



**QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS**



Occurrence #: _____

Statement no.: 1 of 1 Date: 19/09/2010

Statement of

Name of witness: DOWIE, Michael William

Date of birth: _____ Age: _____ Occupation: Detective Inspector

Police officer taking statement

Name of police officer: FAMILY NAME, Given name(s)

Rank: Detective Inspector Reg. no.: 6212

Region/Command/Division: South Eastern Region, Gold Coast District Station: Southern Investigative Group, Gold Coast CIB

Statement:

MICHAEL WILLIAM DOWIE states,

1. I am a Detective Inspector of Police and the Officer in Charge of the Gold Coast District Criminal Investigation Branch, Southern Investigative Group ("SIG"). My office is situated in the Burleigh Heads Police Station.

2. I commenced in this position on 5 May 2009 after my promotion to the rank of Inspector became effective (on 27 April 2009).

BACKGROUND

3. I commenced employment with the Queensland Police Service in January 1981 at the Yeppoon Police Station as an administration officer at the age of sixteen years. In October 1985 I was accepted into the Queensland Police Academy as a probationary Constable. I graduated from the Academy on 6 June 1986 and was posted to general duties in Cairns. I attained my Detective's appointment on 10 October 1991 and, since then, I have dedicated my career to criminal investigations in a variety of functions and been promoted to management positions in that field


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throughout my career. Over twelve years of my career was devoted to investigating organised crime and drug syndicates.

4. My career movements are summarised in the following table:

Period	Rank	Function	Location
5/5/2009 – present	Detective Inspector	Officer in Charge, Southern Investigative Group, Gold Coast CIB	South Eastern Region
24/2/2003-27/4/2009	Detective Senior Sergeant	Officer in Charge, Far Northern Region Drug Squad (Regional function)	Far Northern Region
10/6/2002-21/2/2003	Detective Sergeant	Officer in Charge, Mareeba District CIB	Far Northern Region
15/3/1999 - 9/6/2002	Detective Sergeant	Team Leader, FNR Drug Squad	Far Northern Region
6/1/1997 - 14/1/1999	Detective Senior Constable	FNR Drug Squad	Far Northern Region
14/3/1992 - 5/6/1997	Detective Senior Constable	Tully Criminal Investigation Branch, Innisfail District	Far Northern Region
11/10/1991-13/3/1992	Detective Senior Constable	Cairns Criminal Investigation Branch, Cairns District	Far Northern Region
18/10/1988-10/10/1991	PCC 1/C - PCC	Cairns Criminal Investigation Branch, Cairns District	Far Northern Region
6/6/1986 – 17/10/1988	Constable	General Duties Cairns and Thursday Island police stations	Far Northern Region

5. In the lead up to my promotion to the rank of Inspector, I had the opportunity of developing my management skills during periods of relieving in Inspector positions in the Cairns District, namely, as the Cape Inspector (All Cape York and Torres Strait Island communities), Cairns City Inspector, and Cairns Support Inspector.


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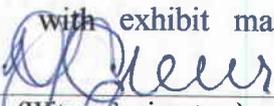

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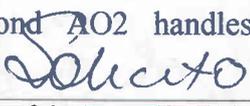

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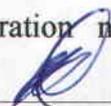
6. I also relieved as the Regional Crime Coordinator, Far Northern Region on a number of occasions.

DUTIES AND RESPONSIBILITIES

7. When I applied for promotion to Commissioned Rank I addressed the selection criteria and position description for Inspector General Stream positions (GS009 - 2008). In addition to the responsibilities outlined in that position description, the Detective Inspector who is in charge of the Northern Investigative Group (“NIG”) and I are also the Officers in Charge of a Criminal Investigative Branch. In addition, the Detective Inspector, NIG has management responsibility over the Gold Coast District Child Protection Investigation Unit.
8. To manage both portfolios we are allocated two Detective Senior Sergeants in each Branch. One is assigned to the operational management of the Branch and the other is assigned to administration management.
9. This management structure was implemented as a result of the “Pickering Report” in 1998. The two Detective Senior Sergeants form an integral role in the management process and have individual roles allocated to them to assist in maintaining the effective management of SIG. The Detective Sergeants are also responsible for inline supervision and management of their subordinates.
10. In addition to the responsibilities of the roles of Inspector and Officer in Charge of SIG, I am responsible for managing one of the largest property offices in the Region. The property office located in the Burleigh Heads (SIG) complex and is managed by an Administration Officer Level 3 (“AO3”) position.
11. The property office does not handle found property. Rather, at present, approximately 5,500 individual items of seized property are held in this property office. The workload of managing such a significant number of exhibits far exceeds the capacity of a part time property officer and, as such, an Administration Officer Level 2 (“AO2”) is permanently assigned to assist the AO3 with exhibit management. A second AO2 handles SIG’s administration needs and an


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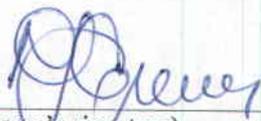
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Administration Officer Level 5 Intelligence Criminal Analyst also come under my direct management.

