



CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF INVESTIGATIVE HEARING

10 **CONDUCTED AT LEVEL 2, NORTH TOWER, 515 ST PAULS TERRACE,
FORTITUDE VALLEY WITH RESPECT TO**

File No: CO-18-0360

**TASKFORCE FLAXTON
HEARING NO: 18/0003**

20 **DAY 1 – MONDAY 14 MAY 2018
(DURATION: 4 HRS 29 MINS)**

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any order made by the presiding officer concerning publication of these
proceedings.**

LEGEND

30 **PO Presiding Officer – ALAN MACSPORRAN QC
CA Counsel Assisting – GLEN RICE QC
INST Instructing – AMANDA BRIDGEMAN
HRO Hearing Room Orderly – ISABELLA PATTON
W Witness – PETER MARTIN APM
LR Legal Representative – CHRISTOPHER MURDOCH
INST Legal Instructing - PATRINA CLOHESSY**

PO Good morning, everyone. This is a hearing of the Crime and Corruption Commission conducted pursuant to sections 176 and 177(2)(c)(ii) of the *Crime and Corruption Act 2001*.

Before I commence with the formalities of the hearing, there are some housekeeping matters I need to attend to.

10 In terms of evacuation procedures, in the unlikely event that the building fire alarm activates, we request that you remain seated and await instructions. If evacuation is required, please follow the directions of the fire wardens, who you will then be able to identify by their red or yellow safety hats.

20 You will be directed to the fire stairs outside this room and then to the evacuation point outside this building. If you have any mobility concerns, please identify those to the fire warden, and assistance will be provided to you. Signs outlining the evacuation procedures have been placed in the public gallery outside today.

The Commission has published a number of practice guidelines on the CCC website, and I will highlight some of the contents of those in a moment. In addition to these, I ask that you please observe the rules that were displayed as you walked in, but, in particular, can you please follow the direction of the CCC staff and Queensland Police officers who are present.

30 Do not disturb or interrupt the hearing, and switch your mobile phones off or to silent, and similarly any electronic devices you have to silent, and refrain from moving around the room while the hearing is in session.

Everyone should also be aware that we are live-streaming and recording the public hearing today, and everything that happens will be recorded throughout the proceedings.

40 The Commission resolved on 19 March this year to hold public hearings in relation to Taskforce Flaxton, which is conducted under the Commission's corruption function. As Chairperson of the Commission, I will conduct the public hearings.

Mr Glen RICE QC has been appointed as counsel assisting the inquiry.

I nominate the following persons as hearing room orderlies who will, over the course of the hearing, administer an oath or affirmation to any witness appearing at the hearings. Those persons are Ms Isabelle PATTON, Ms Kelly ANDERSON, Ms Liz BARTLETT, Ms Melissa LETONDEUR and Mr Keegan ENEVER.

50 Pursuant to sections 5 and 5C of the *Recording of Evidence Act 1962*, I direct that any evidence to be given and any ruling, direction or other matter be recorded by recording equipment and that Kathy ROBERTSON and Traccee HUNTER be reporters for the purposes of today's hearing.

I draw your attention to Practice Guideline No. 1. All witnesses in this public hearing may be legally represented while they are giving evidence without seeking further leave.

I would ask that once the witness has been called to the hearing, if you are legally representing that witness, that you announce your appearance for the record. The witness will then be sworn or make an affirmation, as the case may be.

10

No evidence may be tendered or adduced in chief other than by counsel assisting and must be accompanied by a statement and provided in advance to the secretary. The Commission does not invite, and does not generally propose to receive, submissions on any matter relating to the terms of reference except as directed during the course of the inquiry.

20

In relation to Practice Guideline No. 2, it is proposed that witnesses will give evidence on oath or affirmation and will be examined by counsel assisting initially and then by their own legal representative. Whether there will be any cross-examination of any witness by a legal representative for another witness will be a matter for leave on a case-by-case basis. Should any cross-examination be permitted, the legal representative for that witness and then counsel assisting will be permitted to further examine that witness.

As I mentioned, each witness is entitled to be represented. It is a matter then if the legal representative for that witness desires to be present for more than just the evidence of that individual witness.

30

In relation to Practice Guideline No. 3, I note that some legal representatives have already been given leave to represent more than one witness on the condition that there is no known conflict of interest in representing more than one witness and that, should one arise, the legal representative will immediately inform the Commission. Those legal representatives who have already communicated with the Commission about leave to represent more than one witness and have been advised that it is approved need require no further formal leave.

40

It is proposed at the end of each day of proceedings that any exhibits tendered during the course of proceedings will be published on the Crime and Corruption Commission's website. Some exhibits have had personal information redacted. If there are any concerns about the publication of any of the exhibits or parts thereof, the witness or their legal representative should make a submission before the end of the day in relation to that particular matter.

50

It is anticipated that a transcript of each day's proceedings and the exhibits will be available on the Crime and Corruption Commission's website by the following day.

Generally speaking, the sitting hours will be from about 10 in the morning until 11.30. There will be a short morning break of about 20 minutes then. The next session will go from about 11.50 to 1 pm. Lunch will be generally between 1 pm and 2 pm, and the afternoon session will be from 2 pm to 4 pm, when we will adjourn for the day.

Could I just make this brief observation concerning the purpose of these proceedings. This public hearing is not about laying blame or examining individual cases of allegedly corrupt conduct. These hearings are more concerned with identifying systemic deficiencies in the system of

governance surrounding the operation of corrective services facilities.

The purpose of these hearings is to establish what works and what does not work and to ultimately make a series of recommendations in a public report, which will promote transparency, integrity and accountability to ensure that a world's best practice model of operations for Queensland Corrective Services is achieved, to guarantee the safety and welfare of corrective services officers and prisoners alike.

10 If any person or organisation has information about specific instances of alleged corrupt conduct, I urge them to come forward to the CCC confidentially to report such behaviour and it will be assessed and, if necessary, fully investigated in the usual manner.

Mr RICE?

CA Mr Chairman, to begin with, I tender the terms of reference of the inquiry, signed by you as the Chairperson.

20 PO Thank you. I will make that exhibit 1.

ADMITTED AND MARKED EXHIBIT 1

PO Are there any preliminary matters before we start?

CA I am happy to make some opening remarks, Mr Chairman. Then there are perhaps a couple matters of representation we might deal with before we proceed to call witnesses.

30 PO Thank you. Yes, I think it would help me, and I am sure it would help the public, for you to make some brief opening statement.

CA Thank you. I will do that now.

The Crime and Corruption Commission is established to investigate and prevent major crime and corruption in Queensland. Currently, through the work of Taskforce Flaxton, the Commission is examining corruption and corruption risks in Queensland Corrective Services facilities, focusing on adult prisons and work camps.

40 The *Corrective Services Act 2006* establishes the legislative basis for the management of prisoners and those on community-based orders. That Act declares that the purpose of corrective services is community safety and crime prevention through the humane containment, supervision and rehabilitation of offenders. The task of implementing that purpose falls upon Queensland Corrective Services.

50 Reflecting the diverse needs of the sector, Queensland has varied corrective services infrastructure throughout the state. Eleven high-security and six low-security correctional centres have been established. Some centres comprise both high and low security. There are also 13 work camps, which are low-security facilities designed to promote prisoner rehabilitation by providing prisoners the opportunity to participate in community service projects.

Whilst Queensland Corrective Services predominantly runs Queensland's

correctional facilities, there are two facilities operated privately by contracted service providers. Arthur Gorrie Correctional Centre, Queensland's largest facility, is managed by the GEO Group Australia Pty Ltd, and Southern Queensland Correctional Centre is operated by Serco Australia Pty Ltd. Queensland Corrective Services retains oversight of services provided at those centres.

10 Queensland Corrective Services currently faces significant challenges. Not least are those arising from managing steadily increasing prisoner populations in all of its correctional facilities over the last several years. Overcrowding of facilities through rising populations is a feature of corrections which is not confined to Queensland. To implement the statutory objective within this challenging environment, a difficult balance is to be struck between ensuring that staff safety, security and good order is in place without the system becoming oppressive or resulting in inhumane behaviour and treatment of prisoners.

20 Coincidentally, Queensland Corrective Services recently became a stand-alone department, after having been part of the Department of Justice and Attorney-General. Dr Peter MARTIN APM commenced as Commissioner on 13 November 2017.

In discharging its corruption function, the Crime and Corruption Commission receives allegations of corrupt conduct. Allegations received by the Commission about corrective services facilities have increased over the last three years.

30 These have concerned subjects such as assaults on prisoners or use of excessive force to control prisoners; other forms of misuse of authority or power; failure to comply with policies and procedures or failing to provide appropriate care or access to services, for example, medical treatment, legal advice or other necessities, such as food or hygiene facilities; facilitating the introduction of contraband into a facility; and misuse of information, such as unauthorised access to, or release of, official information.

40 Given the increase in these kinds of allegations, the Crime and Corruption Commission has decided to explore them in more detail in a public hearing.

The objectives in conducting the hearing are to examine, firstly, corruption and risks of corruption in Queensland Corrective Services facilities; secondly, features of the legislative, policy and operational environment that may enable corrupt conduct to occur or are vulnerable to corrupt conduct; and, thirdly, to identify reforms to better prevent, detect and deal with corrupt conduct within Queensland Corrective Services facilities.

50 Canvassing these topics in a public forum provides an opportunity to inform the general public about corruption risks in the difficult correctional environment. The hearing also provides an opportunity to openly canvass current practices and options for reform with a view to the Commission reporting on ways to prevent possible corruption in the corrections sector.

Over the course of the hearings, evidence will be called from a variety of

stakeholders in the sector. These include the Corrective Services Commissioner, the Chief Inspector of Correctional Facilities, senior staff of the department, general managers of the correctional centres, spokespersons from unions representing correctional staff, and a number of prisoner advocates.

It is anticipated that the witnesses will provide evidence illuminating the issues referred to. The evidence will also assist to identify deficiencies in current practices and ways in which they might be addressed.

10

In due course, the Commission will prepare a report on its investigation and make recommendations, the content of which will be dependent on the evidence.

PO Thanks, Mr RICE. Did you mention earlier that there are some issues of legal representation to deal with?

20

CA Yes. I propose first to call the Corrective Services Commissioner, Dr Peter MARTIN. He is represented by Crown Law and by Mr MURDOCH QC. Leave, as I understand it, has already been given for that representation, but perhaps he might announce his appearance at this stage.

PO Yes. Yes, thank you, Mr MURDOCH?

LR May it please the Commission, I appear on behalf of Dr MARTIN, with Ms P CLOHESSY of counsel, instructed by Crown Law.

30

PO Thank you.

CA There is another application for leave to appear on behalf of the GEO Group Australia. Mr SMITH of counsel is in attendance. Perhaps he might make his application and indicate his intentions for the hearing.

PO Yes, certainly. Mr SMITH?

40

LR Morning, Mr Commissioner. My name is SMITH, initials AJ, of counsel. I appear on behalf of GEO Group Australia Pty Ltd and I am instructed by GEO Group Legal. There was a written application, which was sent to the secretary on Friday. Have you had an opportunity to review that?

PO Yes. I have had a brief look at that. Thank you.

LR That covers the general substance of the material in the practice direction. Was there anything arising from that that you had any questions about?

50

PO No, I don't think so, Mr SMITH. I am happy to grant you leave to appear, and we will just deal with issues as they arise, I think, as we go. Were you proposing to sit in through the entire hearings?

