises with state crime in relation to covert operations, confiscation of profits and all of the other essential criteria that one would. And I am blessed that I have got a very experienced detective superintendent who is well and truly networked and across the area of Mr Hutchison and what he does.

MR ALLEN: So you feel the regional crime coordinator has sufficient authority, even though not having direct line supervision of detectives?

THE WITNESS: Well and truly. I give him that authority, that he, as in charge of the region, I specifically sat the district officers down and clearly explained to them what I expect of the role and responsibilities of the regional crime coordinator in conjunction with the detective inspectors and the detectives, and I have outlined some of those. There is a whole range of things that he does.

PRESIDING OFFICER: In that background, we can come back to it later, but I notice looking at your statement you have had a close working relationship with the CMC for some time, firstly through Assistant Commissioner Grayson and most recently with Assistant Commissioner Barron.

THE WITNESS: That's correct, your Honour.

PRESIDING OFFICER: And you were, I think, in that context, by Assistant Commissioner Barron, you learnt about what became of Operational Tesco fairly early in the piece?

THE WITNESS: Yes, your Honour. Initially, with Mr Grayson I was aware of some of the activities. I wasn't aware of the identities. I was then aware when the visitations occurred or the raids occurred on 31 January, I immediately returned to duty and visited all the establishments, cooperated fully with the investigators and,

as I say in my statement, that allowed me to look at what was futuristically coming and in conjunction, whilst I wasn't aware of the intricacies of Tesco, I was then able to sit strategically and look with my Chief Superintendent Hollands, the detective superintendent, the detective inspectors and the district officers to start to address some of these things. Not only operational performance, review of Aveo, plus putting in place the occurrence sheets and the access, and, again, the OICs, the detective inspectors, their roles and responsibilities there. Again, the initiatives with the integrity and the integrity training.

10 PRESIDING OFFICER: And then once what we now know as Tesco was developing, you, I think, gave consideration and there was a visit by the CMC and the Commissioner where you briefed on what you were doing in the situation and how you proposed to deal with it?

THE WITNESS: That's correct, your Honour. I briefed yourself and Commissioner Atkinson for a number of hours in April, I believe it was, in relation to the activities -- what we had done and were putting in place.

20 PRESIDING OFFICER: And you expanded that in some detail and it was approved that you continue in the way in which you were dealing with the matters.

THE WITNESS: That's correct, your Honour, thank you.

PRESIDING OFFICER: Perhaps we can come back to the wider stuff, Mr Wilson. Perhaps you can give us some idea of what you did in response to Tesco or the events we now call Tesco.

30 THE WITNESS: Yes, your Honour, I have the -- it was on 19 April and I -- first of all you came and you toured the Surfers Paradise Police Station and met the management team there and saw the facility firsthand. You then came to the regional command where I gave an overviewing of the policing and the dynamics of the south-east region. Then we spoke about the historical issues of the ethics and reforms implemented. I spoke historically, which I believe is very important, especially for detectives and policing, as to what has preceded us and what we've learnt from that, and from the 1970s through to the 2000s. I then spoke about the Carter inquiry, the Pickering Review in 1997, Project Castella from '06 to '07, Project Grinspoon. The regional actions commenced in 2009 as a result of Grinspoon, we did a review of the Pickering review Project Aveo, the recommendations. We did a strategic criminal intelligent assessment of the crime
40 investigative partnerships that I mentioned with all the other leading agencies to -- which I have now talked about the results. We have done a review of the CIB and the CPIU which I have talked about in relation to their work and what they had produced in covert operations and human sources and others, the daily occurrence sheet recording system which is now live and operational throughout the entire region, the decentralisation of the CIB and the catalyst as well as our opinion that they needed to be decentralised back to where they were and I gave the example of the border. And also of the creation of the Coomera district. I spoke about the Dangerous Liaisons report and our involvement and how all our detectives attended that and received their training in relation to that. I reviewed the regional district

and divisional risk management system. The chief superintendent in conjunction with the district officers and all of the units in relation to how they manage risk, especially the ethical issues, and what they are doing in relation to those risks. I also looked at the financial and the accountability in relation to that for my issues I identified as to what in fact was occurring. And we're in the process of establishing a new regional district financial structure in relation to how the activities are done. We also -- at the same time I had been subject in November of '09 as a result of the allegations of excessive force at Surfers Paradise police division and we implemented a range of initiatives there. The main one of those is the increase of supervision to the rank of inspector from 10 pm to 6 am on a Friday evening and a Saturday evening for specific supervision at a higher level. Since then I have recommended to the Commissioner, which he has adopted and recently announced, that we create senior sergeants of the rank duty officers based at Surfers Paradise to have a higher level of supervision there at the Surfers Paradise Police Station. In relation to Operation Tesco, I have led personally a range of presentations that I talked to across all the management meetings for staff members and regional, district and divisional, and when I have the meeting I talk about a range of things of -- in Operation Tesco, strengthening in ethical practices, the Government's integrity and accountability paper, Dangerous Liaisons, the corruption prevention plan, the officers in charge and team leaders of stations receive that presentation from me on two occasions, once in a district structure and then I invite myself to their stations for their team leader -- meetings with their team leaders, their supervisors and we go to the station and we have another session. But I encourage the OIC to well and truly obtain the corruption prevention plan if he or she hadn't, I gave them all a copy of Strengthening Ethical Practices, plus they also got an electronic copy. Each participant at every meeting was given the indicators of slippage by me personally and one of the areas that we did talk about for a long time was the individual slippage, the group slippage, the organisational slippage in encouraging a conversation amongst them all in relation to those activities of where they see. I spoke about the role of the supervisor, whistleblowing powers and bullying and making sure that people who do come forward that are attributed to all of the necessary protection and support, the Dangerous Liaisons strengthening, the public confidence that is established in relation to what is very much needed as we go back to the old Sir Robert Peel, the founder of traditional policing, he talks about the police are the community, the community are the police but we can only do it when we get the -- we have got to have the public confidence about what we do and what we don't. I talk about risk management, there is work performance. You would have heard Mr Dowie and Mr Keogh talk about in recent days the volume of risk management that we have to do does impact -- it appears to impact on times when operational performance can be done. That's very much a big part of our Aveo report. In fact, we document there all of the issues, and there are a myriad of them, that detectives have to do in their daily activities in relation to doing major crime. I talk about the performance of supervisors and leadership, the code of conduct, the code of dress, internal investigations, and a range of other things, budgets and where we go. But what I encourage the officer-in-charge and the team supervisor to do is to get some of these documents and the team supervisor display the prevention corruption plan and when they are next on parade with their staff and when they are next doing their work, that they go to some of these areas and that's why I personally gave them the slippage, to encourage them

to talk to their staff. There is a credibility factor here, your Honour. If the OIC or people -- and all -- a lot of the stuff I rolled out is done by experienced, local inspectors, senior sergeants and supervisors. Supervisors -- I ask the OICs to get them to make sure that they well and truly roll out that activity themselves. So they change the values. It is self values of the detectives, of the uniformed police and there has been evidence of that that I have spoken about. And that's right across the board. I am currently waiting for the approval of Aveo to be finished but we -- in recent times, we've well and truly then started in relation to the detectives. And one of the exhibits presented is the roll-out of what the detective inspectors and
10 detective senior sergeants and the superintendent are rolling out. And we've rolled out a range of development days of senior sergeants which -- we've done one and we're about to do another one compulsory where they are taken off line for the day. I address them, the chief addresses them, we bring in some other people and we roll out a whole enhancement of what they do as operational managers. That's -- then we do one specifically for sergeants and senior constables in relation to the sergeants, their roles and responsibilities, and the senior constables. So I believe the senior constables are the first level of management and when most -- when all sergeants go on leave they are relieved by a senior constable who is an acting sergeant and a future. We also have a version of the service's Integrity is
20 Everyone's Business Meeting the Challenge by Mr Martin's people that's done at the academy. We have got a revised version of that that we do for the constables, and I personally address the constables on all the issues, all the risks when they arrive and when they graduate as first years in relation to that, plus those. I spent a lot of time doing it. We've had the CMC and the ESC, which led to an investigation of an audit of all our property points and Mr Dowie may have espoused the huge volume of property as one of the logistical things we have, and one of the hugest risks we have. As I mentioned, taking possession of large amounts of drugs, money and all of those things. So it is imperative that we have that but with the increase every time there is new procedures and policies of all the
30 things we've got to do, we've got to well and truly -- someone's got to do that and it adds another dimension to the workload of the already busy people in certain areas.

PRESIDING OFFICER: I noticed, by the way, that -- in your statement you identified the 2200 to 0600 shift as being particularly high risk. Could you give us some insights into what you found that indicated it was high risk and what you did to deal -- I am looking at page 8 of your statement, about halfway down. "High level of supervision ..."

40 THE WITNESS: Yes, your Honour.

PRESIDING OFFICER: Could you just --

THE WITNESS: From 2200 to 0600.

PRESIDING OFFICER: And what you found that told you that it was high risk and how you dealt with it.