12. To summarise my current duties and responsibilities as the Detective Inspector and Officer in Charge of SIG, I have the inline responsibility for the overall management and supervision of all aspects of the operational, human resource and administrative functions of SIG including the property office and the Casino Crime Squad. This includes the establishment, updating and implementation of Risk Management Plans, Business Continuity Plans and Standing Operational Procedures. These are all designed to ensure compliance with the Service policy and procedures and legislation governing police powers and responsibilities, human resources and fiscal management.

SOUTHERN INVESTIGATIVE GROUP

13. My first shift as the Detective Inspector SIG set the scene for what has been, and continues to be, a very challenging time in my career.
14. Approximately two hours into my shift, I was attending a senior management meeting at the District Office when I was advised of the discovery of the body of a security officer in an industrial estate within my area of responsibility. This resulted in the commencement of Operation Hotel Shelf that investigated the brutal murders of the security officer, his wife and one of the co-offenders involved in these two murders. The co-offender was murdered near Tamworth New South Wales. The two offenders were eventually arrested in Melbourne, Victoria where they resided and were extradited back to Queensland.
15. From that first shift to the present time, every aspect of my investigative, administrative, human resource management and logistical workload far exceeds what I had previously experienced.
16. I have caused a timeline chart to be compiled identifying the serious crimes investigated by SIG CIB since the beginning of 2009. I did so in order to illustrate the significant workload undertaken by SIG investigators and the challenges this workload represents. In addition, we still continue to



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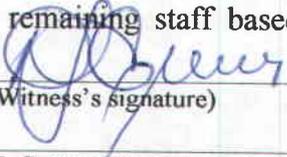
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investigate the Australia Day shooting murder that occurred prior to my arrival and two other cold case murders.

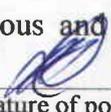
I am able to produce this timeline chart.

MANAGEMENT

17. On 18 June 2009 I held a staff meeting with all available SIG staff. At this meeting I presented a range of management and supervision expectations I wanted to highlight to my staff. During the presentation I raised a number of issues, stressing my expectations and relating practical reasons why the Service and I had those expectations. Where possible I related the expectation to a practical scenario to ensure the staff clearly understood the Service position and my position as their Inspector and manager.
18. The presentation included topics such as self evaluation and continuous improvement, individual actions impacting on others and the functions of the office and external and public perceptions of the office and the Service in general. Individual work ethics and how low performance or inappropriate behaviour of an individual affects the office generally were explained. I also discussed my plans for the future direction of SIG, issues raised by the property officer, court brief management and administrative issues, operational management issues, Human Source management and, as identified in the CMC Report entitled, "Dangerous Liaisons", the fact that inappropriate associations pose a significant risk to the integrity of policing.
19. I have since caused the Human Source Unit to attend SIG and provide a presentation to staff on the management of human sources.
20. Further, in an attempt to more effectively and efficiently manage the workloads of SIG staff, I introduced trial satellite teams (decentralisation) at the Broadbeach and Coolangatta stations with a Robina team housed at Burleigh Heads complex.
21. The idea behind this concept is to not roster these teams on response shifts. This is then supposed to free them up to enable them to focus on files and reported crime in their areas whilst the remaining staff based at Burleigh Heads respond to daily reported serious and major crime,


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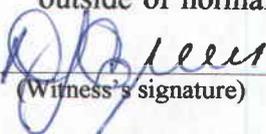

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proactively targeted recidivist property and drug offenders and developing operations targeting organised crime in our area.

22. I have since conducted two written evaluations of this trial and reported to the District Officer and Senior Management of SER to that end.
23. In these evaluations I identified that it was not possible for the limited number of staff left at Burleigh Heads to manage response shifts and reported serious crime. The satellite teams were being constantly called upon to assist in, or investigate, serious crimes. I am here referring to homicides, reportable deaths, armed robberies, ATM explosions, arsons, rapes, serious assaults, high level property crime (such as \$500,000 break, enter and steal offences), high profile and media interest offences such as assaults and robberies of Asian students or Indian taxi drivers. In fact, the Broadbeach team has been pulled back to Burleigh Heads for this reason, although the Coolangatta team remains decentralised at the Coolangatta police station.
24. I also identified in my evaluations that the satellite teams enjoyed being integrated with general duties officers and saw great value in working in this environment. Despite this, I still believe satellite teams (decentralisation) in these stations is the way of the future for SIG and I will continue to promote this organisational structure.
25. I have also implemented 'Team Leader' meetings that include the Detective Senior Sergeants where we discuss operational, Human Resource Management and Administrative issues affecting the efficient management of SIG.
26. We rely on the Team Leaders' monthly assessments of performance and the Operational Detective Senior Sergeants over-viewing role in this assessment. Team Leaders are required to supervise their staff and staff from other teams during rostered shifts. We also rely on daily conversations and observations, scrutiny of occurrence sheets and Qprime holdings to evaluate staff performance and maintain supervision.
27. District Duty Officers and Regional Duty Officers are required to monitor staff movements outside of normal business hours when senior management are not working. We of course also


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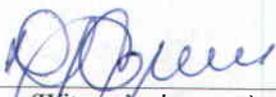

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rely on the individual's work ethic and professionalism and promote these qualities by leading by example. Emails are sent to staff to provide direction on management concerns that may arise to remind them of my expectations and the expectations of the Service with regards to those identified issues.