LR I am proposing to sit in through the entire hearings. I understand there are going to be some arrangements made as to seating for me a little bit later. Certainly I did just want to say at the outset that it is not my proposal to have heavy involvement in the hearing; there will be only particular matters. I will make those applications as and when they arise.

PO Yes.

LR Thank you, Mr Commissioner.

PO Thanks, Mr SMITH. We will get your accommodation sorted out during the day.

LR Thank you.

10 PO Thank you, Mr RICE. Are you ready to proceed with Mr MARTIN?

CA Yes. Mr Commissioner, I call Dr Peter MARTIN.

PO Do you wish to take an oath or affirmation?

W An oath, thank you.

PO Could the witness be sworn in, please.

20 HRO Would you please take the Bible in your right hand and repeat after me.

W The evidence which I shall give in these proceedings shall be the truth, the whole truth, and nothing but the truth, so help me God.

CA Is your name Peter MARTIN?

W Yes, it is.

30 CA Dr MARTIN, you are the Commissioner of Queensland Corrective Services; correct?

W I am.

CA Did you receive a notice to attend the inquiry today?

W Yes, I did.

CA Could I just show you this and get you to confirm this is a copy of what you were provided with?

40 W Thank you. Yes, that's the notice I received.

CA Thank you. I tender that notice to attend.

PO I will make that Exhibit 2. Thank you.

ADMITTED AND MARKED EXHIBIT 2

50 CA Dr MARTIN, for how long have you been the Commissioner of Corrective Services?

W Six months yesterday, so a very short time.

CA Prior to that, you were employed by the Queensland Police Service?

W I was.

- CA And I think, in due course, you became Deputy Commissioner?
- W I did.
- CA For how long were you a member of the Police Service, Dr MARTIN?
- W I was a member of the Queensland Police Service for 38 years.
- 10 CA What positions did you occupy as Deputy Commissioner?
- W I was the Deputy Commissioner for Regional Operations for Queensland Police.
- CA Was that the position you held when you moved to become Commissioner of Corrective Services?
- W It was. I left policing one day, and I commenced as the Commissioner of Corrective Services the next.
- 20 CA You were awarded, I think, the Australian Police Medal in 2008?
- W I was.
- CA You have some further qualifications, I think. You hold a Doctor of Philosophy from the Faculty of Health at the Queensland University?
- W Queensland University of Technology.
- 30 CA You have an executive masters degree in public administration issued by - perhaps you can tell us?
- W The Australia and New Zealand School of Government and Griffith University.
- CA And also a Bachelor of Arts in justice administration?
- W I do, with Griffith University.
- 40 CA You prepared quite a detailed submission, I think, for the assistance of this inquiry?
- W That's correct, sir.
- CA There were a number of attachments, I think, to the body of the submission?
- W Yes, there were.
- 50 CA Can I just start with the submission first. Can I show you this.
- W Certainly. Thank you.
- CA Is that a copy of the submission that you furnished to the Commission?
- W Yes. I'm satisfied that's a copy of that submission.

CA I tender that submission. Perhaps that could just remain with you for the time being.

W Sure. Thank you.

CA We will have it marked later.

PO Exhibit 3.

10

ADMITTED AND MARKED EXHIBIT 3

CA Feel free, as we go through some questions and answers, Dr MARTIN, to refer to the content of that and I will ask you some questions about it. As we get to the attachments, I will provide them to you and we will speak about them.

W I appreciate it. Thank you.

20 CA What is your function as Commissioner?

W My function as Commissioner is to give effect to the *Corrective Services Act* specifically when it comes to the humane containment of prisoners and also managing the workforce, a very large decentralised workforce across the State of Queensland that gives effect to a range of issues all consistent with the *Corrective Services Act* specifically around, on one end, the humane containment of currently 8,800 or so prisoners but also a range of services that occur at various reporting centres around community corrections, and there are some 20,000 people subject to those orders across Queensland.

30

The work that we do is complex, and the Act provides one dimension of the work that we do, but clearly there's a degree of complexity that occurs with respect to that - giving effect to orders of the court, managing a very difficult and challenging clientele both in terms of the prisoner population, and also the offender population out there in the community has significant complexity attached to it. I'm the interface between the department and government.

40 I represent the government's intent in terms of policy directives on the ground and give effect to that intent, notwithstanding through the allocation of resources and policy.

CA You gave some indication beforehand that you wanted to make an opening statement of sorts. Does that exhaust the matters you wanted to raise, or did you have something further that you wanted to say at this point?

50 W Thank you, indeed. Very, very briefly I wanted to indicate my support for this process. We demonstrated that not only through the furnishing of a very detailed submission but through the allocation of resources to facilitate the important work of the Commission.

I'd also like to say that this body of work is coming at an important time for Queensland Corrective Services, having regard for the fact that as a result of administrative arrangement order that occurred back on

21 December through a machinery of government process, Queensland Corrective Services, for the first time in almost a decade, is now a department in its own right. Being a department in its own right effectively means that I, as director-general, termed 'Commissioner', can ultimately put in place a range of mechanisms that set the organisation up incredibly well for the future.

10 That couldn't have been possible were we part of something larger. Prior to the machinery of government change that occurred in December, we were a subsidiary of the Department of Justice and Attorney-General. Uncoupling us from that department and now giving us the charter to be a department in our own right means that we can establish the organisation as a separate entity, as a government department.

20 More importantly, coinciding with that work is a range of work that has already begun, and in fact very shortly we're coming to the final stages of an exhaustive process that sees the department developing a 10-year strategy for its future. So the work that is occurring here with respect to the Commission, the area of interest of the Commission particularly around corruption and corruption prevention risk, is specifically related to the work that we are doing around professionalism, integrity and creating an organisation that has these issues as its cornerstone.

30 So I am very grateful for the work of the Commission, very happy to support the work of the Commission and, more importantly, very keen to see the outcomes that occur and use that as the lens that we can throw over that 10-year strategy as we position the organisation incredibly well for the future. My vision for the organisation is that it is a cutting-edge, top-tier public safety agency focussed on getting very, very good outcomes for the people of Queensland, particularly around the proposition of safety.

CA Your appointment as Commissioner coincided, did it, with the change of government machinery that you referred to?

W I was appointed on 13 November, and the machinery of government changes occurred somewhere in the order of about five weeks later.

40 CA You might give us a bit of a history, then, if you wouldn't mind, going back preceding years, say from about 2009, so that we understand the context of this machinery of government change?

W Sure, sure, very happy to do that.

50 For some considerable period of time now, for nearly a decade or so, certainly nine years, Queensland Corrective Services had not been a department in its own right. Previously it was part of something much, much larger. It was originally part of the Department of Community Safety, and then, much later, in another machinery of government change, it was bolted on to the Department of Justice and Attorney-General where - I use the word 'subsidiary' - it was a smaller - it is a very large entity in its own right, but it was merely part of the apparatus which was the Department of Justice and Attorney-General. Being part of the Department of Justice and Attorney-General meant that largely the organisation did not have control over its own policy directives. It did not develop policy specifically, talking at the macro policy level, but merely

was part of the Department of Justice and Attorney-General.

The machinery of government change that occurred in December, and uncoupling us from the Department of Justice and Attorney-General, means that we now have a greater degree of autonomy. We are now uncoupling, and some of the work that we have done already, very, very early, was to uncouple some of the capability around the Ethical Standards Unit and we are now starting to revisit some of the policy that we have inherited from DJAG, the department, and develop our own policy that will guide our practice for the future.

10

CA I want to talk, to begin with, about the overall framework of operations of corrective services before we talk about some more specific issues. Could you give us some idea of your executive management structure and the spans of responsibility amongst your senior executives?

W We are undertaking a structural review of the organisation currently because we don't have a structure that reflects a normal departmental structure. You probably would expect that to be the case, having regard for the fact that until very, very recently, we weren't a government department in our own right.

20

The structure that existed at the point at which we migrated from the Department of Justice and Attorney-General largely consisted of myself as Commissioner, one Deputy Commissioner responsible for custodial operations, termed Statewide Operations, and then there were a series of executive directors that had responsibilities internally for a range of functionality. There were executive directors responsible for areas that encompassed probation and parole, there were executive directors responsible for governance and the corporate areas of the organisation, as well as some of the specialist areas that related to offender management, and also intelligence, investigations and a whole range of functions.

30

But recently, as a result of the structure, the restructuring piece that we're doing, we now have approval for three Deputy Commissioners for the organisation for the future. That structure is being put in place currently. We're in the market for, and the process has begun to recruit, the three Deputy Commissioners. All of those positions are vacant currently: a Deputy Commissioner for Custodial Operations; a Deputy Commissioner for Community Corrections and Specialist Operations; and a Deputy Commissioner for Organisational Capability that will look after very many of the corporate elements of the organisation, many of which I spoke about before.

40

CA What does organisational capability encompass?

W Organisational capability covers those areas of government departments that are normally the more corporate elements of the organisation. They include but are not limited to finance, human resources management, the built environment and infrastructure; they also look after more of the structural areas accompanied with policy and governance and those types of arrangements. So they're more of the corporate elements of a department.

50

CA Is the proposed Deputy Commissioner for Custodial Operations equivalent to the function occupied by a current deputy, or not, can you

tell us?

W It will encompass all of the custodial operations for the organisation, including all of the correctional centres irrespective of their status, but it won't have community corrections, meaning probation and parole, of which there are some 34 district offices and reporting centres across the organisation. Because the portfolio is so big and complex, that will be stripped out and that will be the domain of a Deputy Commissioner specifically.

10

CA That being the third of the Deputy Commissioners whom you mentioned?

W That's right.

CA We see mention in the submission and in literature of Statewide Operations. Can you tell us what that is and how it relates to the proposed function of one or more of your Deputy Commissioners?

20

W The function of Statewide Operations currently and the Deputy Commissioner that has responsibility for that is a critical area of the organisation and it has responsibility for a very, very large part of the organisation numerically. Currently, Queensland Corrective Services has over 4,500 personnel. About 3,500, certainly over 3,000, have responsibility for custodial operations, and they work in 9 of the 11 high-security correctional centres across the state and all of the low-security facilities. So all of the correctional centres that are government owned and government run - that particular individual has responsibility for the running of those correctional centres.

30

CA I think you mentioned 4,500 staff involved in custodial centres?

W It's somewhat more than that, but probably somewhere in the order of - certainly 4,500 is conservative.

CA Do you know offhand what proportion of those would be custodial correctional officers at the coalface, so to speak?

40

W Certainly of the 4,500, if we can call it that, there's somewhere in the order of about 3,500 or so of that 4,500 of the workforce that are correctional officers working in correctional facilities in one form or another.

CA Leadership is no doubt an important aspect of your aspirations. Can you tell us what your expectations of your senior department staff are and also the correctional centre general managers in relation to corruption?

50

W I certainly can. Notwithstanding my previous comments about where the organisation needs to position itself for the future - and I have made no secret of the fact internally that we are on an ambitious program of work to set the organisation up well for the future, the sort of organisation that we can be proud of, a top-tier public safety focused organisation.

In order to get to that point, its foundation piece is around ethics, integrity and professionalism of the workforce, and I think that very many in the workforce are ripe for that sort of challenge. They feel that a lot of the work that they do - and this is as a result of the significant consultation, the visits that I have facilitated around correctional centres across

Queensland, that the workforce tell me that they feel that a lot of the work that they do is undervalued, that it's not appreciated, and that, more importantly, they want the organisation to be positioned and they want the community to recognise their status and the work that they do to keep Queenslanders safe. That's what I hear.