THE WITNESS: Well, throughout my career -- and I had six years in charge of Fortitude Valley as the inspector in charge and I experienced exactly the same

nightclub activity that you have currently got within Surfers Paradise. And in going on that it is the same of what occurs in those precincts between 10 pm and 6 am. A lot of the issues of people going out tonight they don't come out until 11 o'clock or midnight. They drink at home. They then come out. They take their drugs. They then come out to the different places. And then as you get on to the early hours of the morning, you then -- as I call the witching hour from 2 o'clock to 6 o'clock, the whole dynamics of those entertainment precincts well and truly change, and you have got to go there and physically see it. When you get 20,000 people in the middle of Surfers Paradise in amongst the 30 nightclubs, let me tell you, it is a very busy environment for police when you have got drug-affected and alcohol-affected people. And traditionally you go to the provincial cities throughout the State, where I have been and other areas, after responsive policing you can get some sort of a semblance of training after a period of time but the unique thing about Surfers Paradise you get a different punter Friday, Saturday and Sunday each week because it is an international tourist destination. This time of the year we get all the end of season sporting trips, we get all of the activities that people come. They are away from home, they may take recreational drugs, they may take alcohol, and they just want to get out there and party. And, of course, we then have our officers on the street. So the allegations that were shown -- and I am aware of them from Fortitude Valley and I am also aware of them from Surfers Paradise in relation to excessive force of the police, of the volume of work and the aggression that's exposed. I have personally experienced it in both locations. I -- when I go out there is usually some -- the inspector sends some people to make sure that they walk with me so I don't turn back the clock. But -- and the level of violence and the level of risk there is very high, and that's very important that we have our officers (a) not only protected for their own self and well-being, your Honour, but also for the community, and that it is done in accordance with ethical practices in accordance with the law. So what was occurring, the level of supervision was at a sergeant level. That's why I have asked the Commissioner for senior sergeant level. I did that in 1996 when I was at the Valley and Commissioner O'Sullivan and Assistant Commissioner Early gave me five senior sergeants then, and they were experienced officers, and we had a 24 hour supervisor in the Valley. And the reason that was, your Honour, all the main identities from the then Fitzgerald Inquiry, six or seven years before, still operated all the nightclubs. One particular place I led 38 raids on and I failed from here to close it down. And the volume of a senior sergeant -- you had a sergeant, and if the sergeant went on holidays you ended up with a senior constable, and the sergeants in the post Fitzgerald era had seven or 10 years' service. Very quick promotion. And you had a senior constable that were junior staff. And this is why we need a higher level of supervision at a senior sergeant rank. And what we've put in place there now as a result of this is an inspector there on a rotation from the region to be there to provide advice, provide support and assistance and overview. Both Fortitude Valley and Surfers Paradise have large holding cells -- the Valley not so large, but Surfers Paradise does. And, unfortunately, the allegations arose as a result of the arrest on the street and the police taking into there. Before they were created at those two locations, there would be a break in the cycle. The police would put the offender in a paddy wagon and another crew or them would get a break from the scuffle and someone would transport them to the watchhouse. And I personally believe a lot of the incidents that did escalate in the two locations were

as a result there was no break in the cycle. The police were out there, they were in physical contact with the offenders, it came back to the locations, they were then being processed at the Valley and -- in recent times, as I have seen -- and Surfers Paradise, and then -- and one of the initiatives that we did implement immediately then was that all violent offenders be taken immediately straight to the watchhouse, not via the holding cells where there are instances, unfortunately, in relation to excessive force and there is no break in the cycle. And when you are in the middle of that, the adrenaline rush, the police officer -- and it all took place with some of the most extensive coverage of CC TV, which astounded me. So, in other words, the police officer perpetrating it had just completely lost what was there as a result of it. So --

10

MR ALLEN: So is the inspector -- one of their roles during these night shifts to supervise the charging?

20

THE WITNESS: Not only the charging; to supervise, walk around, to assist the charge sergeant or the senior constable, to assist the duty sergeant in charge of the division, to talk to the DDO, the RDO. We often have in both districts another inspector on as well, your Honour, because another level of supervision. Talk to the detectives, walk around to the nightclubs and liaise with them to make sure that things are there and that, in fact, there is not a bundle of police doing the wrong thing and badging their way in or going there -- because we have been quite specific -- I have been to the local Licence Victuallers Association specifically to ask them not to allow -- I have addressed their entire group, asked them not to allow police to badge their way in for nothing and allow them not to buy free drinks, and if it did occur in relation to certain people, to then contact me, and unfortunately there has been contacts made and charges laid.

30

PRESIDING OFFICER: Well, I am not sure it is unfortunate; it underlines the importance of the arrangements you have put in place?

THE WITNESS: That's correct, your Honour. Surprisingly, though, on occasions they are interstate police. So, really, at the end of the day it is just, what I said earlier, everyone comes to that location.

MR ALLEN: I would like to deal with that issue but just before I do, one quick question. The five new senior sergeants --

40

THE WITNESS: That's what I was going to get on to, yes.

MR ALLEN: -- what duties are they carrying out?

THE WITNESS: Okay. It is still in its infancy. I have discussed it with the district officer and start them in the next few weeks. They will take a role in conjunction with the inspectors, the senior sergeant and the operations senior sergeant of the Surfers Paradise division of complete supervision for an eight-hour shift of all the operational, the risk management that does occur as far as the operational policing. They will be required to look after the patrol objectives, the shift objectives. They will start a shift which is broken to the normal, so they will

start at 6 o'clock and the crews will start at 7 o'clock. So they will get a handover from the previous supervisor, they will prepare all that, they will then do the readouts, they will be with the sergeants and develop up. They will then have a liaison to get around to the establishments plus look -- and, again, as I said, what happened at Fortitude Valley and other areas, you had a higher level of senior sergeants who are there, it allows the sergeants to do what they are as team leaders and supervisors, the senior constables to be out with the junior constables and do the work, and I would hope, your Honour, as a result of them, that I may be able to take back on the inspectors that I am putting there, but until the senior sergeants are there -- and I appreciate the Commissioner's swift action in relation to that allocation -- so they will be well and truly the DDO or the supervisor in charge of that area of Surfers Paradise.

10

PRESIDING OFFICER: Mr Allen, I have got one more question and then it is back to you. The other thing I wouldn't mind hearing from you about is the proactive strategy of transferring a secondment, which you talk about at the bottom of page 8, which I think relates to the stress issues that you have been talking about?

20

THE WITNESS: Yes, Your Honour. And this -- I had a range of meetings with all staff and management prior to Tesco meetings in relation to supervision with all team leaders, sergeants and of all the staff on numerous occasions at Surfers Paradise, and out of one of those meetings, the staff came forward with this suggestion, that there needs to be a break in the cycle of being there. To get to Surfers Paradise, we've just finished the third in recent time of advertising of constable and senior constable, and we have three applications. If we were to get, as requested in evidence earlier, 60 extra staff -- three times I have advertised it and we have got three applications. Those three are the same as the previous applications of the previous time. So people don't apply to go there. The only way that we get staff to go there, your Honour, is when they graduate from first year, we put them there as second years. Otherwise there is no facility to force transfer people there and no people put their hand up to be transferred there.

30

MR ALLEN: The union has suggested there should be incentives, therefore; financial and other career incentives to get police there?

THE WITNESS: That's a possibility. There are other incentives that -- rural and remote policing. I believe that Surfers Paradise, Fortitude Valley and some of those areas, there could well be some merit in that, but I would have to see what there is, but I would also like to see a trade-off in negotiations there that the ability to move people -- as his Honour's original question -- was to move them out. So what we're offering is career breaks, what we're offering is people we have identified through Mr Martin's people's proactive advice to us, in relation to people at risk, in relation to excessive force, excessive complaints with my professional practice manager, and we look at those activities to make sure that we in fact -- and people could self evaluate. They could turn around and say, "I've had enough of this." You could well imagine after they have done for week after week, month after month, for three years or longer, that they would want a career break from there. And we have, your Honour, moved several on. And the district officer has

40

the power in his district to move them unofficially. And so that is the purpose of that. He has been available. What we were wanting to do was there in Southport, and the recent challenge I have got is Broadbeach. Broadbeach is almost coming the same -- you have 20,000 at Surfers Paradise in the nightclubs, you will get 10,000 in the new entertainment precinct arrived at Broadbeach. I got a letter yesterday from the Chamber of Commerce there, saying, "We have only got four on the beat at Broadbeach and you have got 20 on the beat at Surfers Paradise. When are you going to put more police down there?", because of the nightclubs, the casino and it is all blurring into one big precinct. So the ability to move the officers throughout the district, they can self report, they can do that. I would see that there is avenues for incentives to go to a place like Surfers Paradise but I would also like to see the ability. We do have district functions now. All detectives are attached to the district, or CPIU and CIB. Traffic branch is attached to the district. The Tactical Crime Squad. If I wasn't able to move extra police, your Honour, that I may be given, my suggestion would be if they had to stay there and couldn't go to other divisions, I would put them in the tactical crime squad because I then have the ability to move them across the district proactively to target all the issues of minor crime, graffiti, hooning, but also this social disorder. We only have a 14 person Tactical Crime Squad at the Gold Coast and a 14 person one at Logan. And they have no first-response responsibilities as far as patrol objectives, but they are a district resource, and so to move -- and back to your original question, your Honour, about the policy, it is a career break, self identified, ethical standards identified, and we're hoping to, when people do this -- we haven't done the first one yet but we have moved some people -- it is on a trial basis at the moment -- we will review it later in the year in relation to seeing what -- we've consulted with the union locally about it and they are very keen to see the results. The union reps have come to me on occasions and asked that some staff need a career break and I am only too happy to facilitate that because it is very, very important, the welfare of our own staff. So there is a range of good initiatives in that by giving people -- you can take them to other locations, you can retrain them. It takes them out of that confrontational high risk area.

MR ALLEN: Another response that has been suggested as a possible one is one that apparently may be used in Kings Cross, and that's rotating for a period people into a station, but only for a temporary period. Of course, there are disadvantages that have been suggested in relation to that, that the police don't have ownership of that area.

THE WITNESS: New South Wales Police have a different EB, they have 12-hour shifts, and I would hate to see officers doing 12-hour shifts in Surfers Paradise. It's as simple as that. Especially, it's very busy from Friday night to Monday morning, the rest of the week is reasonable.

MR ALLEN: I think the suggestion is not 12-hour shifts but actually police being in there for, say, three months and then another batch.

THE WITNESS: You get no local knowledge. And I know when we bring in a large number of other police during schoolies and Indy and increase the numbers, those police at Surfers Paradise are totally dedicated, and it's their patch, and they

have the local knowledge there.