28. All Plain Clothes Staff in the Region undertaking the Detective Training Program are required to participate in the SER Plain Clothes Development program. This program requires all Plain Clothes staff to provide progressive work performance statistics with supervisor comments on their performance during the assessment period. The Regional Crime Coordinator, three Detective Inspectors and Inspector Crime Services in Coomera District then assess each individual officer and provide feedback to them on their performance and progress towards attaining their appointment as a Detective.
29. The staff at SIG and I have all participated in the 'Dangerous Liaison' training. My Administration Detective Senior Sergeant was a member of the delivery team. I have also participated in a meeting with Assistant Commissioner Wilson where he discussed 'indicators of slippage in police practices and behaviour'. I then passed this information on to my supervisors. I also attended the State Crime Operations Command 'Symposium on Maintaining Ethical Behaviour – The Dilemma for Policing' and the Senior Leadership Induction Course.
30. To improve productivity and encourage proactive intelligence and resource sharing between stakeholder agencies, I instigated the 'Multi-Agency Joint Intelligence and Investigation Committee' (MAJIIC) on the Gold Coast. This committee meets regularly to share information, identify mutual interest targets and develop targeting strategies. The committee consists of representatives from the QPS (SIG and NIG), New South Wales police, Australian Federal Police including the Airport Uniform Police and the Australian Customs and Border Protection Service.
31. The aim in fostering these relationships is to build professional trust between the agencies enabling us to work together towards solutions to tackling organised crime in the greater Gold Coast area. The sharing of information between agencies at a management level provides a safeguard that identifies criminal behaviour that could be otherwise protected by unethical behaviour by members of a particular agency.


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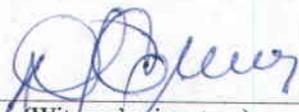

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32. I have also implemented the use of the 'Offender Risk Assessment Matrix' to manage recidivist offenders in SIG's area of responsibility. Information is shared with Probation and Parole and high risk recidivist offenders are identified and prioritised for proactive targeting strategies. This process provides an identification strategy that includes input from an external agency and transparency in the processes used by SIG to do so.
33. The above management practices which I have implemented in the past sixteen months were introduced in order to maintain professional standards of ethical behaviour of the members of SIG as well as the overall performance and efficiency of SIG as a unit. It is worth noting in this regard that all Gold Coast plain clothes staff enthusiastically participated in the recent Gold Coast CIB review 'ABEO' and, as I understand it, that report has now been finalised.

SUPERVISION

34. Plain Clothes Staff at SIG are the subject of a wide range of supervision strategies, structures and systems. In this regard, the performance management of Plain Clothes Staff on the Gold Coast is similar to the management of all Plain Clothes Staff across the State.
35. Since commencing at SIG I directed that the Detective Senior Sergeant Operations ("DSS OPS") should commence his shift at 6am. This enables the DSS OPS to debrief the night wireless shift if SIG is rostered on rotation, analyse reported overnight crime and brief the 6am to 2pm SIG response team on the requirements for their shift.
36. At 8am each weekday the DSS OPS holds morning readout, rollcall, discusses each rostered officer's plans for their shift and allocates tasks as required.
37. The 2pm to 10pm shift take up with the DSS OPS at the commencement of their afternoon shift and are briefed on any tasks or jobs during the day and they brief the DSS Op's on their plans for the shift.
38. In the absence of the DSS OPS a Detective Sergeant is the rostered shift supervisor and performs this role. The DSS Administration is also available most week day shifts.


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39. The Senior Sergeants share weekend budget allocations to supervise weekend shifts as the budget allows. The DSS OPS is on call. As the Inspector and Officer in Charge, I also monitor officers arriving for work and what they are doing during their shift.
40. Team Leaders are also heavily relied upon to provide supervision to all staff on the rostered shift. I also rely on the District Duty Officers and Regional Duty Officer to supervise my staff after hours and monitor their movements. I have directed the COMCO's to immediately contact the DSS OPS if they are unable to contact a rostered SIG crew after hours.
41. In July 2010 Assistant Commissioner Wilson implemented the 'Plain Clothes Occurrence Sheet' system. This system not only records special occurrence entries but also collates statistics such as arrests, submission of crime intelligence reports and street checks. Once our officers are competent in the use of this new system it will replace the North Coast Plain Clothes Work Performance System that has been in use for a number of years.
42. The new system provides the supervisors and management with an easy means to monitor staff activities during their shifts. Staff log on at the commencement of a shift and update the log throughout their shift where practicable. Supervisors with wireless laptops can monitor log entries to monitor their staff if required. Easy search functions provide work performance downloads to enable supervisors to monitor work outputs.
43. All members are required to make daily entries in their diaries outlining their activities and movements during their shift. Qprime PAC's are updated with investigations undertaken to date and can be monitored by the Team Leaders to perform the role of the 'crime manager' for their team.
44. All Plain Clothes staff below the rank of Detective Senior Sergeant submit monthly work performance sheets that are overviewed by their Team Leaders and the DSS Operations and feedback is provided. The South Eastern Region Plain Clothes Development program further overviews this process for the Plain Clothes officers undertaking Detective Training.