Fundamentally, the work that we are doing is about positioning the organisation well for that, but the currency of that is around ethics, integrity and professionalism.

10

As I am setting the tone of the organisation, I have an expectation that the Deputy Commissioners, but particularly the general managers of correctional centres, are pivotal to setting the tone and holding that tone consistent with what I want to achieve from an organisational perspective. My expectation of general managers, irrespective of the correctional centre that they have responsibilities for managing and leading across Queensland, is that they lead having regard for those principles, that they should be doing all that they can locally to be consistent with the tone and tenor of the organisation, and that is around professionalism, integrity and ultimately facilitating their work in a way consistent with that.

20

CA How will they project that to the people who you say want the organisation to be top tier, as you do?

W That's a really good point, and it's a difficult thing. I can provide an ethos or direction for the organisation, I can send an email or record a message, put out a podcast, or whatever the case may be, but it is a difficult thing to ultimately articulate that right to the grassroots officer at the coalface, so to speak. It is a difficult thing to do that. Particularly in an environment where you have a very significantly large enterprise, with numerous correctional centres and a decentralised workforce, in an area two and a half times bigger than the State of Texas in the US, it is easier said and much more difficult to achieve.

30

And it's not achieved as one simple inoculation. There is no one simple thing I can do to ultimately achieve that end state, but it occurs in multiple ways and in a multi-faceted and longer-term investment in things such as policy, in things such as legislation, in things such as training.

40

For the general managers locally, my expectation is that they treat people with dignity and respect, particularly the workforce, and, importantly, the people that they have in their custody, that the messages and what they do - that they talk the talk and that they walk the talk and that they are consistent in what they do and how they manage and, more importantly, I have an expectation that my leadership style is emulated locally by those general managers in the people that look to them for leadership and guidance.

50

CA Could we talk about the distribution of the centres throughout Queensland. I think your submission identifies that there are 11 high-security and 6 low-security centres?

W That's right.

CA They are decentralised throughout the state?

- W They are, that's right.
- CA Does each of those centres have a general manager?
- W Certainly the 11 correctional centres have general managers. The smaller centres, often low security, often have a deputy general manager and they're normally a subsidiary of a larger correctional centre.
- 10 CA What about women's centres, where are they located?
- W The women's correctional centres are located both in Brisbane, Brisbane Women's, which is located in the south-east corner of Queensland out toward Wacol, and Townsville Women's Correctional Centre located in Townsville.
- 20 CA I would just like to get an idea about the degree to which, in the operation of those various centres, you and your potential Deputy Commissioners exercise actual control and to what extent that control might be devolved to the general managers, so you could tell us about the interaction between those two levels of managers?
- W I certainly can. From my perspective, the process that exists now, and has done for a considerable period of time, is probably not likely to be the process that will continue into the future. Currently, there is a great degree of autonomy upon general managers in the way that they facilitate correctional centres. That is a good thing, and in some cases it's also a challenge, particularly around important issues such as use of force, how force is applied, issues of training, issues of technology and those sorts of things.
- 30 CA Are they the kinds of things you mention have been devolved?
- W They are the sorts of things currently that are devolved. There will be individual variance and difference from one correctional centre to another, and at times I don't know that that works necessarily very effectively. There will be some aspects of the work that is currently devolved that need to be aggregated up from a whole of organisational perspective. But equally there is a whole range of work that occurs because every correctional centre across the state is subtly different and it is different because of a range of factors, not least of which is the environmental design - the built environment is different; the demographics of the prison population is different; there are local considerations and issues around staffing and what have you that will discern one from another. So, over a period of time, there has been a degree of flexibility locally with how a correctional centre is run while there's an overarching ambition in terms of what's to be achieved, particularly from a policy perspective.
- 40 CA Do those various reasons give rise to the existence of different cultures within the different centres?
- 50 W There are different cultures within different centres at times. Some of this is largely geographically based. Some of it is the history of various centres. There isn't a huge degree of cross-fertilization or pollination of staff from one centre to the other. A correctional officer who begins their career at one particular correctional centre - it might be Townsville or it

might be Lotus Glen in the far north of the state - can fundamentally serve their entire career, it might be 10, 20, 30 or more years, at a particular correctional centre, allowing a particular unique culture to develop in one particular centre comparative to another. But overarching, it's a subcultural element within a broader culture of Queensland Corrective Services.

- 10 CA You mentioned a variety of things, but we will just pick one for example, for illustration purposes. You mentioned use of force.
- W Yes.
- CA It's something that has been devolved to autonomous operation of each centre. To what extent does that give rise to a capacity for differing standards or even misuse of the use of force?
- 20 W It can certainly give rise to a different standard. It can give rise to a different posture with respect to the use of technology, the application and distribution of technology, such as OC spray. These are technologies, techniques, that otherwise might be applied in a given set of circumstances. A general manager might very well use a particular regime in one location, but it might be used in a very different way in another location. That's why one of the early bodies of work that I have identified - and that work has been called upon to begin upon the Deputy Commissioner being appointed for custodial operations. Use of force is one example. It is an extreme example but a very good example of where I think we need to at least consider a whole of organisational policy with respect to how that's applied.
- 30 CA What do you see, then, as the perceived benefits of the degree of autonomy in the operation of each of the at least high-security correctional centres?
- 40 W I can understand that, particularly notwithstanding my comments about one correctional centre being often distinguished from another in terms of the environmental design, the design of the very premise, and so what I want and what I expect is a general manager to use that facility in a way that is safe for the workforce and, importantly, is innovative and creative in terms of the way that it is used, particularly around a rehabilitation, preventing reoffending type of dividend.
- I don't want to be so prescriptive as to presuppose from Brisbane, from my headquarters, a "one size fits all" in terms of the use of each correctional centre's capability around programming rooms, rooms that facilitate education or other types of services. I think that's a really good example that locally I can provide an overarching ethos, a principle of practice, but I can see there that the knowledge of the facility is best placed with the general managers and the local senior team locally.
- 50 CA All of them, no doubt, are subject to the requirements of the *Corrective Services Act* and regulation?
- W They are.
- CA But descending perhaps a little bit below that, could you give us an idea of the kinds of things that all centres must do as part of your management

oversight as opposed to those things in which they exercise autonomous operation?

- 10 W Yes, it's difficult to be comprehensive, but from my perspective there are things that I expect officers to do - the practices by which they receive prisoners, the practices by which they process prisoners, the process by which they use the built environment to give effect to humane outcomes for prisoners. The corrective service infrastructure is under great pressure, there is no doubt about that. From my perspective, I can provide to the GMs what I want to achieve in terms of the humane containment of prisoners, but it's up to them to have knowledge of the built environment locally and what options are available to them to otherwise humanely contain a prisoner today. I share with them the work that we're doing around things such as the further investments that we are making around double bunks, the conversations that we are having with government about increasing capacity to the degree that we can, so I am making decisions, strategically keeping them informed, but I expect them locally to be able to use the infrastructure having regard to the remit to contain prisoners.
- 20 CA This must be reflected in some framework or policy somewhere, mustn't it?
- W Yes, it is.
- CA What would that be called?
- 30 W Well, certainly the COPDs, the practice directives that are issued, will generally provide minimum standards for performance. They will provide the general managers with the policy framework by which they can make decisions. The general managers can't go outside of that, but what they can do is they can use that as a minimum, having regard for the issues that they confront locally, to be able to then be creative in terms of how they can give effect to those things locally.
- CA You mentioned the custodial operation practice directives. Are they the means by which some standardisation of requirements is achieved?
- 40 W They are certainly a significant means by which that occurs, but there is a significant amount of interface personally that occurs with each of the general managers. To give you an example, the general managers from across Queensland come together quite frequently, at least on a quarterly basis. They will be in Brisbane tomorrow, for example, where each of the general managers will be spoken to about a range of things that are in flight, that are contemporary, that are current, that are emerging, and, more importantly, what the organisational ethos is with respect to those things. That is another mechanism by which that occurs.
- 50 CA Just getting back to the practice directives, who is responsible for determining the subject matter which will be covered by a practice directive, is that your Deputy Commissioner?
- W Largely, the Deputy Commissioner has responsibility for issuing a practice directive. That is the mechanism largely by which assurance is provided and consistency is provided across the enterprise, particularly in the custodial space.

- CA To date, has that been the responsibility of Statewide Operations?
- W That's right.
- CA Your single Deputy Commissioner?
- W That's my understanding, yes.
- 10 CA As for the content of practice directives, does that Deputy Commissioner also exercise oversight of that?
- W That's right.
- CA Can you give us an idea how many of those there are and some of the subjects that they deal with?
- 20 W No, look, I can't. There are a number of them, a significant number of them. They have been developed over a period of time dealing with a range of current, contemporary and, in some cases, emerging issues to provide guidance to the general managers.
- CA You mentioned two things. There are the practice directives and the regular, at least quarterly, interfaces between general managers and you as Commissioner and perhaps at Deputy Commissioner level?
- W That's right.
- 30 CA Are they the two main mechanisms for you to retain some oversight of the operations of the centres?
- W They would be amongst the main mechanisms, but certainly from my perspective, there are other mechanisms as well. For example, I think that the use of email to try to encourage compliance, to tell people what I want to achieve, to give them the tone and the tenor, the essence of what we're doing and why we're doing it, and what have you, is a really poor vehicle of communication.
- 40 So, increasingly, in the short time that I have been part of the organisation, I have recorded messages specifically to the workforce, highly relevant to the general managers, letting people know what I want and what my expectations are.
- 50 To give you an example, a recent video-recording sent across the organisation to every employee was put out only a week ago coinciding with, for me, the six-month anniversary, which was yesterday, of coming into Queensland Corrective Services. As part of that, I spoke about the organisation's support for this process, that fundamentally we're almost nearing completion of the 10-year strategy and that the work that is occurring with respect to the public hearings and the work of the Commission would inform that process and that we would be a better organisation for that. That's another mechanism by which we get that message out there.
- CA There are two privately run centres, are there not?

- W There are.
- CA Arthur Gorrie, which is operated by GEO Group Australia; and Southern Queensland, which is operated by Serco?
- W That's correct.
- CA Can you tell us on what basis, that is, where are the guiding principles by which they are to conduct those centres?
- 10 W Yes. The government at a given point in time, now some considerable period of time ago, undertook that infrastructure owned by the state would be facilitated by a private company.
- CA The infrastructure is the state's?
- W The infrastructure is owned by the state. It is government owned, privately run. A decision was made at a point in time, and it would have been a cabinet decision at the time, bearing in mind that these are arrangements that have been in place now for many decades. To facilitate that, the then department facilitated an arrangement by a fairly complex contractual arrangement to engage private companies in the facilitation of those services, and that's the mechanism by which the private prison operators facilitate operation of the private prisons but also the state holds them accountable for certain levels of performance.
- 20 CA You mentioned the levels of performance. What are the sources of requirement on the private operators? Presumably they're contractual in part?
- 30 W That's right, yes.
- CA What else? You mentioned, for example, the custodial operations practice directives. Are they applicable to the private centres also?
- W That's a really good point. I don't know whether the COPD applies necessarily to the private prisons. I'm not sure of that. But I can tell you that the way that the state exercises some degree of control over operation of the prison - or oversight, I should say, is more appropriate - is through the key performance indicators in the contract that then are the subject of an assessment on a quarterly basis. The KPIs that appear in the contract are overlaid with the performance of the various correctional centres, and an assessment is made as to whether or not the correctional centre is being managed in accordance with the contract.
- 40 CA And are there financial incentives to meet or exceed those KPIs?
- W Yes. Yes, there are.
- 50 CA What if they don't achieve the KPIs?
- W Then they don't achieve those incentives and are held accountable for, and it's brought to their attention, otherwise less than optimal performance.
- CA That makes the content of the contracts quite important in itself, does it not?