That's a possibility, that you could rotate other police in. But unless there was agreement with the union and a policy from the service in relation to the EBs, as to what it does; as I said, no one puts their hand up to go there unless we transfer them there, and the only time I'm able to transfer them there is when they go from the first year to second year. We get three applications after the third advertising.

10 Sergeants, I would like to see the ability to have them attached to districts. I wouldn't expect -- I have read what Mr Leavers said, the bastardisation and people being from one end of the district to the other. I wouldn't go -- and its one of Project Tesco's recommendations, your Honour, to look to people being attached to districts. It's done in the CIB and the CPI and the traffic branch and the tac crime squad now.

MR ALLEN: Wouldn't it be possible to have some type of robust review system which would present bastardisation as a result of --

20 THE WITNESS: Well, I would go down one step further. My recommendation and discussion is that you have clusters, you have a cluster like Coolangatta, Palm Beach and Robina. Now, in modern metropolitan policing, some of the sergeants -- one sergeant has been in Surfers Paradise for 20 years. Now, I would like to see that sergeant, even if he went to Broadbeach or even if he went to Southport or Runaway Bay, what I would -- my personal opinion for the Gold Coast would be to have a southern cluster and you have a northern cluster. Now, if you've got someone who wants to do their 20 years' service as a sergeant in the Gold Coast, they could do five years at Runaway Bay, five years at Southport, five years at Surfers Paradise; it's not a great geographical location. A place like Townsville, where you've got five metropolitan 24-hour police stations as well, and it's not as
30 big.

People travel these days from the Gold Coast to Brisbane to work, people fly interstate to work. I'm led to believe that we have police who fly in and fly out from Sydney who live on the Gold Coast and other interstate jurisdictions. I have one officer who works part time every weekend, or every second weekend, your Honour, who lives in Newcastle. Modern day transport and different things, people will travel. But currently we can't force transfer people.

40 My suggestion, to get that blending -- and people decide for family reasons -- and I've got the most police over 55, I've got the most police over 50. And I have a breakdown of all the ages and the percentages of my police in my region, but they get there, and the lifestyle and their family and their children, and they don't want to move on, so they want to stay there.

My solution to it is we need, like Coomera district, you could create a cluster between Coomera, Nerang and Mudgeeraba, and you have a sergeant, and the sergeant could go a couple of years in each one of those. In modern metropolitan policing, it works very well in metropolitan areas. I've explained how big the Gold Coast is and how big it's going to get, and I believe you could well and truly move

10 them within those little clusters. Again, it would have to be with negotiation. I wouldn't -- I'm not of the belief to move someone, and I would never do it, from Coolangatta to Runaway Bay. I'm aware of the current restrictions on distance of travel and where they are, but by the same token I will say a lot of them will travel that way to do an overtime special in their own time these days, a lot of them will travel lots of places to do special duties. There's no impediment to them to do that. But if you want to take them to Surfers Paradise, "Sorry, I'm attached to so and so." So there are some impediments there. But on occasions they well and truly, for special duties, they do quite easily move. So that's one solution. That's only my personal opinion, but it's a long way to go.

But I would like to acknowledge the rank and file at Surfers that did bring these two suggestions forward, your Honour, in relation to a couple of solutions of what they can and can't do for themselves.

MR ALLEN: You mentioned speaking to the Surfers Paradise Nightclub Association?

20 THE WITNESS: That's correct.

MR ALLEN: When was that?

30 THE WITNESS: Look, I don't have the exact date with me, but I could reveal to you, your Honour, the exact date. I went to one of their meetings. Also present was a senior member of the liquor licensing and the department there, and all of my senior managers in police, and I addressed them in relation to Operation Tesco and in relation to the activities that are under way in relation to the allegations that were being publicly revealed, and what I could reveal of my knowledge of the matter. And I said that at this point in time I couldn't talk to them about any of the intricacies of it, but I would like them, if police officers badged their way in or they were there and turned up for free drinks, and demanding free drinks and that sort of activity, that they immediately contact myself or the supervisors. And there have been a couple of occasions, your Honour, when they have contacted proactively since then, and before then in relation to, unfortunately, police officers doing that.

MR ALLEN: Leaving aside police officers demanding free drinks, was there any discussion about whether they would continue to offer police officers free drinks?

40 THE WITNESS: I said that in my opinion that I wished that to be ceased. But again I do not have the power under the legislation to tell a proprietor as to what they can ethically -- my opinion, I don't believe in free drinks or cheap McDonald's personally, but I can understand the police officers that do access it. But in the circumstances -- but as far as their -- I asked them, but that's a matter for themselves, because I can't -- this has to be a legislative change. You go to the licensees where you have cheap drink nights, free drink nights, and what happens is most people, when there are cheap drinks and free drinks, their consumption is twice as much as it probably normally would be. They tend to go to more high octane, if I could use that word, things, and then you see the consequences of the public disorder outside. And police officers are no different to anyone else when

they are in groups, and someone's got their snout in the trough of cheap or free drinks, you then see the product of their behaviour on the street after. And ask them -- but really, unless there's a legislative change, to direct them to do it, it's been a vexed issue for liquor licensing, and I knew at the Valley and other places about cheap drinks and those things, and it is a marketing strategy that most of the nightclubs have, from what I'm led to believe, throughout Australia and the world in relation to attracting clientele and different people there.

10 MR ALLEN: Did persons associated with the nightclubs who you spoke to on this topic indicate that they did have a policy of providing free drinks to police?

THE WITNESS: I didn't quiz them or question them specifically in relation to that. It was just a generic comment to them. I didn't entertain under the circumstances of the current investigation climate an interrogation of any of them. It would have been highly inappropriate of me, bearing in mind that there were coercive hearings under way at the time, for me to enter into that. I was just there as the senior officer, saying that was what I would like them to do, and I did not question any of them on it, no.

20 MR ALLEN: Do you know if there are any nightclubs in Surfers Paradise that are not part of that association?

THE WITNESS: I would imagine there are, and I would have to take advice on that, your Honour, just to get you the exact number of them. I'm led to believe that the Nightclubs Association of Surfers Paradise is the bulk of those 30 or so nightclubs that run through to 5.00 am.

30 MR ALLEN: I'm going to be a little longer, and I'm sure there may be questions from others. Would you appreciate a break?

THE WITNESS: Look, I'm happy. I might just stand up and stretch my leg, your Honour. But, other than that, please continue.

MR ALLEN: You mentioned that you have had calls as a result of that discussion about police doing the wrong thing. Can you tell us any further details about that?

40 THE WITNESS: Matters are before the court, matters are before Mr Martin's area and the interstate ethical standard commands, and investigations, and the exact details of them I can't convey here. But I could undertake to obtain that for your Honour, if needed.

MR ALLEN: You say that charges have been laid; what types of charges?

THE WITNESS: Street offences.

MR ALLEN: Street offences, okay. So you have heard reports of police officers becoming disorderly as a result of being refused free entry?

THE WITNESS: Being there and being intoxicated, free entry. And a zero

tolerance, I can quite happily say by my staff, your Honour, which again shows the change within the staff and Mr Haslam's staff in what they're doing on the street. When this was brought to their attention, the person was a police officer, but they still were treated like anyone else and incarcerated at the watchhouse.

MR ALLEN: Has it only been interstate police who have caused that problem and come to police attention?

THE WITNESS: To my knowledge, yes.

10

MR ALLEN: Does that suggest that perhaps the nightclubs are only interested in giving hospitality to local police, from whom they might actually derive some benefit, and they draw the line at the interstaters?

THE WITNESS: That's an assumption that one could -- that you could put and make. But I have no evidence in my investigation of the matter, and it's been fully investigated by the Commission in relation to this particular matter, and I'm not privy to that.

20

MR ALLEN: Given the pressures of policing because of the transient population, is the current mix or geographical delineation of districts in the region appropriate, or should there be consideration, for example, to breaking up the Gold Coast district into smaller districts?

30

THE WITNESS: It's a possibility somewhere in the future. But at the present point in time, as I predicted the growth in 20 years, in 40 years, the size that will be there in metropolitan policing. But I think in the meantime, we've got a 20/20 vision in place in the organisation, as all these things start, and we well and truly have to look out of the square as to the way -- we've got eight major policing establishments that are quite lengthy in age, and the Gold Coast outside of one, and the infrastructure, we need to look at how we would best do our patrols, how we would best respond. We've now got a new call centre that a lot of people report 1-800 direct to policing, so policing is changing. I think there's a whole range of things, especially with the dynamics of policing, that need to be looked at from a whole of service and a regional.

40

We've certainly looked at -- I've certainly looked at other issues in relation to thinking out of the square, as far as my infrastructure is concerned. But, as we all know, there are confines of the state in relation to budgetary and capital works and there's only a certain amount of money that can go around in relation to activities. So I think the current structure is very good and very workable, but we never stop thinking about how we can do things better.

As I said before, if by some magic that I was to get the 60 extra police that Mr Dimond would like -- but, as I have explained, unless they were first years going into second years, I wouldn't want to put 60 second years there. I would add that in that 60 you would have so many sergeants, senior constables and constables, and if I couldn't come to -- if the service couldn't come to some agreement on an EB with the union, the only possible solution, if that was done would be to create

them to a tac crime squad for a district focus.

So we need to look at how we do our business. Do we need to go back down to smaller beats, as we have? I have a number of residential beats, in all our major shopping centres we have police beats as well. We have school-based police officers. So there's a whole range of different initiatives in modern policing we can look at.

10 Do we go back to creating for the Gold Coast three major hubs in the next two or three decades long term and having mobile patrols of a first response 24/7 out of there? When it becomes by 2050 as big as they predict, the infrastructure and the travel time will be just incredible.

We get the light rail in the next few years, and one of the problems that's going to happen with the light rail, you'll be able to get on at the university, you'll be able to get on at Southport, you'll be able to get on at Surfers Paradise and go all the way through to Broadbeach. You can imagine at 3 o'clock in the morning on the light rail, when all the intoxicated people want to go from Southport to Surfers to Broadbeach. So there's a whole new dimension of policing that we've got to plan
20 and look at in the short term. So there's a whole range.

