

DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL
MEMORANDUM



TO: [REDACTED]
FROM: [REDACTED]
SUBJECT: [REDACTED] [REDACTED] [REDACTED] [REDACTED] former Custodial
Correctional Officer, Wolston Correctional Centre
DATE: 3 March 2016

PURPOSE

To brief you on an investigation undertaken in relation to allegations against [REDACTED], former Custodial Correctional Officer (CCO), Wolston Correctional Centre (CC).

BACKGROUND

On 22 October 2015 Intelligence Report (IR) [REDACTED] was disseminated to the Ethical Standards Unit (ESU) outlining suspicions in relation to inappropriate interaction between Custodial Correctional Officer (CCO) [REDACTED] and various prisoners at Wolston Correctional Centre (CC). The matter was formally referred to the ESU by [REDACTED], Deputy Commissioner, Queensland Corrective Services (QCS) on 26 October 2015.

It was alleged that CCO [REDACTED] had breached professional boundaries with Prisoners [REDACTED] [REDACTED] [REDACTED] and [REDACTED]. It was also alleged that CCO [REDACTED] commenced a relationship with Prisoner [REDACTED] on his release from custody on 12 October 2015, which she did not declare. CCO [REDACTED] subsequently resigned on [REDACTED].

The ESU assessed that if proven, the allegations would amount to corrupt conduct as defined in the *Crime and Corruption Act 2001* and accordingly the matter remains subject to audit by the Crime and Corruption Commission.

The complaint was assessed as involving Public Interest Disclosures under the *Public Interest Disclosure Act 2010* made by staff initially reporting the information to intelligence and/or management.

The ESU commenced an investigation. During the course of the investigation, additional allegations arose in relation to CCO [REDACTED] use of her Departmental email and access to the Integrated Offender Management System (IOMS).

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[REDACTED]
[REDACTED]

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ISSUES

An investigation has been completed which included conducting interviews with Wolston CC staff, speaking with a prisoner and a member of the public, obtaining and reviewing relevant documentary evidence and seeking a response from CCO [REDACTED]. The attached investigation report has been compiled.

Allegation 1 – between 20 September and 12 October 2015 CCO [REDACTED] breached professional boundaries with offenders in Wolston CC custody, [REDACTED], [REDACTED], [REDACTED] and [REDACTED].

Various staff recalled observing CCO [REDACTED] act in a manner that was overfamiliar with these prisoners, including physical interaction (eg standing shoulder to shoulder), communicating through windows, speaking in a manner that was flirtatious and very friendly.

Officers also raised additional concerns about CCO [REDACTED] conduct towards Prisoner [REDACTED] including observing her attending units to visit him, swapping posts to his unit repeatedly, attempting to interfere in his case management to his favour and stroking him on the arm. CCTV footage was available to support one instance where she allegedly stood inside the unit and chatted with him alone without presenting to the unit officers.

CCO [REDACTED] declined to participate in an interview but provided a written response. She denied acting inappropriately with prisoners however admitted to commencing a relationship with Prisoner [REDACTED] shortly after his release to parole, supporting the notion that they formed a connection whilst he was in custody.

The investigation concluded that the allegation that between 20 September and 12 October 2015 Ms [REDACTED] breached professional boundaries with offenders in Wolston CC custody, [REDACTED] s, [REDACTED] [REDACTED] [REDACTED] and [REDACTED] is **capable of being substantiated**.

Allegation 2 – between 11 and 23 October 2015 Ms [REDACTED] failed to disclose a conflict of interest in relation to a relationship with an offender recently released from Wolston CC custody, [REDACTED].

CCO [REDACTED] claimed that she worked only one shift in that timeframe after commencing a relationship with Prisoner [REDACTED] before resigning. There was no evidence contradicting this. It would appear that CCO [REDACTED] did not declare a conflict of interests as required, albeit for only a short time period.

The investigation concluded that the allegation that between 11 and 23 October 2015 Ms [REDACTED] failed to disclose a conflict of interest in relation to a relationship with an offender recently released from Wolston CC custody, [REDACTED] is **capable of being substantiated**.