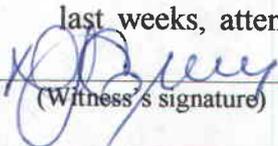

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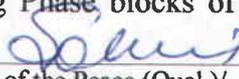

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45. The DSS Operations and Detective Inspector examine the SIG occurrence sheets every day to monitor rostered staffs work out put and movements during a shift.
46. More generally, all members and staff are required to participate in the Service 'Performance and Planning Appraisal' system. This involves the setting of a variety of goals over a twelve month period with supervisor evaluations at six months and at the end of the year. Supervisors rate the member's performance as 'met', 'exceeded' or 'not met'. The evaluation, comments and ratings are then overviewed by the supervisor's immediate supervisor. The subject officer can review the process to his over-viewing Commissioned Officer. This process can also be used in a 'Managing Diminished Work Performance' situation to rehabilitate a member back to a productive and efficient work performance level.
47. Plain Clothes Constables are also assessed as they progress through the Detective Training Program. They undertake studies and have to provide 'practicums' containing examples of investigations they have conducted to demonstrate they have complied with legislation, policy and procedures and have demonstrated the desired aptitude and skills.
48. Plain Clothes staff are assessed on a range of matters including their arrests, interviewing skills, knowledge of the law and the ability to apply it, court brief preparation, time management skills in the management of files, number of failed prosecutions, personal aptitude and attitude towards their duties, colleagues and the public in general, adherence to compliance requirements, ability to cultivate Human Sources and correctly manage those sources and a demonstrated commitment to personal development.
49. Although it is expected that all Plain Clothes officers should possess and demonstrate the majority of these abilities the majority of the time, there are many issues that can impact on an officer's ability to maintain high standards on all these matters consistently. For example an officer may make a large number of arrests one month and then need to allocate their time preparing briefs of evidence the next month. An officer may be detailed a complex fraud that could take months or even years to investigate only to establish there is insufficient evidence to commence a prosecution. An officer may be assigned to a Major Incident Room for an extended period of time removing their ability to effect arrests. The officer may also be involved in a large trial that can last weeks, attend Detective Training Phase, blocks of three weeks at a time as well as other


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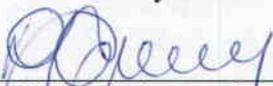

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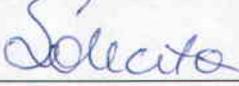

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training requirements or simply be assigned to perform public order policing at a major event such as 'Schoolies'. Performance management therefore needs to take an individual officer's circumstances into account.

50. Personal circumstances and health related issues may also affect work performance. For example, it is not uncommon for officers to be injured at work and be placed on extended sick leave, light duties or in the case of female officers 'part time' agreements after starting a family.
51. In the case of Plain Clothes officers not achieving their Detective's appointment after a certain period of time being returned to uniform duties, I would first look for the reasons why the officer failed to obtain their appointment, attempt to motivate them to apply for their appointment, provide them with time to prepare their application if workloads are inhibiting the process and then encourage them wherever I can to a point where they attain their appointment.
52. If the officer does not demonstrate the motivation or aptitude to progress their application then I would almost certainly conclude that the officer should return to general duties. For example, in the past year I directed two officers to submit their applications for appointment after discovering they were well overdue to attain detective status. I explained to the officers that they were not demonstrating the desired aptitude and that I intended to recommend to the Assistant Commissioner they be moved back to general duties if they did not submit successful applications to the next sitting appointment board. They did submit applications as directed, but they were not successful.
53. An effective supervisor of Plain Clothes officers has all of the professional traits of a competent Detective discussed above coupled with the ability to lead by example, the ability and will to monitor, guide and direct staff and, if need be, to correct or report the behaviour of staff that could amount to discipline or misconduct breaches.
54. Effective supervisors of Plain Clothes staff have a very good knowledge of the criminal law and Human Resource Management legislation as well as Service policy and procedures including the Code of Conduct. They are experienced and able to perform their duties confidently and effectively and have the respect of both their subordinate and senior colleagues. They are able to


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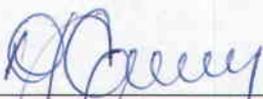

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motivate staff but also monitor the wellbeing of their staff and be prepared to provide constructive criticism to assist an officer to develop better performance management skills. They have good communication skills and people skills. They clearly articulate their expectations of their staff, live by their own rule and act promptly if a member of staff does not meet their expectations.