But at the moment, in the current budgetary climate and the current structure, I'm quite happy with the structure that we've put down.

MR ALLEN: You talk in your statement about the introduction in 2009 of the plain clothes development program?

THE WITNESS: Correct. What page is that on?

30 MR ALLEN: That's on page 7, the first paragraph.

THE WITNESS: Thank you.

MR ALLEN: Was there no plain clothes development program prior to that time?

THE WITNESS: This is a local program of the initiative of the detective inspectors and the regional crime coordinator. It's something that had its infancy in the metro north by a couple of my senior detectives there, when I was the superintendent in charge, and it is being looked at by the detective training program
40 and adopted and run right throughout the state in different areas. Up until that, in the south-eastern region and those other areas, the plain clothes officer was wanting to look at a minimum of three years to get his detective classification; on average, it takes five to six years. To get through the three training phases at the detective training school also takes about five to six years, so it's not the three years.

So what we do is we sit down with them and plan with the detective inspectors and senior sergeants, they plan their structure. And if they are looking that they haven't got any experience in fraud, sex offences, covert activities or other different areas -- and my belief is most detectives should start and stay for the bulk of their career in

regional provincial areas and then gravitate to the specialised squads, so they get a broad brush. What we do, your Honour, with this, we make sure that if they are void in this area, that next time those sorts of investigations get put to them, so there's skilling right across the board into all areas.

10 So, to answer your question, it's a brilliant system and the people who have implemented it need to be commended for it, but there was a void there, and it grew from a frustration of senior detectives submitting detectives applications for appointment that were void in certain areas. So they then, of their own initiative, said they need to put this system in place.

MR ALLEN: Is any part of that program addressed towards supervisory responsibilities?

20 THE WITNESS: As I said, in certain parts of it now, some of the detective inspectors in our region, in the regional crime coordinator, are taking it to the next level, and a version of it they are taking the detective sergeants in. And I'm aware at one of the stations, one of the uniformed inspectors with his senior sergeant is also implementing a similar system with his uniformed sergeants, the supervisors, in relation to performance.

We have, like a lot of regions, our remote and our own OPRs, mini-OPRs that my chief superintendent prepares and runs in conjunction with the district officers, with OICs as well. So there's a different versions and different activities in relation to sergeants as well as officers in charge.

MR ALLEN: At the bottom of page 7 you refer to training packages that have been developed with the aim of enhancing integrity.

30 THE WITNESS: That's correct.

MR ALLEN: When will those training packages actually be delivered?

40 THE WITNESS: I can give you the exact statistics I have as to how much. They have all started. The senior sergeants have had one and they are about to have another compulsory one in November. The sergeants and senior constable leadership workshops are under way, and I can give the exact statistics of how many have done that, your Honour, shortly. The one for the -- the Coomera district had a special one for theirs, and all the sergeants and supervisors in their district have completed that. And the plain clothes personnel, they are currently under way right throughout the entire region and by the end of the calendar year in all those four different categories. The other one from Mr Martin's area, Meeting the Challenge, from the academy, in their initial training, there's been a revamp of that which we give to our constables as part of their first year training, and the second years as well.

MR ALLEN: Will the Enhancing Integrity training package be a continuing thing?

THE WITNESS: Certainly. What we want this to look at is the change of values

amongst the staff. And there will be indicators, like I've indicated, that will show this, and that this will be an ongoing -- like the detective, the PC development program has. It's been going, that I'm aware of now, for about 10 years. And so, as far as my region is concerned, I'm aware that Mr Martin's area is aware of this, that we are looking at a trial that the Commissioner has mentioned in the south-eastern region of rolling out some of the new packages in relation to supervisors, and the trials could be there. So I will have my regional ones to be continually rolled out as part of a cyclic plan.

10 MR ALLEN: Does the Enhancing Integrity training address off-duty behaviour?

THE WITNESS: It does, very much so, in relation to plain clothes officers; and, as I said, it's their own senior officers who are delivering it to them. The last couple of days I've been shocked to find out about a couple of instances that have occurred, and again, since then, in those areas I've put some things in place to make sure that those people have been spoken to.

MR ALLEN: Does the training deal with the topic of inappropriate associations, or has that been really addressed in the Dangerous Liaisons?

20

THE WITNESS: It is contained, all the learnings and all the content, it is addressed in Dangerous Liaisons. They are all there in those -- there are about eight different documents there, your Honour, all the learnings, and all the presentations, the PowerPoints and all the different areas, and the corruption prevention plan. And the training aid would be a replica and this would be the underlying basis and theme for all of that training that is in those presentations.

MR ALLEN: I'm just wondering whether any of the initiatives that you have spoken about for the Gold Coast or the south-east region are directed towards that issue of inappropriate associations?

30

THE WITNESS: Yes, it is. And I could go to the document or be only too happy to take advice. I'm not aware of the total content of each one of them right here now, it's not a memory test.

PRESIDING OFFICER: You might take it on advice.

THE WITNESS: Please.

40 MR ALLEN: Page 12 of your statement, the fifth paragraph, "The general public traditionally give very little information about outlaw motorcycle gangs because of their covert nature and the scare factor." That reluctance on the part of the public to give information would be exacerbated, would it not, if police were observed being friendly with or associated with outlaw motorcycle gangs and associates in a social way whilst off duty?

THE WITNESS: Most certainly.

MR ALLEN: And that sort of behaviour could have a real impact on the

operational effectiveness of the police, because they might not get that information from the public?

10 THE WITNESS: Not necessarily. With modern investigative -- and the invention of the new coercive powers and phone taps and the Queensland Police Service invention -- I beg your pardon, introduction of the task force in relation to outlaw bikie gangs, has had very considerable success, and that's a statewide body. So, again, they work very closely in conjunction with my detectives, who have a lot of local knowledge. And again, your Honour, there's more than one team there, in our federal and the CMC and crime, so there's several people there. As I say, the bikies tend to be more covert, and with the introduction of the new legislation, in my opinion, they are becoming even more covert in their activities.

MR ALLEN: But if there was -- if such inappropriate behaviour on the part of a police officer caused even one member of the public to hesitate to provide information that might be valuable, that behaviour has the potential to impact on the operational effectiveness of the police?

20 THE WITNESS: It does.

MR ALLEN: Are there any changes to structure or rostering that might improve the ability of sergeants to supervise constables? It's been suggested we need more sergeants, firstly. You've spoken about the difficulty that you can't attract them, even if --

30 THE WITNESS: No, you do get sergeants applying for those positions. You only move -- sergeants are promoted and they apply for a position and they win it on merit. Constables and senior constables, after their initial first year, constables get appointed, and then constables and senior constables apply for positions. Surfers Paradise is one where we can advertise but we don't get them to apply. So sergeants vacancies there, we would. Just, for example, the new senior sergeants we've got at Surfers, we might only get a pool of 50. But if that was advertised in the metropolitan area, you would get 150 applying for it. So that just reflects the issue.

40 Now, if you're a sergeant in Brisbane and you are married with three children and you want to progress your career, you've got met north, met south, crime ops, ops support, headquarters -- the 10th command, as they call -- it, the academy, the CMC group, you've got seven commands in which to progress your career. Would you -- they tell me that they wouldn't pack up their wife and children and move to Surfers Paradise or to the Gold Coast. And when they do get there and when they do -- they have new blood come in from time to time, and traditionally the bulk of our people are locals. That's just in what I said, I would predict no more than 50 would apply for those five positions, but in Brisbane I would get 150. And when they get there, they are overcome, it's like the waves rolling in, it just doesn't stop, the water. They well and truly that, and then they've got to establish themselves.

It's quite simple arithmetic. You have this big command in the metropolitan area, would you pack up and move to the coast? That's the reality of it all. What can be

done, outside of what you suggested, and negotiations with our good union in relation to specific benefits for those areas? I think the senior sergeants the Commissioner has approved is a great initiative, that will go forward there.

10 But there's -- again, when we overlay what we do during Indy and what we do during schoolies, and what we do during Christmas Eve, when we bring a large number of extra police in, and with the greatest government initiative for Surfers Paradise, Fortitude Valley and Townsville for a 12-month roll-out, when we put that overlay in there, we well and truly have a different level of control than is currently experienced there. Bearing in mind, when you have schoolies there, you've got 25,000 kids sitting on the beach and you've got 25,000 parents sitting at home praying that the Queensland Police Service will be doing their utmost and looking after their children, which my staff do a fantastic job in doing annually.

MR ALLEN: Should the sergeants be freed from having to undertake investigations of complaints against police?

20 THE WITNESS: Yes and no. I am a great believer -- and in recent times I have restricted the full investigations, and there is a large number of investigations at Surfers Paradise in particular, full investigations with initial inquiries. I believe full investigations should be done by senior sergeants, inspectors with the more serious allegations. The initial inquiries can be done by sergeants, but I believe that there is a need for supervisors to understand what is going on. And if they don't do the investigations or they don't have any knowledge or involvement in them -- if you get a sergeant, one or two things: the sergeant will come and he will be a sergeant for one of a number of reasons stay and do 20 years and stay there. You will get the next sergeant who will come along who will want to progress his career to senior sergeant and inspector. Now, the latter will well and truly put his hand up to do extra projects extra time, extra work and do investigations and the senior sergeants give all of that, the old story, the willing horse. The other sergeant does a great job but his lifestyle is there and to just sit. So you have got two different types of people. I believe that they need to be exposed to what is happening under their control and that they need some involvement in that. It would be ideal if we could have totally independent -- but we just don't. With the volume of investigations that come back, we well and truly have to delegate, and I take a personal interest with my professional practice manager to make sure the full investigations are dealt with by appropriate people rather than just be given to anyone and that the sergeants need some involvement and some knowledge because they can help change the attitudes, they can help change the values.