- W It's very important.
- CA Who determines the content of the contracts which govern the operation of these centres?
- W The content of the contract, as I understand it, is ultimately something that comes from the original determination of cabinet. There is a decision of government that is made with respect to the facilitation of private prisons. That is translated, by the department, into what reasonable KPIs would be for the performance of these centres having regard for both domestic and international standards. But can I say to you, beyond that, I am not an expert in that. There are people in the organisation who are.
- 10 CA I just wonder if you, as a fairly new Commissioner, looked at the contract and saw these KPIs and thought you could think of some better ones and that there ought to be better ones and different ones, do you have any influence over that?
- 20 W Yes. Yes, I would, and, yes, I do. Can I say to you, without getting too far into a conversation about currently matters that are commercially in flight, that that level of influence has been extended.
- CA Even underneath the KPIs - would it fair to say they are expressed at a fairly high level?
- W They are.
- 30 CA Beneath that, there would be day-to-day requirements of operation?
- W Yes.
- CA Do you know who determines what I'll call the nitty-gritty of the contracts as to how the centres are actually to be run?
- W Largely, the centres are run autonomously by the company having responsibility for the running of the centre. Having said that, there is a Queensland Corrective Services officer outposted in each of these correctional centres largely to ensure that contracts are being managed appropriately, that appropriate relationships are being forged with the private providers and that they're meeting their obligations in accordance with the contracts, particularly around reporting matters.
- 40 CA Do you know what onus there is on the private operators to identify and manage corruption risks?
- W There is a significant onus upon them.
- CA Is that contractually sourced, do you know?
- 50 W That's my understanding.
- CA Is there any external, that is to say, from the Commissioner or Deputy Commissioner level, onus on corruption identification?
- W Certainly from the Deputy Commissioner. My understanding is that that

does extend to conversations and that the learnings from within Queensland Corrective Services are often pushed to the private providers and are the subject of conversations. I mentioned before that the general managers, at least on a quarterly basis, for each of the state-owned, state-run correctional centres across Queensland come together to talk about matters that are current and contemporary. Also, the general managers for the two private prisons are included in the conversation around that.

- 10 CA You mentioned conversations. What does that consist of?
- W The conversations with the general managers are largely an opportunity to share good practice, to talk about matters that are currently influencing all of the correctional centres. They might talk about resourcing. They might talk about international best practice. They might talk about good practice that is occurring in one centre that might translate to the practice in others. It is a broad-ranging, free-flowing conversation, with often an element of skills development.
- 20 CA Is this on a regular meeting basis or some other basis?
- W It is on a regular meeting basis, at least on a quarterly basis.
- CA What about oversight of staffing levels in the private centres?
- W That's not something that I have visibility of, other than the broad KPIs which you rightly indicated before. Staffing levels of an individual private correctional centre are matters for the company relevant to the contract, but they're not something that I have oversight and visibility of.
- 30 CA The providers are free, are they, to determine the appropriate staffing levels to enable it to achieve its key performance indicators?
- W I'm not sure whether they are free to provide whatever staffing levels that they need, but certainly my understanding is that they're held accountable for the delivery of certain KPIs and that they are given the flexibility commercially to determine what is the appropriate level of resourcing, is my understanding. The Deputy Commissioner, current custodial operations, is better placed to talk about that, or, alternatively, other senior and experienced people in the organisation.
- 40 CA Apart from the quarterly contract performance meetings, is there a system of contract monitoring on a day-to-day basis?
- W I'm not sure whether it occurs on a day-to-day basis, but the contract is regularly being assessed around reported matters that otherwise might impact those KPIs that we spoke about.
- CA Are there embedded contract monitors?
- 50 W Yes, there are.
- CA Are they located at those two centres?
- W Yes. Yes, they are.

- CA Could you give us some idea of how their function works?
- W I'm not an expert in terms of what they do and how they perform their function, but one of the key elements of their function, as I understand it, is that they provide quality assurance that matters are being reported appropriately, and where they're not being reported appropriately, they're being brought to the attention of the department and also the provider of the service, to make sure that there is accurate data by which the KPIs can be assessed.
- 10 CA Does the contract monitoring fall within the purview of your current Deputy Commissioner?
- W The contract monitoring largely occurs in the purview of the work that's done by Mr John FORSTER.
- CA And his title?
- 20 W John FORSTER's title currently - I just can't give you his formal title, because the work that we're doing is currently in flight at the moment with the restructure, but Mr FORSTER's role looks after the built environment, the structure; he looks after HR; he looks after the finance areas of the organisation and the contractual management areas of the organisation currently. So he has an organisational support functional role.
- CA Who is responsible for delivery of health services at the correctional centres?
- 30 W The delivery of health services in a correctional centre in a state-owned, state-run facility is the purview of Queensland Health. In a state-owned, privately run facility, that's the purview of the company that ultimately runs the correctional centre, and they contract health services into those centres as part of the contractual arrangements.
- CA How is that dealt with on a day-to-day basis if a prisoner is injured, for example, in some way?
- 40 W I really can't tell you specifically about how that is facilitated in a private prison. Having said that, in a state facility, Queensland Health staff are on site. Queensland Health staff respond. They would triage a particular health-related matter and determine whether the prisoner can be treated in house or, alternatively, whether they need to be extricated from the site and taken to a Queensland Health facility or, alternatively, the Princess Alexandra Hospital secure unit.
- CA A person's health could be relevant to the way in which they should be managed as a prisoner, is it not?
- 50 W That's right.
- CA Is there, then, an arrangement for information sharing between Queensland Health and correctional facilities to address that object?
- W Yes, there are, but there are some challenges within Queensland Health because of the way that Queensland Health is structured around health districts. It's difficult within Health, but certainly from a corrective

services perspective, we do what we can to transmit the learnings. For example, if there was an outbreak of an infectious disease at one centre, we put in infectious disease control mechanisms to make sure that one centre is not at elevated risk from the transmission of prisoners from another. So there is a great degree of communication that exists internally around health-related issues and health-related needs.

- 10 CA You have made mention in your submission about a 10-year strategic plan?
- W That's right.
- CA I think you might have mentioned that the current one is nearing its completion. As luck would have it, that coincides with your assuming the job?
- W That's right.
- 20 CA What do you have in mind for that strategic plan?
- W As part of the development of that 10-year strategic plan, the methodology to get to this point, we facilitated workshops; we brought people together from various enterprises across the organisation; we also had a survey instrument where we mined the good ideas that existed across the workforce, bearing in mind that it is a very large workforce and is incredibly decentralised. So we have a voluminous amount of information there currently.
- 30 But specifically the 10-year strategy is about where we want to position ourselves as an organisation for the future, and there is no doubt in my mind that the organisation is ripe for change and particularly the sort of change that sees the organisation position incredibly well for the future around being an employer of choice, being a professional organisation, an organisation that people see as being a really credible, top-tier public safety agency providing a service to the people of Queensland around that safety and security proposition.
- 40 In order to achieve that, it's really obvious that there is a range of things internally that need to be focused upon, one of which is, for me, around how we recruit people, how we train them, how we onboard them, how we support our people internally, how we support our people in terms of leadership training, particularly at the general manager level and the deputy general manager level, that how you treat a person, one of your workforce, is directly relevant to how that employee treats their clients and customers, how they treat prisoners, how they treat people on community correction orders, and their partners, in doing the sort of critical work that we do.
- 50 This is a multi-faceted, multi-dimensional 10-year strategy that will ultimately position us well for the future, and, importantly, it will lead us to have a sensible conversation with government about how government can work with us in addressing some of the critical issues that we confront, particularly around overcrowding.
- CA You speak of it, in terms of development of this strategic plan, as being a plan for the organisation. In describing it that way, does that cut across

the degree of autonomy that you described earlier that exists in the operation of particular centres?

W There is no doubt about that. As part of the work that I am talking about in terms of a 10-year strategy, there are probably at least 20, 30, maybe even 40 subelements of this plan where we have done business a certain way over a long period of time, but it's time to stop and take stock and to ask ourselves the question: how well are we positioned for the future? Use of force is one such example, but there are numerous others. How we use intelligence, how we use information, how we use that in a way that ultimately achieves better outcomes for the community but does not obliterate the privacy concerns of individuals - these are the sorts of things that I am talking about.

10

The overarching strategy talks about where we want to position as an organisation, but there is a huge body of work there that I have identified that we need to do. Not all of it has the same priority. Not all of it can be started next week or next month, nor does it need to be, but all of it needs to be identified and worked out as to when we do it; when do we start it; what does success look like; who is going to be held accountable for its development; and, more importantly, how does it aggregate up to creating an organisation that we can be proud of?

20

CA Does the previous strategic plan, considering that its period of operation was whilst corrective services was, by and large, part of another department, look rather different to the plan that you have in mind?

W Hugely different. You can't compare the two. The plan that I inherited that now is out of date served the organisation well to this juncture, but it won't get us to where we need to get to. If truly the workforce, my workforce, the workforce of the 4,500-plus people - if everything they tell me and everything that I know is true, that the organisation wants to position itself as a top-tier public safety agency that has as its hallmark integrity, ethics and professionalism, that plan won't get us there.

30

CA You mentioned, I think, that in the course of development of the plan, you had had some consultations with staff, including a survey?

W I have, that's right.

40

CA Can you give us some detail of staff consultation?

W Yes, I can, bearing in mind that the take-up rate, the amount of people that responded to that survey, was really quite amazing. The amount of workshops that we ran and the people that contributed to that in a really honest way, there was a general feeling that being a department in our own right, having a new Commissioner, was an opportunity for change. The 10-year strategy was an opportunity to plan for a future as opposed to being an accidental recipient of our future.

50

They saw that this was a golden opportunity to address some of the issues that they confronted, particularly around overcrowding. They also saw it as an opportunity also to position the organisation well as an employer of choice, an organisation that people could be proud of, and an opportunity for the organisation to tell its story, so that the community would value the work that Queensland Corrective Services staff do, as opposed to

currently the workforce telling me that often they feel undervalued, they feel underrated and not appreciated in terms of the work that they do, and I think there is a lot of truth to that and I could see that as being accurate.

CA Does that make it important to empower staff and make them inclusive in this kind of development project?

10 W I think it's critically important. I can't plant the flag into the future, metaphorically, and say that is where we are going to head without the workforce buying into this. They are telling me that they see this as an opportune time for change. They see that this as a critical time in our juncture as an organisation and that what we are doing is laying a foundation, importantly, for the future. There is a time in the organisation - you would probably expect me to say that because of my role, but I think that there is great optimism, great enthusiasm for change, and certainly I am definitely seeing a lot of that.

20 CA How, then, would you benchmark corrective services' performance in, say, five years' time?

W My view is that self-praise is no virtue. Our assessment of us as an organisation does not carry great store.

CA Are there measures, then, of performance?

W Yes, yes, there certainly will be. There certainly, absolutely will be.

CA But have there been?

30 W Yes, there have been.

CA I'm sorry to interrupt you.