55. On the other hand, supervisors are accountable for the management of their staff, whether that be the progress of their case files or other aspects of their duties. This requires regular assessment and monthly reporting to the management team on their performance and providing explanations where there may be an identified issue. The supervisors are also accountable for operational decisions and directions provided to subordinate staff.
56. The responsibility for the removal of an officer from a plain clothes role at the Gold Coast if they are ineffective or underperforming ultimately rests with the Assistant Commissioner for the Region. Such action would only occur upon the written reporting and recommendation of the relevant Detective Inspector, with supporting recommendation of the District officer.
57. Poor performance can be an indicator of a variety of issues including the risk of misconduct. Recognised slippage indicators include such things as unprofessional appearance and presentation, unexplained and excessive sick leave, late or poor quality briefs of evidence and correspondence and related indicators. On the observation of such conduct, usually in the first instance by a team leader of the rank of Detective Sergeant, I would expect the matter to be reported to me. That would result in intervention via interview and counselling in the first instance to determine the cause of such conduct and where satisfied that welfare, family or other bona fide issues were not contributing features, remedial action would be taken under the QPS Diminished Work Performance policy which provides guidance to management in such circumstances. This policy is designed to address performance issues through a variety of interventions, monitoring and review systems. Where an officer fails to respond or has proven integrity issues, officers can be the subject of a management initiated transfer.
58. I am familiar with the expression "Blue Light Taxis" which I take to be a reference to the improper transportation of off-duty police to home or elsewhere in a departmental police vehicle.


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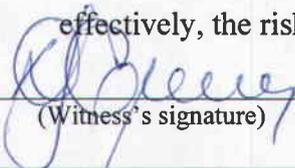

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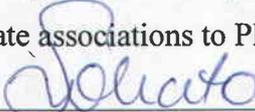
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59. There may be circumstances where police vehicles may permissibly be used to provide non-operational transport for a police officer. This may arise in a variety of ways but obvious examples include transport due to welfare concerns or returning officers home who have been forced to place themselves on duty to address a situation when they had been off duty. There may also be legitimate work related reasons where a plain clothes officer has been approved to consume alcohol on duty and cannot drive.
60. That stated, I have recently been made aware that there had been a practice of some officers requesting rostered staff to provide transport from their residence to licensed premises. This is not permissible under any non-operational circumstance and, when I first became aware of the practice, I made this abundantly clear to my staff. Like any action by a Police Officer or staff member, if such actions such as transports of off duty police cannot be properly explained or justified there is a risk that those actions will seriously impair public confidence in the Service.
61. More recently, and when I was on holidays, it came to my attention that an officer had made such a request and, in consequence of receiving this information, I telephoned my Assistant Commissioner to report it. The matter was subsequently investigated and substantiated and the Assistant Commissioner immediately moved the officer concerned back to uniform duties.
62. Since this time the Commissioner has implemented specific policy outlining clear direction on the use of such transports and the reporting requirements for such transportations.

INAPPROPRIATE ASSOCIATIONS

63. An "inappropriate association" for a plain clothes officer would be an association whereby the officer has either compromised his or her integrity as a result of that association or could be thought by the community to have compromised their integrity in circumstances where there is no proper justification for the association.
64. The recent training in consequence of the "Dangerous Liaisons" report by the CMC, my personal training and Human Source Management training have each clearly highlighted, and I think effectively, the risk of inappropriate associations to Plain Clothes staff at SIG.


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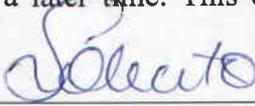

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65. Through this training, officers have also been made aware of the dangers of being inadvertently cultivated as a source by criminals. It goes without saying that if an officer becomes involved in unethical behaviour, that association is not justified or explainable. Officers are well aware of their managers' and the Service's expectations of their behaviour both whilst on duty and off duty. This is reinforced by the Code of Conduct, by advice provided to them by their supervisors and managers and in training such as the programs just mentioned.
66. In addition, during the current month (September 2010), Assistant Commissioner Wilson requested all Plain Clothes staff in the Region be provided with ethics training by the Senior Management of the CIB's and CPIU's. This training has been developed by the Gold Coast CIB Detective Inspectors in conjunction with the Detective Superintendent (Regional Crime Coordinator) and has commenced. It should be completed by the end of the month and is being well received by the Plain Clothes officers.
67. So far as reporting is concerned, I have referred what I believe to be 'high risk' human source to the Dedicated Source Unit as I did not believe my local officer had the training or experience to manage the Source. I cannot comment on associations outside of work hours other than to say that the staff are continuously reminded of the need for the highest ethical and professional behaviour both during and outside rostered working hours.
68. Of course, there may be legitimate reasons why a Plain Clothes Officer may form an association with a criminal or person associating with criminals. An example would be a senior and experienced officer forming an association with a President or Sergeant at Arms of an OMCG for the purposes of a contact point. Such associations are regularly established and maintained to effectively manage such groups. An example would be to gain accurate information about a pending 'Poker Run' to ascertain what police resources will be required to effectively manage the event.
69. Although not recognised as 'consorting duties' anymore, there can be real advantages for investigators to develop a rapport with known criminals. If a rapport is established, it can assist in the provision of information at a later time. This of course is quite distinct from the situation


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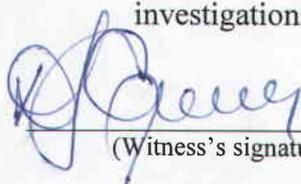

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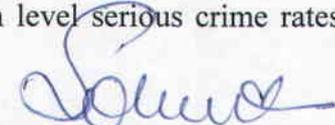

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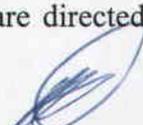
CONTINUED STATEMENT OF: **DOWIE, Michael William**

where, for example, an officer socialises with a group of criminals. It is the building of a rapport and that should never involve any suggestion that the officer's integrity has been breached.