40 MR ALLEN: Okay. If I could just ask you some questions about gifts and benefits and policies in relation to that? An annexure to the statement of Senior Sergeant Dimond is the relevant part of the financial planning management manual which sets out in some detail policies in relation to receipt of gifts and benefits.

THE WITNESS: 10.5, receiving gifts and benefits and benefits -- receiving of gifts and benefits 10.5, I think.

MR ALLEN: Okay. It actually sets it out in quite greater detail than the relevant

part of the human resource management manual, which has its own provisions in relation to gifts and benefits.

THE WITNESS: Right.

MR ALLEN: For example, in the human resource management manual there is a list of questions that an officer might ask, but in the financial planning management manual, there is actually a detailed discussion of those questions and even guidance in relation to monetary amounts, et cetera.

10

THE WITNESS: Yes, and three different conflicts of interest.

MR ALLEN: Yes.

THE WITNESS: Futuristic, personal and other interests, consider the information obtained, yes.

20

MR ALLEN: The financial planning management manual isn't something that most officers would go to, would they, to receive guidance as to how they should behave?

30

THE WITNESS: In the day-to-day of busy policing, I would tend to agree with you but if it came that a constable or a sergeant was in receipt of a benefit or a gift from someone as a result of the work they did, the first thing the constable would do as a result of the corruption prevention plan, of the training they have had and their own personal knowledge of what's right and wrong and different things in life, they would then seek advice from their supervisor or their senior sergeant and they would then give them that advice. It is impossible for us all to know the range of legislation and policies that confront us all every day.

40

MR ALLEN: Well, most officers, including supervisors wouldn't even know that that was in there, would they, in the financial planning management manual?

THE WITNESS: I don't know. They may. You may have the two different sergeants I talked about before, the one that's studying and progressing in career and one that is just happy with his lot as a supervisor, and, basically, they would then seek advice, as they do -- they seek advice from the DDOs, the RDOs, they seek advice from their senior sergeants, their inspectors, and, of course, in the regional structure they -- in relation to this, the recording of it all is managed by the regional finance manager.

MR ALLEN: Right. We have heard some evidence that gifts and benefits registers might be held at different levels, depending upon the actual practice in the regions. There might be one at station level, there is one at Surfers Paradise Police Station level now at least from a week ago, that they may be held at district level or regional level. Are you aware of the system as it applies in the south-east region?

THE WITNESS: Yes, I signed the policy and we have recently amended it in relation to it, the service policy says they must be maintained at a regional level and

anything under \$150 is at the officer's, but from \$150 to \$350, I have to, as the officer delegated by the Commissioner, to make that decision and that if the officer receives some gift or benefit there, he does a report to his senior sergeant who would no doubt access all of this legislation policy and procedure and give a recommendation to the inspector, who would do the same, to the superintendent who would do it and make a firm recommendation to me. I or my staff officer would then manage it, consult and look at it, and then bring it to me where I'd make a decision.

10 Now, in my region, I have a district register and I have a regional register that -- if Mr Dimond wants to develop a divisional register for Surfers Paradise, which I am now aware of, I won't have any problem with that. My finance manager's going to another level and we also record the benefits that we knock back because the current policy is just recording what we receive in NIM, and it is void that we need to keep a list of what we well and truly. So in the south-east region there is a regional, there is a district and at the end of the day if it is between \$150 and \$350 in value it has to come to my desk to be approved.

20 MR ALLEN: Okay. I will just ask you to look at these documents. And if you are not able to assist, please say so. These are the only documents which were available in relation to any public access on the Queensland Police Service website. The first document or first two documents are gifts and benefit registers for the Queensland Police Service from April to June 2010 and January to March 2010. They seem to be across the regions because there is different regions noted for, for example, north coast region, human -- metropolitan north region, human resources division. Now, the fact that there is no entries there for the south-east region, is that because the south-east region keeps its own register?

30 THE WITNESS: Yeah.

MR ALLEN: At the regional level?

THE WITNESS: At the regional level.

MR ALLEN: Okay.

THE WITNESS: And we submit that. It is in our risk management return, it is in our returns --

40 MR ALLEN: This Queensland Police Service one might pick up some regions that don't keep their regional one and it is kept at a State level?

THE WITNESS: I can't comment except to probably confirm your suggestion that it could be something that is kept centrally, but --

MR ALLEN: All right.

THE WITNESS: I have never seen it but ours -- each financial year has a return and it is recorded at the local shared service arrangement, it is managed by my

financial manager in accordance with service policy, and then we return that and send it to, in accordance with service policy, central records.

MR ALLEN: The second last page of that bundle is something called the south-east region appropriation register. That's nothing to do with a gift register.

THE WITNESS: Yeah, I agree with that.

MR ALLEN: Okay. What's the appropriation register relate to?

10

THE WITNESS: Certain legislation, your Honour, there is things that are confiscated and then there are certain requirements and in certain parameters things are forfeited to the Crown, and as a delegated officer in the service, that if things have been unclaimed or we don't know who they belong to or they have been forfeited and the appropriate process has been done, they can be appropriated for the use of the service or to a charity or something in relation to their use.

20

MR ALLEN: I see, okay. And the last page is -- was likewise available on the website. It is a register of goods and services received below fair value, south-eastern region 2008/2009. Are you aware what that relates to?

THE WITNESS: Well, it just says establishment and organisation goods and services and lists -- really, I can't -- it doesn't explain -- it says community Gold Coast City Council.

PRESIDING OFFICER: You don't know?

MR ALLEN: You don't know?

30

THE WITNESS: It could be the rent. It could be rents, it could be anything.

MR ALLEN: That's fine.

PRESIDING OFFICER: If you can't, just say so.

THE WITNESS: Yeah.

MR ALLEN: For the record I will tender that bundle --

40

THE WITNESS: I can certainly find out from my financial manager for you.

MR ALLEN: -- bundle of registers.

PRESIDING OFFICER: It is Exhibit 134.

ADMITTED AND MARKED "EXHIBIT 134"

PRESIDING OFFICER: You must have a good HR manager.

THE WITNESS: Excellent HR manager and an excellent finance manager, your Honour, and IT manager as well. They do an exceptional job.

PRESIDING OFFICER: You have got the trifecta. You can't do much better than that.

THE WITNESS: Exactly, your Honour, thank you.

10 MR ALLEN: You would have been briefed in the last few weeks in relation to a uniformed officer from Surfers Paradise Police Station who was stood down after being found in possession of cannabis and admitting during a disciplinary interview to using cannabis throughout the course of his five-year career.

THE WITNESS: I heard of it. I was on leave -- sick leave at the time.

MR ALLEN: I see, all right. Are you aware that during his disciplinary interview he also admitted to occasionally pocketing cannabis found in the course of his duties and later consuming it off duty?

20 THE WITNESS: No, I have never heard of that. That's the first time I have been aware of that allegation.

MR ALLEN: Now, you would agree that there are a number of reasons why off-duty drug use by serving police officers is a serious matter. They include the fact that there would be possible performance and health issues.

THE WITNESS: That's correct.

30 MR ALLEN: Because officers need to have a clear head and a balanced exercise of discretion? They need to use motor vehicles and weapons.

THE WITNESS: That's correct.

MR ALLEN: There is also the fact of maintaining public respect for the Police Service and not having any perception that there might be a tolerance of police using drugs.

THE WITNESS: Most certainly, zero tolerance.

40 MR ALLEN: And another factor is that there will be a necessary association between a police officer who uses drugs, even for recreational purposes, and a supplier, and there is potential then for compromise, blackmail or corruption.

THE WITNESS: There has to be. Someone has to supply.

MR ALLEN: And there is the concern that someone who uses prohibited drugs is unlikely to approach the enforcement of drug laws with any degree of conviction.

THE WITNESS: That's a reasonable assumption but -- not a total but a reasonable

assumption.

MR ALLEN: And the commission of any offence by a serving police officer is a fundamental conflict with that officer's sworn duty, to uphold the law.

THE WITNESS: Yeah, the office of constable, well and truly.

MR ALLEN: Given the seriousness of the issue, is there anything to be said for random drug testing of police officers?

10

THE WITNESS: Certainly. They -- certain areas that we do do the testing, there are covert operatives and recruits and different things. But generally across the board there is in the context you have just put it, the possibility -- in a lot of other industries there is drug testing that does definitely occur, in sporting, the possibility is. Let me tell you that the rural and remote and the size of this great State well and truly does put some logistic issues currently with our alcohol testing in relation to where we do it and how we do it. But if it was to come to pass and the funding was made available, I certainly wouldn't have any problem with it.

20 MR ALLEN: In relation to the funding, an objection has been raised that it would not pass any cost benefit analysis because it has been estimated it would cost, say, half a million dollars a year. There is currently a program Statewide of random drug testing of motorists, is there not?

THE WITNESS: That's correct.

MR ALLEN: Do you know what sort of cost is associated with that?

THE WITNESS: I don't. No, I don't. I can't.

30

MR ALLEN: Okay. I assume that there would have been some type of cost benefit analysis as to that program?

THE WITNESS: Yes, it is nationwide. I think it is worldwide. It is very innovative new way and getting some alarming results unfortunately.

MR ALLEN: In the absence of random drug testing of police, there is provision for a targeted drug testing if there is a reasonable suspicion.

40 THE WITNESS: That's correct.

MR ALLEN: We heard some evidence earlier this week that since 2005, there has been a total of three reasonable suspicion drug tests of police officers. That's just totally inadequate, isn't it, given the nature of the duties and the size of the workforce?

THE WITNESS: I really can't comment. I am not aware of those statistics or that -- but in the normal statistical bell curve of society and the amount of police officers you have and the normal statistics, one would imagine that there would be,

unfortunately, police officers who do partake in unlawful recreational drug use.

MR ALLEN: And there is really no effective deterrent by way of any drug testing at the moment?