40 W There have been. The measures that are currently in the report of government services benchmark certain activities of the department against Australian Standards, and they're relevant and incredibly appropriate. But, for me, the literature, the evidence, not only the evidence from Australia and Australasia but the evidence that exists globally, that we need to use as the yardstick to throw over the work that we're doing and to ask ourselves the question are we really a cutting-edge, top-tier public safety agency - that is the sort of conversation we are having internally. We have commissioned literature reviews. We want to know what the literature tells us as a starting point for the work that we are doing and, more importantly, as we take a sounding at two-, three-, five- and ten-year marks, how are we going against that, and hopefully we would have seen very significant change. That's my ambition, anyway.

50 CA Turning to something perhaps a bit more direct, the identification of risk for an organisation is a requirement of management, is it not? Could you give us your view of what Queensland Corrective Services' highest corruption risks are?

W I can. I can. I hold the view, and I've spent a considerable amount of time in the Queensland Police Service looking at the issue of risk and how to mitigate and ameliorate risk. And looking at the context that I currently

work in, I think there are some very significant similarities but some subtle differences. For me, the most important risk, because it is a risk that impacts virtually every other, is the issue of inappropriate relationships as a starting point.

CA Is that the first one-

W That would be the first one.

10 CA You mention it because it has priority?

W I would raise it within the context of its interdependency with a whole range of other downstream risks that are no less or no more important, but it relates to a whole range of other risks that I have identified.

20 The next one for me would be probably trafficking in contraband. I raise that within the context that trafficking in contraband breaches our perimeters and our security, makes my workforce less safe, impacts on the safety of everybody in a correctional centre, and therefore it has a high degree of priority for me.

The next one is something that I have raised already. The issue of assault, excessive use of force, and control is something that I see as a critical body of work that we need to focus on and to ensure that our people are always using force that's justified, authorised and excused and it is always measured and appropriate and justifiable to the circumstances by which people are responding.

30 There is another one for me that is around contracts. Procurement is a particular issue having regard to the nature, the size, the number and the complexity of contracts. That's a very, very significant issue.

CA Does the organisation, as opposed to you as an individual, have a means of identifying corruption risks?

W Yes. Yes, they do.

CA What is the mechanism or means that has operated to date?

40 W The macro-level risks aggregate up through a process that occurs locally at a correctional centre at a work unit and an office level. They are distilled and they are managed, and at the point at which a risk can't be managed locally, it is escalated through an appropriate reporting process. Then through a risk and audit committee process, those risks are looked at to make sure that the controls for the risk are appropriate for the level of risk and that, from a whole of organisational perspective, these are looked at within the context of what needs to be done to support the work in the field, but, more importantly, what do we have to escalate up as a whole of government risk perspective. So there is a formal and informal mechanism that exists internally in the organisation to identify and ameliorate risk.

50

CA How does a particular incident or series of incidents become escalated up, to use your word, to be something that's identified as a corruption risk?

W My understanding is that it's the role of the general manager by identifying

risks locally, reporting up through the audit and risk committee, that would see that being ventilated and given the appropriate focus.

CA Is the audit and risk committee part of the departmental framework?

W That's a process that exists currently, but all of the governance arrangements within the organisation are being reviewed. So there will be an audit and risk function, as there needs to be, into the future, but its membership might look a little different.

10

CA I was going to ask you who or what body within the department has oversight of corruption risk management? Would it be this committee or something else?

W No, not necessarily that committee. Otherwise in the organisation, it would be fundamentally distilled up to the Chief Inspector, Mr Samay ZHOUAND, and the Director of the Ethical Standards Unit within Queensland Corrective Services.

20 CA But how can they be assured that they are receiving the information they need to receive?

W Yes, yes.

CA It has to get to a certain level?

W It does.

30

CA And that involves some kind of a process which has to have some integrity?

W Yes.

CA Perhaps you have done it already. Can I ask you to recap on that process?

40

W Most certainly. There isn't one mechanism by which that occurs. It could be, for example, through the audit and risk committee; it could be. But it could be through the official visitor program where it is identified and is escalated up to the Chief Inspector. It could be by way of complaints that come in. It could be by an Ombudsman's overview, a Queensland Audit Office report that identifies this or a whole range of other mechanisms, not least of which is a process such as this, although it happens incredibly infrequently, but the outcomes from this will be fed back.

CA Some of those are external, though?

W They are.

50

CA We will come to that.

W Yes.

CA I was thinking more, for the moment, about the internal mechanism to identify and make sure that corruption risks come to notice for treatment.

W Then the audit and risk committee would be an important vehicle for that,

including also internal investigations that would identify specific risks and then feed back into the Chief Inspector's work to look at how we ameliorate that organisationally. Do I mind if I just chime in as well - there is an important corruption risk that I didn't identify, and I should have, and that is the inappropriate access to information. I didn't raise that, but it is a critical issue and it needs to be a significant focus.

10 CA You have expressed the aim, I think, in your submission to develop a corruption-resistant culture within QCS and its centres. What would be the drivers to achieve that culture?

W There is a whole range of mechanisms which you would need to see in a mature organisation, I think, and part of this is about a culture. You can write policy until the cows come home, you can write voluminous amounts of policy, and none of it will be relevant if the culture is wrong. It's a waste of time.

CA When we speak of culture, we are speaking of people, aren't we?

20 W We are talking about people and we're talking about the motivations and the drivers of people.

CA Which people? Who are the constituent people in the culture?

30 W The people that are relevant to the culture of Queensland Corrective Services is everybody in the workforce. But, importantly, culture is not one of those things that can be ordained from on high. It has to be embraced, it has to be understood and owned and what have you. It's what people do when nobody is looking. It's what they say is important and what they really think and feel.

40 We can continue to write voluminous amounts of policy, but if we don't focus on the culture, the policy is not going to get us to where we need to get to. I think that, to some degree, we have to do both of these things. We have to have the controls and the rigour and the appropriate policy and also fundamentally concentrate on building the culture, the sorts of things that people tell me are important in terms of future positioning of the organisation, the sort of organisation that people can be proud of, but it doesn't happen without everybody's buy-in, and everybody needs to subscribe to that.

50 For me, the sorts of things that I am talking about here are about the type of people that we recruit and how we onboard people, how we train them, and the culture that we bring them into is critically important. It is all well and good for us to spend all of this time and energy, but if these people are onboarded into a culture where they say, "Well, don't worry about all that rubbish you learn at the academy, because this is how we really do things here", this perverse culture that ultimately pervades subsumes them and sucks them in.

So from my perspective, everything has to be joined up consistently: the way that we recruit, the way that we onboard people and train them, the in-service training, the policy, the expectations, the way we hold people accountable, the way we mentor, the way we develop a culture internally that sees people appropriately fessing up to bad behaviour, calling out the bad behaviour of their colleagues, reporting it as is appropriate and

dealing with it, so that we can ultimately say that we are an ethical 21st century professional organisation that the community can be proud of.

CA Is there a difficulty there, because you have mentioned that one of the assessments you have made or part of the feedback that comes back to you is that staff feel devalued? How do you get them to sign on to the various qualities that you have been speaking about, if they feel devalued?

10 W I think that's a very good point. That's at the nub of the tension that I think exists between an organisation that for a very long period of time tells me that they don't believe that the community sees what they do as being important, relevant and valued.

CA It is very different to policing, isn't it?

20 W It is considerably different from the way that they see themselves. But policing also went through some very challenging times, and I remember being a police officer, I had been a police officer for a decade, when another inquiry focused on the professionalism, the ethics or the lack thereof of an organisation that was in a developing journey.

My great hope is that the good people in Queensland Corrective Services see what they do the same way that I do, and I see that they play a very significant role in keeping Queenslanders safe. One of the things that I am trying to do is to have a different narrative with them, to get them to see that what they do is important and is worthwhile and they should be celebrating and telling their story.

30 If they do that, I think that they're going to have over a period of time - and I have no magic wand here, I have no simple solution, but over a period of time, I think that it is in all of our interests, it is in the community's interests, it is in the interests of those 8,800 prisoners we have in custody and the 20,000 people-plus on community corrections orders that they are presided over, supported and managed by a professional organisation that sees what it does as incredibly valuable and significantly contributing to the safety of Queenslanders.

40 CA We might come back to some other staff issues a bit later. Mr Commissioner, I notice it is 11.30. I was going to turn to something a little different, so it might be a convenient time.

PO Thank you. That is convenient. We will adjourn until 10 to 12. Thank you.

SHORT ADJOURNMENT

PO Thank you. Yes, Mr RICE.

50 CA Thank you, Mr Commissioner.

Commissioner, attachment 2 to your submission was a Fraud and Corruption Control Policy of the Department of Justice and Attorney-General. Can I just ask you to adopt that?

W Yes.

CA That is a copy of that policy?

W Yes, it is.

CA I tender that Fraud and Corruption Control Policy.

PO Exhibit 4.

ADMITTED AND MARKED EXHIBIT 4

10

CA It is one that you inherited; correct?

W I did.

CA By its nature, it is a generic policy, is it, applicable to all of the agencies and entities that fall within the umbrella of the Department of Justice and Attorney-General?

20

W That's my understanding.

CA It doesn't mention the word "corrections", does it?

W No, it doesn't.

CA Are you getting a new one?

W Yes, we are.

30

CA What is the timeframe for that?

40

W I mentioned the machinery of government change that occurred on 21 December. With machinery of government changes, there's often a very slow and laborious process to migrate functionality back, but not for the Ethical Standards Unit. I worked very, very quickly to bring that functionality back to the organisation. Specifically, we have recruited a Director, Ethical Standards Unit, and that person will be coming on board, through a merit-based selection process, on 4 June. One of the early bodies of work that I am going to charge that particular individual with, and also the Chief Inspector, is to use that as a basis but to craft for us a new fraud and corruption control policy that will specifically look at the risks inherit to Queensland Corrective Services.

CA One of the things that this policy does do, for example, at page 5, is that it identifies that the department has zero tolerance of fraud and corruption, with all incidents regarded as serious. I will get to you look at that. It is at paragraph 3.1.

W Yes.

50

CA Will that be your attitude?

W My attitude is that there is no place for corrupt behaviour. There is no place for fraud in Queensland Corrective Services, and I have zero tolerance for any activity that occurs in that domain.

CA In the policy to be developed, can we expect it in some way to address the

various corruption risks that you identified, about five of them, before the break?

W Those and others, you're absolutely correct.

CA Mentioning them as such and with some strategy that will mitigate those risks, is that the intention?

10 W There will be. Certainly my intention is to be quite explicit about the risks that a Queensland Corrective Services environment has, unique from other units of public administration.

CA That is something that policy to date has not done; is that correct?

W The policy that exists that we receive from DJAG doesn't specify the risk that we've spoken about.

20 CA Then, once developed, there is an implementation and, as I think you mentioned earlier, you need to take staff with you on this journey to becoming a top-tier organisation?

W That's right.

CA Do you have in mind any means or strategy for communication or implementation of such a policy so that staff come with you to achieve its objectives?

30 W To some degree, that work has already begun. I mentioned before the work that we're doing internally around messaging. The communication is pivotal to this. The work that we've done around the workshops, specifically about what we stand for and what is important to us as an organisation, this will not be a surprise to anybody. But particularly internally marketing and communication, building those corruption-resistant strategies in every facet of our enterprise, will be a body of work that will be ongoing in all of the time that I am here and certainly in the 10-year strategy and beyond. It will be a race without an ending.

40 CA Can I ask you about something a bit different, and it concerns rehabilitation. It is perhaps something that might not be in the forefront of the public's mind imagining what corrective services officers do. With a focus on prisons, custodial correctional officers, can you give us some overview of a role they play in rehabilitation?