70. Such associations are required to be recorded in diaries and briefed up to supervisors and managers. They may also be recorded by way of Criminal Intelligence Submissions.
71. During my career I have in fact employed socialising with criminals as a deliberate strategy to disrupt their intentions. In that instance, I became aware that OMCG members wanted frequent a small rural hotel and use it as their meeting place and social venue. The owner could not afford security and his clientele was predominately farmers and local regulars. They were all intimidated by what was in prospect. At the time I was covertly targeting this group for drug trafficking and they were also under investigation with respect to a murder. I formulated a strategy, briefed members of my Squad and alerted senior management. I then made arrangements with the publican to be telephoned when the members arrived. Where operationally possible and sound I would then attend the hotel with three or four members of my Squad and deliberately socialise with the locals as well as the OMCG members. I left them in no doubt that we would be visiting regularly. A few timely visits of this nature moved the OMCG members on and back to their clubhouse.
72. That association could not cause any reduction in public confidence and when we arrested the gang members for trafficking and a murder it in fact very positively reflected on the Service and my local detectives. Our actions were explainable and justified, reported to senior management, managed with a strategy and we also benefitted by identifying associates of the gang. This proved valuable later in the investigation as we were able to cultivate and obtain witness statements from twenty persons dealing drugs for the gang members and relied on their evidence to convict the gang members.
73. That said, I have not had a situation arise on the Gold Coast where Plain Clothes officers socialising with criminals as part of their duties would be an effective or justifiable investigative strategy. The entrenched nature of OMCG's on the Gold Coast would limit the effectiveness of such a strategy on the Gold Coast. The Gold Coast CIB primarily undertakes reactive investigations due to high level serious crime rates. As such, officers are directed they cannot


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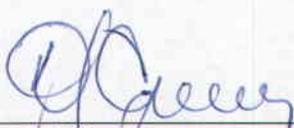

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consume alcohol or visit licensed premise during rostered shifts except when directly related to their duties such as investigating an assault.

74. The current Human Source Management policy is comprehensive. Strict compliance with it is required of all Plain Clothes officers under my command.
75. Any meetings with human source contacts, either in person or otherwise such as telephone calls, must be reported by way of a 'Contact Advice Report' and where possible recorded. A nominated co-handler should wherever possible be present during personal contacts. Contacts should also be recorded in the officer's diary using the Human Source code number or code name. Ideally the officer will advise their supervisor of the arranged meeting and outcome of the meeting.
76. I have provided my staff with specific directions concerning how such meetings should occur. I am not prepared to discuss such arrangements in a public forum for protection of methodology and protection of Human Source reasons (PPRA 803 and DMA 119).
77. There are numerous reasons that govern when and why a human source must be registered and meetings correctly reported in 'Contact Advice Reports'. The policy is designed to assess any risks to the officer, Service or Human Source and develop and implement strategies to reduce those risks. The term "source" obviously means the person is providing police with confidential information and that their identity is protected or needs protecting. There are other forms of sources that pertain to members of the public who provide information and their identity doesn't need to be protected. Normally a Human Source is to be registered if they are providing information of criminal offending on a regular basis or a one off basis where they want their identity protected and/or want some type of recognition for their assistance such as a reward or 'letter of comfort'.
78. With regards to changes in Human Source management since the "Dangerous Liaisons" report, I cannot say that I have seen any noticeable changes because the Regional Crime Coordinator for the Region commenced a dedicated campaign to educate the local plain clothes staff regarding such matters and increase compliance with the policy in late 2008. With my background in the


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Drug Squad, when I arrived at SIG I immediately added my full support to this commitment and the commitment of my colleague at NIG to properly and effectively manage Human Sources.

79. The reporting requirements in relation to dealings with known criminals in a social setting vary depending on the nature of the “dealing”. For example, if a criminal was providing confidential information, the officer would be required to comply with the Human Source policy. If it was a one off meeting, the officer might submit a Criminal Intelligence Report if warranted. On the other hand, there may be no need to report an incidental meeting or the fact a known criminal was at a venue socialising where such a report would add nothing to existing Criminal Intelligence.
80. Officers associating with criminals in a social environment such as licensed premises can pose a number of risks if such associations cannot be explained or justified. The mere perception of an association by members of the public could lead to a misunderstanding and reflect badly on the Service. In addition, officers may be inadvertently coerced into revealing sensitive or protected information, especially if they are off duty and consuming alcohol. Members may be placed in a compromising situation where a criminal may try and take advantage of that situation. Education, continuous reminders and warnings of the pitfalls of such associations and expectations regarding ethical behaviour must continue to minimise such risks.
81. Inappropriate associations could lead to the inadvertent or deliberate and unethical release of information that could compromise a sensitive investigation. Major Incident Rooms are restricted access areas and the ‘Need to know’ rule is applied to sensitive operations. This includes limited access to file server folders, email accounts for the operation, MIR’s in another office or area or the referral of a particular investigation or operation to another removed Unit or agency. Constant reminders to staff with respect to the risk of being cultivated or inadvertently providing information to Human Sources or members of the public, in particular the media, keeps this issue at the forefront of investigators minds.
82. I believe that the current policies and training in this area are sufficient and are working appropriately.