THE WITNESS: In that light, as you put it no effective deterrent there, but the office of constable and you have got the peer group pressure of police officers and the self reporting of police officers these days in relation to other officers in relation to other misconduct and misdemeanours and I would hazard to say that the majority of police officers if they became aware of another officer participating in illegal drugs would well and truly report it and to my knowledge there is no -- and I can't comment -- Mr Martin may be able to comment further -- as to the statistics in that regard but there is educational programs both within the service and out of the service and, of course, in the corruption plan about ethical behaviour and the use of drugs by police officers and the use of steroids, as has come out in this matter as well.

MR ALLEN: Leaving aside the miracle of you being given the 60 extra police, what else would be at the top of your wish list if you were able to demand it to improve the effectiveness of policing on the Gold Coast?

THE WITNESS: I would respectfully submit that there is an urgent need to increase the size of the Criminal Investigation Branch, the juvenile aid or the CPIU both at Gold Coast and Coomera. I also submit that there is an urgent need to look at a multidisciplinary team of a high level in relation to looking at organised and major crime, which does appear to be a very target-rich environment on the Gold Coast. The other thing that needs to be looked at is the infrastructure of the seven of the eight buildings on the Gold Coast, Coolangatta, Palm Beach, Burleigh Heads where we're currently looking to revamp it. We have a two million dollar allocation but, of course, it probably needs at least double that. Broadbeach, it has been there since 1982 and badly in need of further development, a revamping. I would suggest that site there lends to what I have submitted is to a joint venture because the block that we have there can house a highrise and it needs to be a big initiative of the joint, which I have submitted, similar to what has been recently submitted for the Broadbeach State School, and that a certain portion -- I am a great believer in cohabitating in other buildings, a typical example here and others. With modern security, you can put police in there. A lot of police don't agree with me. Surfers Paradise is great, it is location, location, location, right in the middle of Surfers Paradise but --

MR ALLEN: Are there pros and cons for that --

THE WITNESS: Yes, there is.

MR ALLEN: -- the fact that Surfers Paradise Police Station is right next to those nightclubs?

THE WITNESS: No, that's good, in my opinion.

MR ALLEN: Yes.

THE WITNESS: Because you have got 106 officers over a period of time, bearing in mind they are not all there at one time, traversing that area. We've instantly seen a change in the dynamics of that street 24/7.

MR ALLEN: For the better?

10 THE WITNESS: You see a police car going up -- for the better. So the building itself has had a make-over. It is a leased building. There are some risks that the Judge saw when he was there, with steep stairs and others, but it is a great location, it is a great facility. I don't know whether it would handle another 60 extra officers to go into that building for Mr Dimond to have there. Southport is a new complex but when it was built, because it was under the old northern and southern command of CIB, there is no office space allocated in the structure for CIB and CPIU. The building that I'm in is the Surfers Paradise police centre which does have some -- we have had it since '91, so in that Broadbeach/Surfers Paradise/Southport area, there is four major complexes. You go to Runaway Bay and, again, it hasn't had much in relation to a revamp in its lifetime either. So, again, these all cost money.
20 These all cost planning and infrastructure and if I was to get the 60 uniformed police as asked and the 30 detectives asked for, the infrastructure to house them, but I am sure -- I could ensure you that if I was lucky enough I would ensure that my project team and their detectives would have somewhere to house them.

MR ALLEN: You would make room?

THE WITNESS: Exactly.

MR ALLEN: Thank you.

30

PRESIDING OFFICER: Yes. Who is next? Yes, Mr MacSporran.

MR MACSPORRAN SC: Thank you, your Honour. Assistant Commissioner, you said that there was an initiative to point out to your staff at all levels the learning about inappropriate associations.

THE WITNESS: That's right, sir.

40 MR MACSPORRAN SC: And I think you wanted to take it on notice but could we just run through them very quickly to point out in the annexures you have tendered where they are. If you go to annexure 9, firstly, and that's the south-east region operational managers leadership workshop for senior sergeants.

THE WITNESS: Yes, your Honour.

PRESIDING OFFICER: Just give me a minute.

MR MACSPORRAN SC: I don't think we can give you a page number but it is -- I might just count them in for you.

THE WITNESS: Sections 1.1, personal values, ethics and professionalism?

MR MACSPORRAN SC: Yes, then I think on the ninth page in, certainly the part I have picked up anyway.

THE WITNESS: Sorry about that.

10 MR MACSPORRAN SC: That's all right. The top of the page, the ninth page in, number 6.

THE WITNESS: Leadership ethics and professionalism session in the schedule for the day?

MR MACSPORRAN SC: The page before it is headed, "First Response Officers Leadership Seminar Constables", and then point 6 which is the top of the next page.

THE WITNESS: Yes.

20 MR MACSPORRAN SC: "Recognise and avoid the maintenance of inappropriate associations".

THE WITNESS: Correct.

MR MACSPORRAN SC: And gives a number of dot points, the first of which is conflict of interest.

THE WITNESS: Correct.

30 MR MACSPORRAN SC: Community expectations, and so on. And then if you go a further six pages in, you have a number of scenarios as part of this training, don't you?

THE WITNESS: That's correct.

MR MACSPORRAN SC: The first of those, it deals with conflicts of interests.

THE WITNESS: It does.

40 MR MACSPORRAN SC: So that's in that leadership workshop?

THE WITNESS: That's correct.

MR MACSPORRAN SC: The next one is the very next one, annexure 10.

THE WITNESS: Yes.

MR MACSPORRAN SC: 18 pages in. The heading is, "Operational Managers Leadership Workshop, Activity Scenarios".

THE WITNESS: Yes.

MR MACSPORRAN SC: And, again, in there the next page lists them. Number 5, in effect, raises the question of inappropriate associations, does it not?

THE WITNESS: That's correct, yes.

10 MR MACSPORRAN SC: All right. The next one I will take you to is number 13 which is the operational managers' leadership workshop, plain clothes personnel.

THE WITNESS: That's correct.

MR MACSPORRAN SC: And about, again, 19 or so pages in, it is a section, is it not, dealing with operational managers leadership workshop activity scenarios?

THE WITNESS: Yes.

20 MR MACSPORRAN SC: And some of those scenarios in turn deal with the issue of inappropriate associations.

THE WITNESS: They certainly do.

MR MACSPORRAN SC: And annexure 14, which is the professional conduct and ethical decision-making workshop for plain clothes officers.

THE WITNESS: Correct.

30 MR MACSPORRAN SC: It is, in effect, a PowerPoint presentation.

THE WITNESS: That's right.

MR MACSPORRAN SC: And one of those towards the end deals with the Dangerous Liaisons report, and the first dot point to be dealt with under that heading is inappropriate associations.

THE WITNESS: It does.

40 MR MACSPORRAN SC: Number 15, I think. Again, it is a PowerPoint presentation. Ethical practice branch.

THE WITNESS: Yes.

MR MACSPORRAN SC: Prepared by them, and there is a -- the inappropriate associations topic is raised in the scenarios and questions towards the back of that compilation.

THE WITNESS: It is.

MR MACSPORRAN SC: So we can see at most levels that particular topic, that important topic is dealt with across a range of ranks.

THE WITNESS: That's correct, and that's what's being rolled out and facilitated by my training staff and by my supervisors and managers of the police in those respective areas in the region.

MR MACSPORRAN SC: And that topic, to deal with all the other integrity issues, is an ongoing, continually reviewed process, is it not?

10

THE WITNESS: It will be. This is all in its growing stages, your Honour, since the presentation to you on this and as a result of the challenge the Commissioner gave me when he transferred me to this command, and with my team and across a range of people putting this together, it will continue, as you say.

MR MACSPORRAN SC: Right. Now, as part of your role as officer-in-charge of the south-east region were you heavily instrumental in putting into effect the recommendations from Operation Grinspoon?

20 THE WITNESS: Some of the recommendations that pertain at a regional level. Most of them sit at corporate level but the ones that pertain in a regional level I have implemented some of them.

MR MACSPORRAN SC: Now, I don't want to -- I don't want to take you through them individually but I want to just flag for those looking at the exhibit.

THE WITNESS: Yes.

30 MR MACSPORRAN SC: Or the material that you implemented -- and there were 37 recommendations in total, were there not?

THE WITNESS: That's correct. 36 recommendations -- 37.

MR MACSPORRAN SC: 37.

THE WITNESS: 37.

MR MACSPORRAN SC: One is still under --

40 THE WITNESS: That's correct.

MR MACSPORRAN SC: -- consideration, I understand.

THE WITNESS: Sorry, 37.

MR MACSPORRAN SC: I think the evidence here from Assistant Commissioner Martin was there were 17 fully implemented and the balance, with the exception of one, was still under discussion, were in the progress of being put into place.

THE WITNESS: That's correct.

MR MACSPORRAN SC: But you were personally instrumental in putting into place in respect of recommendation 1, six component parts of that multifaceted global recommendation, were you not?

THE WITNESS: That's correct, yes.

10 MR MACSPORRAN SC: You also were responsible for two parts of recommendation 2?

THE WITNESS: Yes, 2.2 and 2.4.

MR MACSPORRAN SC: And one part each for recommendations 3, 4 and 5.

THE WITNESS: 3.1, 4.1 and 5.1. Yes, that's correct.

20 MR MACSPORRAN SC: Now without going through the minute detail of it, did that involve a considerable body of work and man-hours for you and your staff?

THE WITNESS: A lot of that is also contained in the things that the initiatives that have been outlined by my different -- my chief superintendent, my HR manager, my finance manager, my detectives and district officers articulated a lot of the stuff that had been presented, and it is part and parcel of what we're doing with risk management and the report underpins strategically what needs to be done in relation to those recommendations to be achieved.

30 MR MACSPORRAN SC: All right. The service has policies on witness support, whistleblower protection and so forth.

THE WITNESS: That's correct.