Allegation 3 – between 23 July and 3 October 2015 Ms [REDACTED] used inappropriate language in emails sent from her Departmental account.

A series of emails were identified allegedly sent by CCO [REDACTED] to her colleagues, where she used language 'fuck', 'shit', 'bitch' and variations thereof. The emails would appear to be in breach of Departmental policy in relation to appropriate personal email use.

CCO [REDACTED] stated she did not recall using any inappropriate language but apologised if she did, stating she considered the emails private.

The investigation concluded that the allegation that between 23 July and 3 October 2015 Ms [REDACTED] used inappropriate language in emails sent from her Departmental account **is capable of being substantiated**.

Allegation 4 - it is alleged that between 19 April 2015 and 20 October 2015 CCO [REDACTED] inappropriately accessed Integrated Offender Management System (IOMS) records relating to offenders that were not accommodated at Wolston CC.

An audit of access to IOMS by CCO [REDACTED] indicated that she browsed offenders at locations other than Wolston CC, offenders that had been released or moved from Wolston CC, and searched for offenders by name that had no apparent connection to Wolston CC and may have potentially been persons she knew, including females (ie, that have not and will not be in custody at Wolston CC). It is not apparent what business purpose CCO [REDACTED] may have had to access these records.

CCO [REDACTED] stated her access was for case management purposes, which would appear unlikely given the nature of the access; or to ensure there was nobody she knew incarcerated which may present issues, which is not the appropriate way to deal with potential conflicts of interests.

The investigation concluded that the allegation that between 19 April 2015 and 20 October 2015 CCO [REDACTED] inappropriately accessed IOMS records relating to offenders that were not accommodated at Wolston CC **is capable of being substantiated**.

The material available may be considered to *prima facie* provide grounds for disciplinary action.

Section 188A (8) of the *Public Service Act 2008* provides that if a public service employee's employment ends after disciplinary grounds arise, disciplinary action may be taken against the former employee. This may result in a post-separation disciplinary declaration being added to a confidential disciplinary file and linked by notation to the officer's personnel file. The officer is given the opportunity to show cause why such a declaration should not be made.

Reference No [REDACTED]

This is allowed only if the disciplinary action that would have been taken, had the officer's employment not ended, would have been either termination of employment or reduction of classification level.

It is open to you to consider commencing a post-separation disciplinary process against CCO [REDACTED]. You have the appropriate delegated authority from the Director-General, pursuant to section 21 of the DJAG Human Resource Management Delegations Manual.

RECOMMENDATION

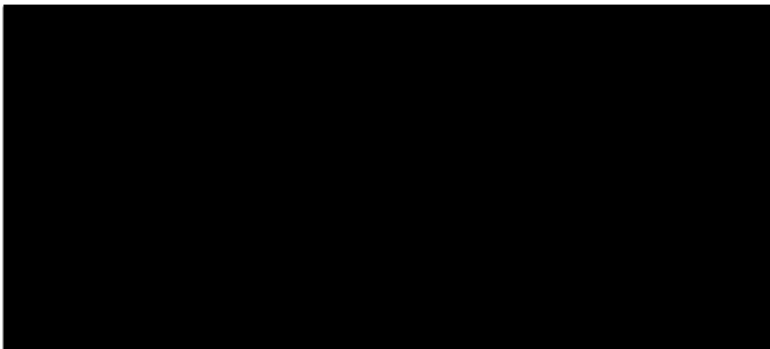
It is recommended that you consider the attached report and determine on the evidence adduced and on the balance of probabilities whether to:

1. Initiate post-separation disciplinary proceedings against former CCO [REDACTED] with respect to allegations 1, 2, 3 and 4;

YES / ~~NO~~ (Please circle); OR

2. Determine an alternative path.

~~YES~~ / NO (Please circle and specify if YES).



Briefing Officer: [REDACTED]
[REDACTED] [REDACTED]

Date: 03 / 03 / 2016