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GIFTS AND BENEFITS

83. I have not attended a Night Club on the Gold Coast since arriving here in May 2009. I have heard that some nightclubs have promotional drink cards that are provided to patrons to encourage them to that particular venue or keep them at the venue with a view of them staying longer. Family friends lead me to believe that clubs offer free entry to women on specific nights and free drinks on other nights and that, if someone is well known, they will often be given free entry. Colleagues in other 'Emergency Services' agencies advise me that personnel are regularly given free drink cards as a promotion to get shift workers to the clubs on slower nights.
84. If officers participated in such promotions, that would not in my view necessarily place them in a compromising situation by reason of that fact alone. I am in any event not aware of any nightclubs or hotels offering free drinks to police officers in my area of responsibility.
85. My attitude towards such behaviour would depend on an assessment of all of the established circumstances. For example, I would need to ascertain the purpose of their attendance at the venue, whether there was any possibility of their duties as police officers being compromised in any respect, the actual behaviour of the officers at the venue, the frequency of attending specific venues, whether officers were receiving more than is offered to other members of the public and, if so, why and any evidence those venues were receiving preferential treatment from police. I would also consider the background and intelligence holdings to assess the motives of the management of the venue when determining my attitude towards such a practice. I haven't done this as I have no inline management control over the Surfers Paradise area and my members do not normally police this area.

ORGANISATIONAL CULTURE

86. So far as the organisational culture is concerned, I have been a police officer for nearly twenty five years and I have seen vast changes in that culture since the Fitzgerald Inquiry. I personally believe that the overwhelming majority of officers in the Service comply with all reasonable standards of conduct, both professionally and personally.



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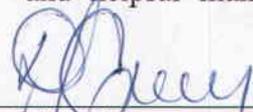
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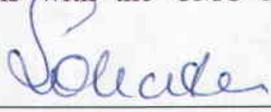
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87. Further, by my observation, such compliance comes about primarily because of their ethical values and not simply because they are required to or will face disciplinary action if they fall short of Service standards. Police officers spend a significant amount of their rostered shift attending to compliance requirements of legislation, policy and procedures and safeguards and I am pleased to state that, in the main, the independent audits conducted by the Ethical Standards Command Audit and Review team find that compliance is to a high standard at SIG.
88. I believe the QPS is constantly evaluating and adapting to new challenges by educating its members and managers and this is creating evolving cultures within the Service that makes us resilient and effective in detecting unethical behaviour and corrupt activity by the handful of officers prone to such behaviour.
89. Of course, heavy workloads may lead to a slippage in compliance reporting and see some officers take short cuts. This is recognised as an issue that needs to be closely monitored by the Service and managers at all levels. It is also recognised that poor compliance on behalf of individuals or groups could be an indicator of ethical slippage.
90. QPS workplace harassment policy clearly sets out the expectations of the Service regarding what could be perceived as 'bullying'. The *Police Service Administration Act* requires members to report alleged misconduct or breaches of discipline. The Service has an Internal Witnesses Support Unit which is tasked to protect the interests of members who make such reports to protect them from bullying if this is identified as an issue. I am also aware of the whistleblowers' legislation to support and protect employees who report misconduct. Members and staff are supported when they report misconduct and management strategies such as reminders about legislation and Service policy and the expectations of management are distributed to reduce the risk of the victimisation of officers who report misconduct.
91. From a SIG perspective I am not aware of any bullying behaviour reported during Tesco. Every one of my staff involved in the Tesco investigations, hearings and interviews have been provided with my personal support and the support of the SIG management in general. SIG members including staff members have been urged to participate in these investigations in a truthful, honest and helpful manner. Negotiations with the CMC investigators have led to my staff being



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interviewed at their own office where possible to reduce the stress associated with such interviews and reduce the impact on the office operationally.

92. Indeed, SIG members have demonstrated their willingness to report such behaviour and alleged breaches of discipline. For example, SIG members recently reported inappropriate behaviour to me that resulted in a complaint against a SIG member and disciplinary action being taken by the Assistant Commissioner SER.