MR MACSPORRAN SC: What's your personal view about the importance of those initiatives?

THE WITNESS: Extremely important. If we can't look after someone that has decided to be a whistleblower or in relation to -- and I've been disturbed by some of the comments this week of what's taken place. It is appalling, those allegations.

40 MR MACSPORRAN SC: And did you become aware -- it might have been just yesterday -- of evidence given here that an officer, a serving police officer who had made a complaint against another police officer was the recipient of a can of dog food at a Secret Santa occasion at the station?

THE WITNESS: Yes, it is a couple of years old and I only found out about it yesterday. I'm very embarrassed and upset about it as to what's happened, but the officer who put the complaint in was only doing his job in accordance with the investigation and the legislation and what he thought and he did in relation to that initial job, and he was merely doing -- and it is terrible to see what was said and

inferred and done by that Secret Santa to him.

MR MACSPORRAN SC: I don't want to name him but has that particular officer who lodged the complaint and was the subject of this harassment, has he gone on to receive promotion within the service?

10 THE WITNESS: He is a very experienced officer and he is still within the region and does a very, very commendable job and he is a high quality performer in our region, very well respected and valued member of the supervisory team, and in relation to it and he has continued on. I don't know how he would feel since the public hearing of this but that will be something that I and my supervisors will address as soon as practicable as we have done with other issues that we've discovered here this week.

MR MACSPORRAN SC: Right. Again, you have looked into this case and you haven't been able to ascertain, for obvious reasons, who was responsible directly for arranging the gift but did the officer who was the subject of the -- the recipient of the gift, was the complaint he made relevant to one of the persons who has been identified in Operation Tesco, one of the half dozen?

20 THE WITNESS: Certainly is.

MR MACSPORRAN SC: Right. You alluded to it earlier in your evidence briefly, but can you just give us the figures, has there been a significant reduction in crime in the region?

30 THE WITNESS: There certainly has and it is a very, very commendable performance in recent time and I will just quote the figures so you have got them accurately, your Honour. In relation to the performance of the Gold Coast district -- and just bear with me, please, while I find them so I can give them to you accurately. At our recent performance reviews, and in relation to complaints of robbery -- and these -- I must congratulate the Gold Coast district, all of the police on this performance, as the Commissioner did just recently in acknowledging the brilliant performance. There has been between a 10 and a 14 per cent reduction in the complaints of robbery. There has been in the recent OPRs between a 12 and a 18 per cent reduction in sex offences, assaults, there has been a 5 to 7 per cent reduction in assaults in recent years. There has been an increase in breaches of domestic violence of about 17 per cent, which is very, very good proactive activity by police officers in that proactive area for breaches of domestic violence in that very serious category of crime. Unlawful use of motor vehicles, there has been about a 15 per cent reduction in complaints of unlawful use of motor vehicles on the Gold Coast, and, very importantly, unlawful entry into dwellings and different things, a reduction there between 20 and 24 per cent in relation to. So they are very, very commendable figures, especially in the light of the current inquiry that's been underway for some time, the high media profile, your Honour. It just clearly shows that the police officers, while they've got some concerns and the angst about the time these processes unfortunately take, there are still 250 people a day being arrested and appearing in the Southport Magistrates Court. And outside of the number 1 court in Brisbane, it is by far the busiest Court in the State. I have had to

increase my police prosecutors to 24 at Southport and to 18 at Beenleigh just to keep up with the demand and the arrest rate and their performance is nothing short of phenomenal by them all.

MR MACSPORRAN SC: You have been made aware in a general sense of the sorts of numbers of police identified as being involved in misconduct arising out of Tesco. Does that give you any encouragement that your systems that you have spoken of here today are working?

10 THE WITNESS: Well, the tests for that and my command there will be in the future for others to assess, but I believe, in conjunction with my team and the initiatives and the support from the Commissioner and other areas, especially State Crime Command and other agencies, that we're well and truly initiating new benefits -- I beg your pardon, new initiatives that will receive great benefits in relation to Tesco. I have been in the organisation since the 70s, as revealed. I have been in the CIB since the 70s, the 80s, the 90s and can well and truly see that this organisation and the results shown from this investigation, with the advent of phone intercepts, well and truly shows that this organisation has well and truly come from where it was pre the Fitzgerald era to what it is today, and --

20

MR MACSPORRAN SC: And just finally, you mentioned the telephone intercept evidence. From your assessment of Operation Tesco in particular, has that been a break through investigative tool?

THE WITNESS: Whilst I am not aware of them and I won't be because of their protective nature, let me tell you as an investigator and the use of such great legislation in general crime and organised crime and having dealt with it with other agencies previously, it is certainly a break-through. And no doubt would have been an initiative that has led to the identification of the unfortunate issues here today.

30

MR MACSPORRAN SC: Is that something in particular that -- the telephone powers, is that something in particular the Police Service and, indeed, the CMC agitated for for years, until they were granted last year.

THE WITNESS: That's correct.

MR MACSPORRAN SC: All right. Thank you, Mr Chairman.

PRESIDING OFFICER: Yes? Yes, Mr Carmody.

40

MR CARMODY SC: Mr Chairman. Assistant Commissioner Wilson, I'm representing the police union.

THE WITNESS: Yes, Mr Carmody.

MR CARMODY SC: You know that. I just want to ask you some questions about Project Aveo.

THE WITNESS: Certainly, sir.

MR CARMODY SC: Was that just focused on the detective numbers, was it?

THE WITNESS: Oh, no.

MR CARMODY SC: No? It was across the board?

10 THE WITNESS: As I said earlier, it went right across the investigative practice. I don't have with me the -- what's the word, I have got a blank -- the rules for the -- I have lost the word.

MR CARMODY SC: The terms of reference?

THE WITNESS: Terms of reference, I beg your pardon, thank you very much. The terms of reference for the project and there is a range of recommendations and there was -- as I said earlier, there was quite extensive consultation and surveying of all of the plain clothes staff and other people.

20 MR CARMODY SC: Is there a problem with us discussing the recommendations that --

THE WITNESS: Not on my -- at the moment the document is protected.

MR CARMODY SC: Is with the Commissioner, isn't it?

THE WITNESS: It is with the Commissioner. I protected it because at that point in time -- the Commissioner is a very busy person.

30 MR CARMODY SC: Yes.

THE WITNESS: He has a copy, I have a copy, the two deputies have a copy and the chair of the committee, Detective Chief Superintendent Condon, and there has been much discussion amongst the rank and file and I am anxious to --

MR CARMODY SC: If you were to tell the chairman what's in it and had a non-publication order made in respect of that, would that be okay?

THE WITNESS: Look, yeah, the only -- yes.

40 [Removal of part of transcript according to non-publication order.]

MR CARMODY SC: All right. The five extra duty senior sergeants for Surfers Paradise, that's already been announced, I think, recently.

THE WITNESS: By the Commissioner, yes.

MR CARMODY SC: By the Commissioner. Now how does that work? They would be all, what, sergeant -- they will be new positions created for sergeants to apply on promotion, would they.

THE WITNESS: That's correct, yes, they could.

MR CARMODY SC: Otherwise, you are not going to get sergeants to go there, are you -- or you are not going to get senior sergeants to go?

THE WITNESS: As I said to the Judge earlier, I would anticipate we would have, my indication is, somewhere around 50 applications for it.

10 MR CARMODY SC: From sergeants?

THE WITNESS: From sergeants, or you might get some senior sergeants on the rank wishing to go to it. It is a very well sought after position due to the allowances attached to it, because it's a shift allowance. It is probably equivalent to Inspector Level 3 wages and then, of course, if the same sort of job was advertised in the metropolitan area we would probably have a pool three times the size to choose from.

20 MR CARMODY SC: So there would be some -- you know, leaving aside industrial issues and things like that, there would be some scope for similar incentives for sergeants there on lateral transfers, wouldn't there?

THE WITNESS: I couldn't -- well, the sergeant vacancies are gazetted and sergeants usually apply and come on promotion. Most senior constables, I, without consulting my HR manager, could find out the last time we had someone on the rank apply to go there, but you would reasonably expect whilst it would be a small pool, similar to what I have just outlined, for sergeants to apply for Surfers Paradise.

30 MR CARMODY SC: You would need some sort of -- obviously you would need some sort of incentive over and above what's now, and pretty clearly free hamburgers isn't going to do it.

THE WITNESS: Putting that to one side, there is no incentive other than what any other sergeant would apply for in any other policing establishment throughout the State of a similar job description.

MR CARMODY SC: Your cluster idea, it is interesting from the union's point of view. Has it been raised with the QPUE, do you know?

40

THE WITNESS: I have discussed it with the local branch and some of the executives there and some of the sub-branch members at Surfers Paradise and --

MR CARMODY SC: It would be a worthwhile EB conversation, wouldn't it?

THE WITNESS: Oh, most certainly. I think there is great merit in having a cluster of, say, three stations for sergeant -- specially metropolitan areas. It is a bit different when you get rural and remote.

MR CARMODY SC: I suppose if it was a cluster you would be rotating sergeants within the cluster or between the clusters.

THE WITNESS: That's what the fine print of the agreement would be, if that was agreeable.

MR CARMODY SC: And between them they would still keep the basic knowledge of the areas that they covered.

10 THE WITNESS: Yes, but when you get into metropolitan area, if you were a sergeant of the Valley and a sergeant of the city, let me tell you, it might be only a couple of kilometres apart but in modern metropolitan policing there's worlds of difference, and I can tell you personally that there's -- say, if you were at Coolangatta or you were at Robina there are totally different dynamics, if you are at Broadbeach or Runaway Bay or Surfers Paradise and Runaway Bay.

MR CARMODY SC: And that wouldn't affect the integrity of the six permanent teams at Surfers Paradise?

