

DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL
MEMORANDUM



TO: [REDACTED]
FROM: [REDACTED]
SUBJECT: **Allegations of inappropriate conduct by a Custodial Correctional Officer at Wolston Correctional Centre**
DATE: 18 November 2016

PURPOSE

To brief you on the outcome of an investigation in relation to allegations made against Custodial Correctional Officer (CCO) [REDACTED] of Wolston Correctional Centre (Wolston) as it relates to his conduct and the performance of his duties in that position.

BACKGROUND

At about 7.50 am on Sunday 23 October 2016, three prisoners in the Secure 2 Unit (S2) at Wolston became involved in a fight, with one of the prisoners producing what could best be described as a prison made 'shiv' or knife. That knife featured prominently in the fight, with a number of minor injuries being inflicted on two of the prisoners through its use.

A code yellow was called and several CCOs responded. CS [REDACTED] completed a detailed Incident Report (IR) once the incident had been contained, and a photo of the knife and several Officer's Report were uploaded onto the Integrated Offender Management System (IOMS) as attachments to the IR.

A subsequent audit of the department's Information Technology Services (ITS) and IOMS operating systems, revealed CCO [REDACTED] had accessed IOMS at 12.34 pm that same day, and emailed himself (at his private email address), the photo of the knife and the content of the Incident Report in a 'word document', both taken from IOMS.

The audit also revealed that on the same day, CCO [REDACTED] had also emailed himself two other internal emails that are considered to contain sensitive strategic initiatives, in regards to 'violence prevention' which had been intended to be for the consumption of internal Wolston Correctional Centre staff, and not for dissemination.

On the afternoon of Monday 24 October 2016, an 'online' news article was posted on 'Channel 7 Online News', carrying the same photo of the knife that had been uploaded onto IOMS, with the accompanying editorial comment in the online news article being assessed as a 'paraphrased retelling' of the information contained in the Incident Report prepared by CS [REDACTED] and emailed offsite by CCO [REDACTED]

Briefing Officer: [REDACTED]

Telephone: [REDACTED]

On Thursday 3 November 2016, an article was published in the Courier Mail headed 'Prison Bosses Crane Crazy', with the text of the article being assessed as a partial retelling of the information contained in one of the two emails disseminated by CCO [REDACTED] on 23 October 2016.

An assessment of the combined information, determined that if proven, such conduct might amount to corrupt conduct as defined in the *Crime and Corruption Act 2001* or misconduct as defined in the *Public Service Act 2008* or a breach of the *Code of Conduct for the Queensland Public Service* and the *Workplace Policy for the Department of Justice and Attorney-General*.

ISSUES

An investigation was undertaken by ESU into the three allegations distilled from a combination of the overall material provided by the ITS and IOMS audit, as well as articles appearing on the Chanel 7 website and in the Courier Mail.

ALLEGATION 1

It is alleged that on 23 October 2016, without authority, CCO [REDACTED] accessed and released information from the Integrated Offender Management System contrary to the conditions of his approved system access.

After initially denying the allegation during his Record of Interview (ROI), CCO [REDACTED] would later admit to accessing information on IOMS and copying it inappropriately before emailing a photo of the 'prison shiv' used during the code yellow on 23 October 2016 and the content of the subsequent Incident Report to his private email address via his departmental email, and later disseminating that same information to a reporter from Channel 7.

Therefore, having regard to all the evidence provided, it is considered there is sufficient evidence to find the allegation **is capable of being substantiated**.

ALLEGATION 2

It is further alleged that on 23 October 2016, without authority, CCO [REDACTED] forwarded and thereby disseminated an email headed 'violence prevention weekly update' to an external recipient, such document having been intended for the exclusive consumption of personnel from Wolston Correctional Centre, and which contained sensitive strategic policy initiatives concerning Violence Prevention.

CCO [REDACTED] admitted to the allegation during his ROI when he acknowledged that he had received an internal email sent to all employees at Wolston Correctional Centre by the new Violence Protection Officer, on 21 October 2016.

The very nature of that email's content and intended recipients, made the email itself, 'confidential' and intended for the exclusive consumption of personnel from Wolston Correctional Centre.

Briefing Officer: [REDACTED]

Telephone: [REDACTED]

Therefore, having regard to all the evidence provided, it is considered there is sufficient evidence to find the allegation **is capable of being substantiated**.

ALLEGATION 3

It is further alleged that on 23 October 2016, without authority, CCO [REDACTED] forwarded and thereby disseminated an email headed 'Violence Liaison Officers' to an external recipient, such document having been identified and marked as 'In-confidence, Wolston Correctional Centre' as being for the exclusive consumption of personnel from within Wolston Correctional Centre and which contained sensitive strategic policy initiatives concerning Violence Prevention.

CCO [REDACTED] admitted to the allegation when he acknowledged that he had received an internal email sent to all employees at Wolston Correctional Centre by CS [REDACTED] on 22 October 2016.

The very nature of the email's content and intended recipients, made the email itself, 'confidential' and intended for the exclusive consumption of personnel from Wolston Correctional Centre, and the email was also clearly marked in three places as being 'confidential' in nature.

Therefore, having regard to all the evidence provided, it is considered there is sufficient evidence to find the allegation **is capable of being substantiated**.

RECOMMENDATION

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

1. Initiate disciplinary proceedings against CCO [REDACTED] in relation to allegations 1, 2 & 3.

☒ YES / ☐ NO (Please circle); OR

2. Determine an alternate path.

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

Briefing Officer: [REDACTED]