OFF-DUTY BEHAVIOUR

93. I am not personally aware of any police officer using illicit substances and if I became aware of such an issue I would immediately report it.
94. I am not aware of any of my officers having a problem with alcohol that affects their ability to work or decision making at work. Consumption of alcohol is not tolerated in any manner whilst on duty. I have previously had work colleagues suffer from alcoholism and I have supported them through Service provided remedial programs. The modern day Detectives training days and morale building activities centre on physical competitions such as triathlons. The culture of being physically fit and competitive in sports often identifies when an individual may be drinking or partying to excess and often his own colleagues intervene.
95. If I had concerns about a particular individual I would approach that individual and discuss my concerns with them. If this intervention did not resolve my concerns I would not hesitate to report my concerns. I am not aware of any activities by SIG staff that would affect community confidence in this regard.

WORKFORCE AND HUMAN RESOURCE MANAGEMENT ISSUES

96. I am not of the belief that there are any intergenerational perspectives that negatively impact on my staff or the management of the office generally. The younger members at SIG present themselves in a very professional manner and are keen to learn and be guided by their supervisors and managers.


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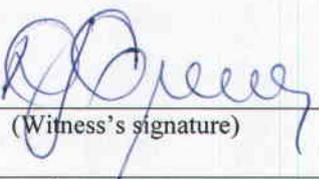
97. The only possible negative I could point to is that some of our younger officers seems to want to obtain a promotion or classification such as their Detective's appointment and then move into other areas as opposed to making a career out of one aspect of policing. This obviously has an impact on staff retention and growth in experience in the CIB.



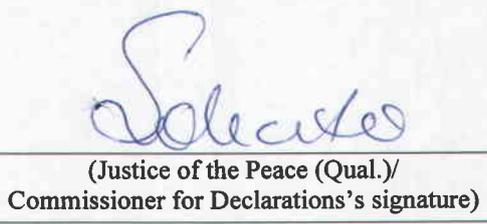
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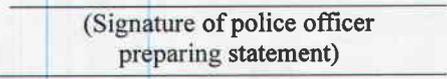
CRIME & MISCONDUCT COMMISSION
No: 06/2009 Date: 21.9.10
IN THE MATTER OF: OP
TESCO
EXHIBIT No: 120
M. LETONDEUR CLERK



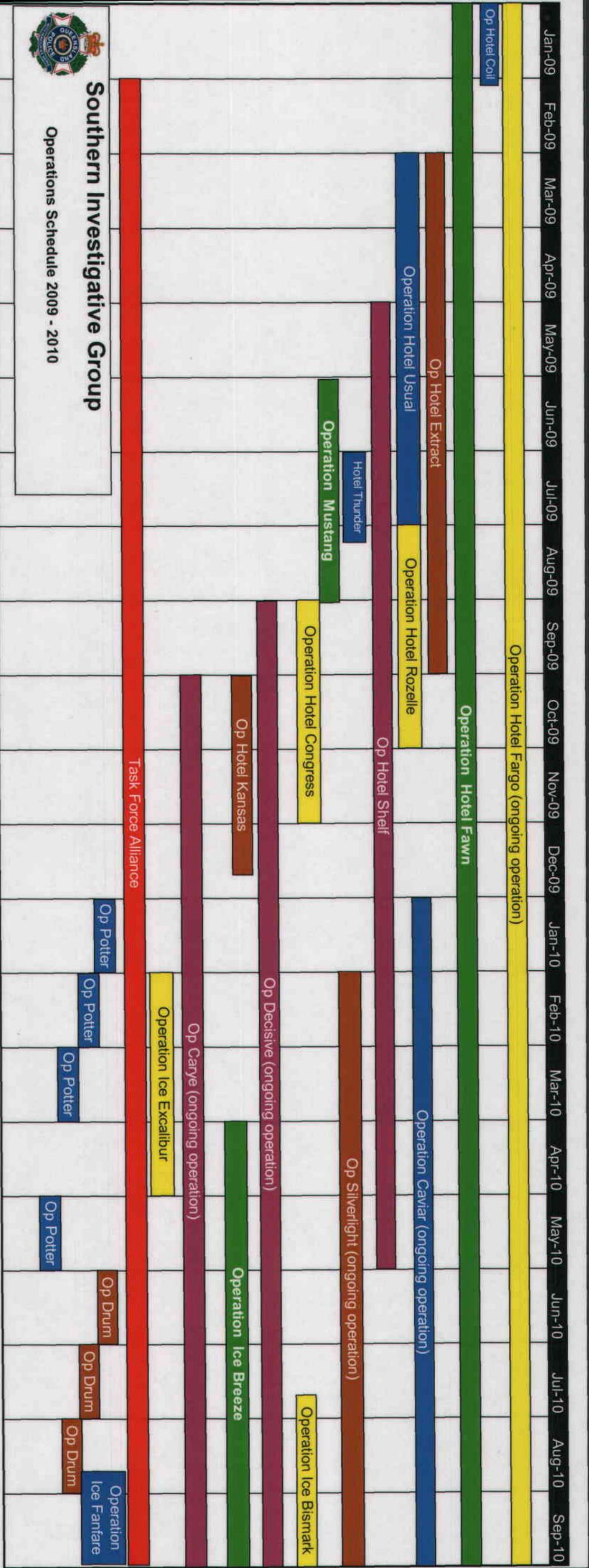
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