50 W I think they have a significant role to play. I mentioned before that how they treat the prison population, how they treat the prisoners, is directly relevant to whether we achieve success at an individual level for that particular individual. The programming, the fact that we treat them with dignity and respect, the fact that they're facilitating visits and helping their appropriate transition back to the community - the vast majority, if you look at the 8,800 prisoners, most probably 99 per cent of those people, or more, will fundamentally one day be out in the general public. They will be back in community. My great hope is that they're back to the community as better-functioning human beings than the individuals that we inherited. I have to believe that, and I have to believe that the workforce, the custodial officers, also want that, because it's in all of our

benefit, and that's how we contribute to public safety.

CA There is a regime of program delivery, isn't there, designed to achieve rehabilitation within the centres?

W Yes, there is.

CA Are the corrective, the custodial officers, responsible for the delivery of those programs?

10

W The custodial officers and program staff at correctional centres are significant enablers of those programs that are delivered.

CA Can we just talk generally at this stage about the nature of those programs. Industry is one of them, I think?

W I can, yes.

20

CA What does that consist of when we speak of industry and operation at correctional centres?

30

W That really depends upon - I spoke before about the subtle vagaries, the differences that exist between one correctional centre distinguished from another. In some correctional centres, the industry program might look like teaching women the skills of hairdressing. In others, they can be manufacturing and assembling things such as campervans that arrive in parts from China, the manufacture of cattle grates and cattle equipment for rural parts of Queensland, the developing of technology, wooden products. In some cases, Borallon, for example, there is an incredibly wonderful program teaching prisoners skills associated with graphic design, computer-based graphic design, teaching people wonderful skills that otherwise are highly translatable.

CA Do correctional officers supervise that industry program?

W They do. They do.

CA And interact with the prisoners in the work that is to be done?

40

W Yes, they do.

CA Are there correctional officers who are dedicated to that function, or are they drawn from unit accommodation to then carry out this industry function?

50

W No. These are program staff in a custodial environment. In some cases, they are trades instructors that are brought in to the organisation and on board to be trade instructors. It is very difficult to differentiate the trade instructor who is focused on the trade and the custodial officer who is an enabler to release a prisoner for a particular program or course, or what have you. So they work in concert to facilitate these types of programs at a correctional centre.

CA Apart from programs of work, there are also programs of education, amongst others?

- W Yes, there are.
- CA In some of the literature, we see the term "structured day", that the prisoners have a "structured day".
- W Yes.
- CA What does that amount to?
- 10 W A structured day is that the prisoner knows what they're going to do and when they're going to do it. They know when they're going to have a meal. They know when they're going to have exercise time. They know when they are going to be gainfully employed in a program and in an industry-related program. They know when the day finishes. They know how to engage medical services and a whole range of other things that operate in a correctional centre. Often - and bearing in mind we are talking about the vagaries of human behaviour, but these are people that take a degree of comfort in operating in a highly regulated, highly structured state where they have also some autonomy in terms of what happens to them.
- 20 CA You were reported in the press following, I think, your first press conference as saying words to the effect that the gaol system is bursting at the seams and that that represented your biggest challenge. Were you correctly reported?
- W It's my most significant challenge. It is a very, very significant challenge and it's one that there's daylight between it and the next issue.
- 30 CA You mentioned it also in your submission, saying that there has been an extreme increase in demand and it has affected every aspect of your operational and support functions?
- W That's accurate.
- CA Can we get some overview of that. I think your submission offers some details from about the bottom of page 6.
- W Yes, it does.
- 40 CA There has been a 50 per cent increase in population since 2012?
- W There has been.
- CA Total prisoners at the moment, about 8,800?
- W That's right.
- CA And about 3,890 are sharing accommodation designed for one prisoner?
- 50 W Yes, that's true.
- CA Is it across all centres that this is occurring?
- W It's largely, or almost-

- CA High-security centres?
- W Almost - ostensibly across each of the 11 centres that we are overstate, and reasonably significantly overstate, currently.
- CA And that applies also to the private centres, Southern Queensland and Arthur Gorrie?
- 10 W It applies to Arthur Gorrie. Until recently, it applied to Southern Queensland Correctional Centre, but because of an internal arrangement there in better utilisation of infrastructure, Southern Queensland Correctional Centre is still overstate but not to the degree of the others, but that is likely to change.
- CA The women's centres are similarly affected?
- 20 W And more so. The overcrowding is universal right across the system generally. Particularly in the male population, it is somewhere in the order currently of about 135 per cent above built capacity. But in the women's system, bearing in mind that there are two high-security centres, Brisbane Women's and also Townsville, they're at about 165 per cent, 166 per cent, so it's even more of an issue for them, despite the fact that women make up a smaller numeric group of the prison population.
- CA That results in prisoners sharing a cell designed for one?
- 30 W It does. As you rightly point out, sir, 3,890 prisoners are currently occupying a cell designed for one person. In some cases, that might very well be a mattress on a floor; and in other cases, that might very well look like a bunk that has been retrofitted to now accommodate two prisoners.
- CA Do you know of any projections for the future? Is that rate of increase likely to continue, on current information?
- W It would appear so. At the present time, the projections for us are such that by the time we reach about May 2020, there will be somewhere in the order of 10,000 prisoners in corrective services facilities, based upon current projections.
- 40 CA At page 7 of your submission, you identify some details of increases in rate of assault, both prisoner-on-staff and prisoner-on-prisoner assaults?
- W Yes, that's right.
- CA Is there a connection, in your mind, between the two - the overcrowding and the increase in the rate of assault?
- 50 W It's difficult, nigh on impossible, to allege causation, but certainly these things are interrelated. My understanding is that, and certainly from what I have seen, an incredibly strong inference can be drawn to the fact that very many of our correctional centres are overstate, all of them are overstate and the significant exponential rise in assaults against my staff, which I'm greatly concerned about, prisoner-on-prisoner assault and also self-harm with respect to prisoners.
- CA I think from what you say that you at least suspect a correlation between

overcrowding and the increase in assaults?

W I do.

CA What would you say about the impact of overcrowding on the various corruption risks that you identified earlier?

10 W I think that as the prison population increases and as the pressure builds upon the existing infrastructure, so numerically more prisoners, numerically more staff, greater stress and strain on the prison infrastructure, all of those five key corruption risks are potentially impacted by being overstate.

CA Are there safety risks involved for staff with overstate populations?

W Yes, there is no doubt about it, there are safety risks.

CA How do they arise?

20 W The safety risks particularly arise because the system is under great pressure. The antagonism and stress between prisoners manifests itself in terms of exacerbating and increasing violence. An environment that sees increased aggression and violence in a correctional centre manifests itself in terms of violence being meted to the workforce and that the workforce is therefore at elevated risk of assault.

CA And the workforce need to respond, presumably?

30 W And the workforce would need to respond appropriately through one of a number of different mechanisms.

CA Does that enhance a risk of excessive use of force?

40 W It could certainly lead to an enhanced risk, officers feeling unsafe, officers feeling vulnerable. There might be, in the mind of an officer, a situation where they need to respond in a way that neutralises the threat and potentially sends a message to the prisoner. I don't know necessarily that I have seen examples of that in the short time that I've been there, but as a theoretical risk, I think it's something that we all need to be very, very mindful of, and it definitely builds the pressure within the system.

CA I take it from what you have said that you would accept that the impact of the overcrowding is such that it affects the staff quality of life, the quality of their working life?

W I think that's fair.

CA Is time in cell affected by overcrowding?

50 W Significantly so.

CA There is a standard, isn't there, that applies pretty much across the board as to how much time in cell and out of cell prisoners are supposed to get?

W Yes, there is.

- CA Is it 10 hours out of cell?
- W Certainly a sliding scale depending upon the nature of the incarceration of the individual and the risk that they pose, but I would think that 10 hours would be a reasonable level out of cell, if that could be facilitated.
- CA Is that being impacted by overcrowding?
- 10 W That is being impacted by overcrowding, yes.
- CA Does that have an overflow consequence for level of discontent?
- W It does. I'm sure that the prison officers themselves, the custodial officers, would rather that not occur. But in order to maintain a safe environment for them and a safe environment for other prisoners, particularly where the unit is so overcrowded, that is one mechanism that is being employed to safely contain prisoners.
- 20 CA We touched on the work and educational programs that form part of the rehabilitation. Is that impacted by the level of overcrowding?
- W Yes, it is. The level of overcrowding is putting significant pressure on the available infrastructure to facilitate programs, whether they be education programs or industries, and it would be fair to assume that despite creative local solutions to try to make better utilisation of existing infrastructure, it is putting pressure on the system.
- 30 CA In those centres that operate the kind of industry that you spoke about earlier, does the overcrowding mean that some people don't get access to it or there is a reduced timeframe for access? Do you know how that translates to the daily environment?
- W I don't know specifically, but I think it would be fair to assume that both of those things could be true.
- CA You mentioned in your submission at page 7 that one of the other consequences of the overcrowding is a reduction in the opportunity for dynamic security. Perhaps you might explain what's involved in dynamic security, Dr MARTIN?
- 40 W Dynamic security, as I understand it, is a situation and a state where the custodial officer is present within a unit and monitors the temperature of the unit, particularly around aggression, is engaging with the prisoner, talking to the prisoner, and ensuring that there is a normal healthy relationship between the prison officer who seeks the compliance of the prisoner and the prisoner to the correctional officer. The overcrowding state means that the officer does less of that, potentially increasing the level of risk and diminishing a very, very important opportunity to facilitate the de-escalation of what could potentially be a violent situation.
- 50 CA Is this assessment of temperature that you spoke about a function of all correctional officers in a unit or is someone designated to do that?
- W No, that would be a normal function of a correctional officer, a custodial officer, who, through the appropriate interaction with prisoners, would be

able to determine the mood, the tone, the tenor and the temperature of that particular unit, to maybe act as an early warning signal that there were things that weren't right, that fundamentally a particular prisoner might have a vulnerability or a need, and to intervene at an early time before it escalates into an assault or some other violent act.

- CA Is there any tension between the operation of dynamic security and the risk of formation of inappropriate relationships?
- 10 W There is always a theoretical risk, when a correctional or a custodial officer interacts with a prisoner, that an inappropriate relationship could be formed. There is always a theoretical risk that that would occur.
- CA What would prevent that risk coming to a reality or mitigate that risk?
- W What would prevent it would be supervision, training, mentoring. Regular on-the-job and pre-service training would be critical to give an inoculation against that, following up on complaints that would be made, and intelligence holdings generally, using intelligence to determine whether such a relationship had been formed.
- 20 CA In human life, some people may be more vulnerable than others, even custodial officers.
- W That's right.
- CA Is there some means by which vulnerabilities of certain custodial officers might be monitored, vulnerabilities to relationships, being receptive to relationships?
- 30 W I'm not sure whether there are formal mechanisms internally by which that's achieved. Certainly having regard for the fact that supervision, management, leadership, and the vulnerabilities locally, that would be a mechanism and a product of a local arrangement, but I don't know of any formal mechanism by which that is determined, such as the requirement to report inappropriate relationships. I know of no such system like that.
- CA Given the increase in population, do we take it that there is a commensurate need to increase staff numbers; is that correct?
- 40 W Yes, there is. That's true.
- CA Are there certain ideal ratios, for example, within a correctional centre, staff to prisoner?
- W My understanding is that there is a ratio previously agreed to by government for which we are supported through increased staffing to accommodate the increase in number, and Corrective Services negotiates with government, particularly Treasury, around appropriations to facilitate an appropriate balance between prisoner and staff.
- 50 CA Whatever that appropriate balance might be, has it been maintained with the increase in population?
- W My understanding is that that agreed formula is being applied and the

increased staffing numbers are occurring commensurate with the increasing prison population.