20 THE WITNESS: Look, all that would have to be taken into consideration and the way the EB is, it is a very complicated -- at times, a product that's evolved into with the sixth EB in the last couple of decades. So anything is possible and again it would have to be in agreement with the union but it is interesting that the rank and file wished that --

MR CARMODY SC: It is a worthwhile discussion. The other one that seems worthwhile to explore a bit is your idea of transferring supervisors to a district as opposed to a station. You don't recommend that for anyone below rank of sergeant, though, is that right?

30 THE WITNESS: That's correct.

MR CARMODY SC: Why not?

THE WITNESS: Well, the possibility of senior constables, but as it sits at the moment, you have got constables and senior constables. If there is a specific gazettal they can apply for it. There is no ability to force transfer someone there but sergeants and senior sergeants, they are gazetted and they usually move on a gazetted position. It is when you get your first promotion and the gazetted positions, and that's the level of -- well, even though I class a senior constable as possibly the first beginning level of supervision, but sergeants are the first level.

40 MR CARMODY SC: I just wonder if you expanded it, say, from Surfers Paradise Police Station, you have got an advertised vacancy there and you get three of the same applicants all the time from constables, if you made it district wide and they could be serving in different stations would that make the Gold Coast generally more attractive? Do you think you would get more constables applying for the district rather than you get now for Surfers Paradise station?

THE WITNESS: As it sits at the moment, they wish to know where they are going and this is where there needs to be the negotiations and the process.

MR CARMODY SC: Well, you can say you are going to Surfers Paradise one week in four or something, but not four in four.

THE WITNESS: That's a possibility. Again, it would have to be up to negotiations in relation to -- with the union and the EB.

10 MR CARMODY SC: You and I could work it out.

THE WITNESS: Certainly.

MR CARMODY SC: All right. GPS tracking. You were asked some questions about that. Obviously, that would give you a great idea of where people would be. Do you recommend that or were you just saying in your statement that that's the only system that will give you 100 per cent accuracy.

20 THE WITNESS: Well, that only gives you where the vehicle is at the time, it doesn't tell you what they are doing.

MR CARMODY SC: What they are doing, no.

THE WITNESS: But it is another -- the benefits that do come from it, as I said, with pursuits, high speed pursuits, movements, quick response, the closest car and all that sort of thing, there are some benefits.

MR CARMODY SC: There are some operational benefits.

30 THE WITNESS: Well and truly.

MR CARMODY SC: For sure and that's how you see the greatest benefit?

THE WITNESS: Protecting the police and especially in relation to the allegations made against them in pursuits and all sorts of things.

MR CARMODY SC: Your idea isn't to spy on the police, it's just to know where they are.

40 THE WITNESS: Say that again.

MR CARMODY SC: Your idea isn't to spy on the individual police with the GPS?

THE WITNESS: No. Well, there is plenty of supervisors there but it is, like any other record that we do have with phones, CCTVs, it is another tool that can be used by investigators, internal affairs and other people in relation to -- with the proper legislative use of warrants, to check on things. So it can be used as that as well.

MR CARMODY SC: All right. Can I ask you to comment on this idea: We can't make people do the right thing, obviously. Supervisors are responsible for what their subordinates do in a theoretical way, they are answerable for any misconduct on duty by constables and senior constables.

10 THE WITNESS: They are there for guidance and direction and their shift objectives, their patrol objectives but unless they are teamed up with them, as you said earlier, they can't be holding their hand 24/7 so the office of constable has that marvellous thing called discretion, the discretionary power to make an arrest or not make an arrest, to do a job as to what we do have and that will never be taken away from a constable. The supervisor sits there and one would hope with the values instilled and looking at what they do there and the training that's put and the individual person. I don't think the supervisor can be totally held accountable for what the actions of the constable are.

MR CARMODY SC: No, that was my point. But one thing they could be held accountable for is not doing enough to ensure that the constables don't do the wrong thing. I mean, that's what they can do.

20 THE WITNESS: That's correct.

MR CARMODY SC: They can be more preventative --

THE WITNESS: Yes.

MR CARMODY SC: So they could be disciplined for not doing their job to ensure that there was a system in place --

30 THE WITNESS: The role of the supervisor is an integral part of our internal investigations as to what the supervising officer did at the time, what was the direction, the advice, and what they were doing at the time when the alleged misdemeanour or breach of discipline was taking place.

MR CARMODY SC: So you say you are not responsible for what he did but you are responsible for what he didn't do, to ensure he didn't do it.

THE WITNESS: You could put it that way, correct.

40 MR CARMODY SC: All right. You say in your statement that if a supervisor doesn't know what's happening in the division, they should be given a "please explain". Is there a formal process of showing cause on that sort of issue?

THE WITNESS: Oh, look, I think it is -- whether you call it a formal process or what. If the supervisor is in charge of the shift, you've got the next level up is the DDO, the district duty officer, if he went to talk to the supervisor and he couldn't tell him what the shift objectives, prime objectives were, where the staff were, what they were doing, what's happening within the division, he would then give him a verbal and he could give him guidance on the run there and then.

MR CARMODY SC: Yep.

THE WITNESS: If it then got more serious, you could have the duty inspector, the RDO come over the top and do it as well.

MR CARMODY SC: Well, in fact, I think you perhaps neatly sum it up in your Coomera district sergeants' development workshop. You say, "If a mistake is made, accept it, address it, fix it and risk manage it. If it happens again your risk management might not have worked so see point 1. If it happens a third time someone needs a smacking, most likely you."

THE WITNESS: If that's what's there, that's what's there.

MR CARMODY SC: All right. While I am dealing with that, you developed that Coomera district sergeants development workshop in March this year didn't you?

THE WITNESS: I didn't, no.

MR CARMODY SC: You didn't? All right.

THE WITNESS: The staff there, the district officer in conjunction with his staff and put it there.

MR CARMODY SC: Well, it is a refinement of the management development program for sergeants.

THE WITNESS: They could acknowledge it in there. It well could be. I am not in a position to talk about the intricacies of what is there except -- without going to the document.

MR CARMODY SC: What it was designed to do was for the Coomera district to develop senior sergeants up to -- sorry, develop senior constables up to sergeant?

THE WITNESS: Part of the initiative, yes.

MR CARMODY SC: Yeah, and it is called SERGEANTS, isn't it? That's the acronym, SERGEANTS.

THE WITNESS: Correct.

MR CARMODY SC: It deals with supervision, ethics, responsibility, guidance, enthusiasm, appraisal, negotiation, transparency and slippage.

THE WITNESS: That's correct.

MR CARMODY SC: Well, we think that's much better than the existing MDP and would be worth implementing service-wide. What do you say about that?

THE WITNESS: Look, it is, again, to implement something service-wide it has to

go to PEAC, it has to be approved. I am certainly not an academic, never have been, never will be, in relation to producing a document that needs to be. These documents that we've produced have been initiatives at the coal face by people. I would know that the people, the inspector -- and the people who have prepared that there would no doubt have taken advice and maybe qualified in that regard.

MR CARMODY SC: We think they are very smart. So could we tender that.

THE WITNESS: I will pass on the compliments. Thanks very much.

10

MR CARMODY SC: We might tender that for the chairman.

THE WITNESS: I think he has got a copy.

PRESIDING OFFICER: I have got a copy.

MR CARMODY SC: Have you? Okay.

THE WITNESS: I will pass on the compliments.

20

MR CARMODY SC: I am sure they will care what I think. I think that's all I have got for you, Assistant Commissioner. That's all I have got, thanks.

THE WITNESS: Thank you, sir.

MR WATTERS: Mr Chairman, the assistant commissioner's evidence has been comprehensive. I have no questions for this witness. While I am on my feet there is a short housekeeping matter.

30

PRESIDING OFFICER: Yes.

MR WATTERS: You might recall that my friend the learned Mr Carmody of senior counsel cross-examined Detective Inspector Dowie earlier this week and there were some questions around a PowerPoint presentation concerning integrity that he had prepared for his detectives at the southern investigation group. My friend asked if a copy could be produced and Dowie said it could. And you certainly approved of that course.

PRESIDING OFFICER: You have got it in your hand now, have you?

40

MR WATTERS: We have got copies of the documents. I am just wondering if you just want it distributed at the Bar table or if you want it tendered?

PRESIDING OFFICER: We will put it on the public record. We will tender it, yes. It is Exhibit 135.

ADMITTED AND MARKED "EXHIBIT 135"

MR WATTERS: I so tender it. And I have copies. They will be distributed to the

Bar table. Thank you, Mr Chairman.

MR CARMODY SC: Mr Chairman, there is one more matter. Perhaps the Assistant Commissioner can go before I raise it.

PRESIDING OFFICER: You are free to go when you are ready.

MR ALLEN: I have no further questions.

10 PRESIDING OFFICER: Do you want to go now.

THE WITNESS: Yes, your Honour, thank you very much.

WITNESS EXCUSED

PRESIDING OFFICER: Before Mr Carmody gets worked up again.

20 MR CARMODY SC: Your Honour, I just want to correct the record. Mr Leavers in his evidence -- I can't remember it but he is concerned that he might have suggested or even said that Townsville has got an officer-in-charge at inspector level. And if he did say that, then he withdraws it. It is not right. The inspector at Townsville is also in charge of other areas, not just Townsville.

PRESIDING OFFICER: Okay. That correction is on the record.

MR CARMODY SC: Yes, thank you.

PRESIDING OFFICER: You have got nothing more at the moment?

30 MR ALLEN: No. Would a resumption at 2.30 be suitable, chairman?

PRESIDING OFFICER: Yes, it would for a number of reasons.

MR ALLEN: Yes.

PRESIDING OFFICER: So we will adjourn until 2.30.

THE HEARING ADJOURNED AT 12.56 PM

40

EXHIBITS

EXHIBIT 132	Attendance notice and oath of service	3783
EXHIBIT 133	Statement of Paul Anthony Wilson	3783
EXHIBIT 134	Bundle of registers	3818
EXHIBIT 135	PowerPoint presentation on integrity	3837