CA Where do you get the increased staff numbers from?

W We recruit generally from the general community.

CA So you're talking about your recruiting process?

10 W Yes, that's true.

CA New recruits?

W That's right.

CA I think there may even be some figures later in your submission.

W Yes, there are.

20 CA I'll just go to it.

W I think that's at page 11, the bottom of page 11 - increasing the built cell capacity.

CA We will find it later, but there is another portion where you identify the number of new recruits.

W That's right.

30 CA I was just interested in your view on the impact of dilution of experience through having to increase the recruiting to deal with the extra population?

40 W Yes, there's no doubt that when you go through a process of increased recruiting, you do encounter a two-barrelled effect. One, you are onboarding reasonably new and inexperienced people, which can be a positive and a negative thing to an organisational culture because you are bringing in people that aren't part of an old culture. But also you don't have the experience and you have the effect of potentially diluting the experience, particularly at a correctional centre that has experienced significant growth, so it is a bit of a double-edged sword. You need the labour. The labour doesn't readily exist in a way that you can onboard with the experience. You bring in base-grade levels and you require the existing workforce to manage, mentor and to lead those particular new people coming into the organisation.

CA Are the newer, less-experienced officers more vulnerable, for example, to formation of inappropriate relationships, being exploited by prisoners?

50 W I don't know whether they're more vulnerable or less vulnerable, but I think at every stage in a person's career there is the potential for inappropriate relationships to be formed, and I think that we need to be really mindful of it and I think that we need to have a specific strategy for new people coming into the organisation, those mid-career professionals and even people that are quite experienced that may be encountering difficulties or challenges in their personal life.

- CA You outline, I think at page 11, that there are some measures being taken to increase capacity through infrastructure.
- W That's right.
- CA The numbers you quote don't really make much of a dent, do they, in the level of overcrowding?
- 10 W They go some way to assisting the situation that we currently have, but they are no surrogate for major capital infrastructure that will eventually be needed to remedy this situation if the growth continues.
- CA You mentioned business cases for significant expansion of Arthur Gorrie and Southern Queensland. There would be several years lead time in that, wouldn't there, even if the business case was accepted?
- 20 W Yes, if the business cases were accepted and there was agreement by government for that to occur, there would probably be somewhere in the order of, conservatively, three and a half years to four years lead time.
- CA I think you have said before that the population trajectory continues on the up?
- W That's right.
- CA There are some strategies that you mention on page 11 as correctional centre strategies. One of them is the violence prevention strategy.
- 30 W That's right.
- CA I think some details of that are in a publication which is attachment 1 to your submissions. I will show you that.
- W Yes, thank you.
- CA Is that the Queensland Corrective Services Violence Prevention Framework document?
- 40 W Yes, it is.
- CA I tender that, Mr Commissioner.
- PO Exhibit 5. Thank you.

ADMITTED AND MARKED EXHIBIT 5

- 50 CA Could I just ask you a little bit about that. In the text of the document on page 2 of it, though the pages aren't numbered, it reads, "There are many risks and challenges associated with growing prisoner numbers", and you identify a list of them.
- W Yes.
- CA Including increase in self-harm, use of force, delayed access to amenities, prisoners not having access to health rehabilitation support, increase in

boredom, increase in false complaints, et cetera.

W That's right.

CA They are described as risks and challenges. Are they in fact realities?

W Many of them are the reality and they point to the pressure that exists in current correctional centres.

10 CA You have identified at the very bottom of the next page a number of key priority areas, and then the following page discusses those four priorities. Do you see those four numbered items?

W Yes. Yes, I can.

CA Then as it proceeds, the document notes that an agency plan will be developed by Statewide Operations. Is that agency action plan intended to incorporate the four objectives that are listed?

20 W I don't know the answer to that, I'm sorry.

CA I take it that your Deputy Commissioner who is in charge of Statewide Operations could tell us about the agency action plan?

W Yes, that's my understanding.

CA Whether it exists and what it contains?

30 W That would be my understanding.

CA One notes that this document is dated 2016. Has the agency action plan progressed since then?

W I'm sorry, I don't know.

CA We'll ask your deputy?

W Yes, if you would. Thank you.

40 CA In any event, one of the strategies is to develop a violence prevention strategy. Are you conversant with that?

W Yes, I am.

CA There is a diagram on the last page. I will ask you whether you are familiar with it.

W Sure. Yes, I am familiar with it.

50 CA Can you describe the operation of that strategy by reference to the diagram?

W The strategy reports up through a series of mechanisms. In the correctional centre space, the violence prevention committee that exists locally and a local action plan feeds into a committee that is chaired by Statewide Operations, the Deputy Commissioner that I previously spoke

about. Activity that comes from that process feeds up to the board of management. The board of management is a meeting of the senior executive of the organisation currently, despite the fact that, as I indicated, it would change in terms of structure into the future.

10 The process there is the mechanism by which issues with respect to the plan would escalate up through these various mechanisms ultimately to the board of management, and the board of management would consider those matters within the context of the safety and security committee, recommendations or, alternatively, a direct referral from that committee that I so mentioned. The board of management is well placed to then consider the mechanisms, the strategies, the issues that are identified within the context of appropriate resource commitments.

CA The diagram indicates input from a prisoner advisory committee. Can you just explain what that comprises?

20 W I'm sorry, I can't. I don't know the workings locally of a prisoner advisory committee.

CA There are a couple of other centre strategies that you refer to in your submission, having mentioned the violence prevention strategy. One is the adaptation of prisoner movements. Would it be right to say that the volume of prisoner movements increases with an increased population?

W It does.

CA Does that follow?

30 W That's true.

CA What kinds of movements are we talking about?

40 W The notion of prisoner movements, despite the fact that increasingly over a number of years now the notion of a prisoner appearing before court - bearing in mind that something in the order of 30 per cent of the prison population are currently on remand, so what you have still is a statistically significant amount of people that are migrating from a correctional centre to a court, to appear in court and then back to a correctional centre. You also have the movement of prisoners from a correctional centre to a health facility and presumably returning back to a correctional centre, but you also have a situation where a prisoner is moved from a correctional centre to another correctional centre to another correctional centre that might be able to be better equipped to deal with the needs of that individual or, alternatively, to recalibrate the numbers across the system.

50 CA The movements you refer to are movements to and from the centre, for court, for health delivery and so forth?

W That's correct.

CA What about movements within the centre, do they increase with the volume of population?

W They can do. They certainly can do.

- CA In terms of the prisoner movements that you were describing as being to and from the centre, you referred to nine points of conflict and high-risk periods.
- W Yes.
- CA Is there a similar concept applying to movements within the centre, not just to and from court, and the like?
- 10 W I would think that it would be reasonable to assume that the movement of a prisoner from one location in a correctional centre to another would pose particular challenges in terms of safety to the prisoner and safety to a prison officer.
- CA How is that accentuated then from, say, the in-unit accommodation scenario?
- W I'm sorry, could you reiterate that?
- 20 CA The increase in safety risk associated with a movement, how does that occur by contrast, say, with a prisoner in a cell?
- W Yes. There are prisoners in cells and there are prisoners in residential units. And in a number of residential units, despite the fact I mentioned before that the prison population is generally about 135 per cent above built capacity, it is not uncommon that in some residential units, it is 200 per cent, so every room/cell is occupied by two people, and it is not uncommon to have to move people from one residential unit to another residential unit having regard for intelligence or an assessment based upon the best appropriate fit to put one prisoner with another prisoner in a cell designed for one person. So there is movement internally. I hope that answers your question, I'm sorry.
- 30 CA Yes. In terms of this doubling-up, is there a strategy to minimise risks associated with that?
- W Yes, there is.
- 40 CA Is there some process of assessment of who might be compatible with whom?
- W Yes, there is.
- CA Or less incompatible, perhaps?
- W Yes, that's true, all of that is true, and it is a process that is dynamic, that changes regularly based upon intelligence, to try to find the best fit between one prisoner and another prisoner having regard for known levels of risk.
- 50 CA Is that dealt with as part of the intelligence function?
- W Yes, it is.
- CA Is there input into that process by staff stationed at the accommodation

units?

W That's my understanding, that local intelligence is fed in to a process to make those determinations.

CA One of the measures of mitigating the doubling-up situation is the use of bunk-beds. You make mention of that on page 12 of your submission. There are apparently 1,000 bunks under construction?

10 W Yes, there are.

CA There is some roll-out of them in the current year?

W That's correct.

CA You mention in your submission, in terms of the centres to which those bunk-beds are being rolled out, that it doesn't include Brisbane Women's. Is there some reason for that?

20 W There have been strategies employed to increase the capacity of Brisbane Women's, but we've reached the stage where the options of Brisbane Women are starting to become reasonably confined and narrow. So, rather than increase the compartment at Brisbane Women's, we're currently looking at other strategies using the infrastructure that currently exists.

CA Brisbane Women's was one of those, wasn't it, where typically the doubling-up was implemented by a mattress on the floor?

30 W That's right.

CA Is that still occurring?

W It is occurring in Brisbane Women's.

CA You would be aware of reports by the Ombudsman about that. Has there been some amelioration in the number of prisoners who are living that way since, say, 2016 when the Ombudsman reported on it?

40 W That's my understanding.

CA How is that achieved, do you know?

W My understanding is that there has been some retrofitting of capacity there at Brisbane Women's.

CA What does that mean, sorry?

50 W I'm sorry, but in terms of that level of detail, I just don't have that detail available. I can tell you, though, that certainly the person in the organisation that has the forward program of work and the historical understanding of the capacity that is being retrofitted in correctional centres is Mr John FORSTER, and I understand that he might be appearing before these proceedings.

CA Thank you. You have touched on Ethical Standards Unit before. You

have a background in integrity in the Queensland Police Service; is that right?

W I do, that's right.

CA Can you give us the detail of your background in that area?

10 W Most certainly. As well as being a senior police officer in the Queensland Police Service, one of the portfolio responsibilities that I had was the Assistant Commissioner, Ethical Standards Command for the Queensland Police Service, which was a statewide function responsible for integrity, discipline and professionalism on behalf of the Commissioner of Queensland Police Service.

CA There has been an Ethical Standards Unit within the Department of Justice and Attorney-General?

W Yes, there was.

20 CA Was there a unit dedicated to the integrity of Queensland Corrections, or was it part of the wider Ethical Standards Unit delivery?

W My understanding was that it was part of the enterprise of the department and not necessarily confined to corrective services.

CA Do you have a view about whether there were any limitations in the operation previously of the Ethical Standards Unit?

30 W I wasn't part of the organisation for any length of time before the ESU migrated across to Queensland Corrective Services, bearing in mind when I came in in November and the machinery of government that occurred in December, but I did identify very early in that machinery of government change where we became a department in our own right that if we were to position ourselves in the way that I wanted us to position, we needed to own the ethical standards function, because the ethical standards function not only, for me, speaks to the issue of organisational risk, but particularly it speaks to the notion of owning culture.

40 CA What is its importance as an anti-corruption measure?

W It is critically important.

CA In what way?

50 W It's critically important in so much as there needs to be some mechanism within a government department, and particularly in an area that does work so critical to us, that is the hub of the wheel for which the activities of the department around corruption prevention are coordinated. So matters are reported, matters are assessed, matters are determined for investigation, but importantly, importantly, this is the mechanism by which the proactive educative part of the corruption-resistant strategy is facilitated as well.

CA Typically how - we're talking about current operation and I know you have plans for the future.

- W Yes.
- CA So far as you can tell us, so far as current and past operation is concerned, how does a matter come to the attention of the Ethical Standards Unit?
- 10 W My understanding is that it comes to the attention of the unit via a number of different mechanisms. It can come by way of a direct letter and email externally. It can come from an official visitor, who may report it through the system directly to ethical standards. It can come from a direct report through the utilisation of the internal disciplinary complaint system. It can come via any one of a number of different ways, and a number of different pathways will fundamentally lead it to the Ethical Standards Unit.
- CA Will those pathways change at all with a service-focused Ethical Standards Unit?
- W That's my great hope.
- 20 CA How will the pathways change?
- W I think despite the fact there needs to be a tolerance for multiple pathways by which an Ethical Standards Unit can receive a complaint, I think that there is an opportunity here to make the process simpler, easy to identify, particularly for the workforce, to clarify, to market, to reduce some of the bureaucracy that currently exists with respect to the mechanism by which complaints are made. So I guess what I am talking about here is not limiting the way that a complaint can come, but ultimately reducing the barriers, the obstacles, the things that might otherwise make it difficult for people to understand how to make a complaint.
- 30 CA Whose ethical standards are we talking about, by the way?
- W I'm talking about the Ethical Standards Unit that now the organisation possesses.
- CA But in its operation, is its function to deal with, say, all of the corruption risks that you identified earlier, all five? Will it have that kind of function?
- 40 W My hope is that we build capacity there and we build expertise in all of those five key risks that I spoke about, and it needs to have mechanisms in place to deal with each of those five risks.
- CA Will the complaints typically be about staff, or is there a wider area of operation of ethical standards than the conduct of staff?
- W I think that the Ethical Standards Unit, while its focus is very much around internal discipline of the organisation, has a much greater remit around institutional risk and it needs to work hand in hand with the intelligence functions in the department and across government, and importantly it needs to work in partnership with the CCC. But it also needs to work in partnership with the Corrective Services Investigation Unit, which is a function of Queensland Police Service, because some of the risks are internal, but some of the risks are external and relate to criminal conduct.
- 50

- CA The pathways that you mentioned earlier are pathways of complaint; do I understand correctly?
- W Yes, that's right.
- CA What you say there is an additional focus of the Ethical Standards Unit's work?
- 10 W That's right.
- CA Being more proactive?
- W That's right.
- CA Can you explain that a little further?
- 20 W Yes. My understanding of where we're currently at and where the gap is to where we need to be positioned particularly is around - it's one thing to take a complaint, and it's one thing to triage the complaint, and it's one thing to facilitate an investigation, but a key element of the Ethical Standards Unit, and in fact it's a function of every leader and manager in the organisation, is around doing those things that otherwise create a corruption-resistant culture in a workforce. So that's around appropriately educating the workforce. It's around appropriately mentoring, leading, supervising, calling out bad behaviour. It's building this into every training exercise. It's making it implicit in every strategy document, irrespective of the nature of that document, calling out the integrity, the ethics issue and the risks identified. So this is part of the work that the Ethical Standards Unit will do, but it doesn't live exclusively there.
- 30 CA Do you see it making a contribution to the cultural change?
- W Very much so. Very much so.
- CA How important is it? How would you rate it?
- 40 W The function of the Ethical Standards Unit in an organisation like Queensland Corrective Services is fundamentally critical to success, fundamentally critical, and that's why I extracted it from the Department of Justice and Attorney-General. That's why we recruited a very senior and experienced person to lead that work, and that's why we're onboarding them at the earliest opportunity.
- CA There's quite a long list, at pages 23 and 24 of your submission, about a whole range of things that I gather are things that you hope you can achieve?
- 50 W Most assuredly. Together with annexure 17, that was something that I specifically wrote because it was critically important and very personal to me, and it taps into my experience - the hallmarks of an integrity system. These are the things that I am going to charge the Director of Ethical Standards Unit with, and this is what I want the Chief Inspector to concentrate on significantly.
- CA We might just deal with that now. I will show you that document. It is

attachment 17 to your submission. The document has a number of headings representing, as it reads, hallmarks of a mature and corruption-resistant culture. Do we take it that the various things that are listed there are the things that you are going to task the manager of the ESU to attempt to achieve?

W You can, and I will.

10 CA Listing the hallmarks is one thing, perhaps; achieving them is another. What would give you confidence that you can achieve those hallmarks that you refer to in that document?

20 W When we have a system that reflects a culture in an organisation that sees this as being as critically important as I do, where it's not what people say they do but what they do, so the integrity of the information holdings, the degree to which people report and self-report, the degree to which investigations are facilitated in a timely and expeditious manner and in a way that has regards for getting good, consistent, defensible outcomes, where there is no bias in investigation, that leads to good outcomes for the subject member, that leads to good outcomes for the community, I'll be getting a degree of confidence that we're at a point of maturity. Each of these, I think, are fundamentally a report card by which the Ethical Standards Unit will be assessed.

CA You have good plans for it. What about the resourcing of it - do you have the capacity to give it the strength to achieve the objectives you have set for yourself?

30 W There are some challenging challenges around resourcing, bearing in mind that we have only just recently become a new department in our own right. While it is wonderful to be a department in our own right, the reality is that we are going to have to use the existing resources or, alternatively, seek supplementation of the resources that currently exist. But this is so critically important, I am going to have to make the case to government for increased resources or, alternatively, reappropriate existing resources in the department. But this is so critical to our future success that, either way, I am going to have to give this a great degree of priority.

40 CA You are confident you have a fairly special person to take up the head of the Ethical Standards Unit. You would need also to be confident about the people who work there. Does it take a particular type of qualification or type of person to work in this area?

50 W Oh, look, I think it does. I think it does take a particular type of person. From my perspective, it requires a person to be understanding of the culture that they're operating in, to be steadfast in their desire to get consistent, accurate, timely, defensible, unbiased outcomes. It requires people that are conflicted with time but ultimately can prioritise and can work through matters. Bearing in mind that we're often in a disciplinary investigation, you are not only dealing with a bureaucratic process but you are dealing with somebody's life here, somebody the subject of an allegation. I know what that means to an individual; I know what it means to a workforce. So it does require a particular, unique skill set and it does require dedication and commitment from those individuals.

CA In the short term, at least, have you drawn from the previous or perhaps

still existing Department of Justice Ethical Standards Unit staff?

W To some degree, that is true. Ostensibly, I think.

CA Do you have plans for increasing capacity, increasing resources?

W Yes, I do. I do have plans to increase capacity.

10 PO Commissioner, could I ask you one thing. It appears from the evidence you have already given that you see as being fundamentally important the structure and staffing of your new ES Unit.

W That's right.

PO Is it going too far to say that without that being properly resourced and structured, all of the other reforms you have in mind, which are very important, would have a far less chance of success?

20 W Mr MACSPORRAN, you are absolutely correct. The standing up of the Ethical Standards Unit in the way you have described is a critical success factor in a whole range of other corruption-prevention strategies, that's correct.

PO You mentioned that you have selected or perhaps you are in the process of selecting a head of the new unit. That is a merit-based process?

W That's right.

30 PO Has that person been chosen?

W Yes, they have, and they are being onboarded - I believe it is 4 June they come to the organisation.

PO Has that person's name been publicly announced?

W Not publicly announced.

PO But it will be in due course?

40 W It will be in due course, that's right.

PO It is basically someone that you have total confidence in as the new head of this important unit?

W Yes, yes. I have a lot of confidence that the person that is being onboarded into that role, having regard for where they have worked and my personal knowledge of their skill and attributes, will make a very significant contribution to that role, and I have a lot of confidence in their ability to do the things that I have said are important.

50

PO Thank you. Thanks, Mr RICE.

CA One of the list of measures which you hope for, and it is referred to at page 24, is the introduction of what you describe as "frontline professional practice managers to assist with ensuring a professional workforce operating with high integrity". Do you see that?

W Yes. Yes, I note that.

CA Has there been a position, thus far, styled as "professional practice manager"?

W No, I don't believe so.

CA So this is an initiative?

10 W Yes, it is, and I see it as an important initiative.

CA Can you give us some detail of the content of it?

W Yes, I can.

CA As you hope it will operate?

20 W I mentioned before about how critically important it is to have a very strong Ethical Standards Unit. Within a correctional centre, I think that there is the need to have an Ethical Standards Unit emissary ensconced in a correctional centre, the sort of role that I see as being fundamentally important in terms of identifying risks, educating, marketing, ensuring that there is this omnipresence when it comes to corruption vulnerabilities, making sure that the reporting is occurring as it needs to be, that it is accurate.

CA How would that intersect with the intelligence group?

30 W Oh, significantly so. I would say that would be a significant cross-dependency, so that role would work very, very cooperatively with the leadership of a correctional centre and other dependencies, including intelligence. I see that as being critical.

CA I don't want to put words in your mouth, but do I understand it to be like a corruption monitor?

W Yes.

40 CA Is that a fair description?

W I think that is a very important and key element of the work that that individual would do.

CA You mentioned embedding. Does that mean someone stationed at a centre?

W It does.

50 CA Each centre?

W That would be my great hope. In a mature model, I would see that to have an Ethical Standards Unit presence in a correctional centre that could facilitate and triage complaints, deal with low-level matters, expedite investigations and what have you would be a significant adjunct to the work of the Ethical Standards Unit currently.

- CA Where is the Ethical Standards Unit currently located?
- W It's currently located at the corporate headquarters of Queensland Corrective Services, which is 50 Ann Street, which is the State Law Building.
- CA Do you see some advantage in having an identifiable presence within a correctional centre location?
- 10 W I see an advantage in that, most definitely.
- CA I won't go through all of these measures but just a couple that stand out. One we just mentioned. You mentioned also potentially the introduction of a corruption prevention advice hotline. How would you see that operating?
- W I see that operating in a way that would feed back to credentialed people that could give accurate, dispassionate advice out of the correctional centre, but specifically to an individual who is grappling with an ethical conundrum. It might very well be something around reporting, "Should I report? How do I deal with a particular issue that is unfolding?", and that individual triaging that call to give good-quality advice that otherwise might lead to good, consistent, timely outcomes and fundamentally deal with a particular matter in a way that would get a good, consistent outcome.
- 20 CA It might be used for someone experiencing a dilemma?
- 30 W I think so. Yes, quite so.
- CA Insofar as it has a disciplinary component and hypothetically a complaint is received about a staff member, use of force, for example, would it be the task of persons operating within the unit to do the investigations?
- W Yes, it would be. That's my understanding.
- CA Is that the way investigations are currently being conducted or are they referred back, in some measure, to the management of a centre?
- 40 W My understanding is that very, very low-level matters are referred back for either a preliminary investigation or an investigation generally. But if they are allegations of substance, they're investigated centrally by the team from the Ethical Standards Unit. That's my understanding.
- CA So if we were to see in the literature reference to referrals back from ESU to a centre, as a general proposition is it likely to be something that is low grade?
- 50 W That would be my understanding.
- CA For a better understanding, does the Ethical Standards Unit currently fall under Mr ZHOUAND's responsibility?
- W That's correct. That's right.

- CA He would have that oversight?
- W Yes, he does, and he has that knowledge.
- CA It might be timely, then, to talk about his function. He is the Chief Inspector of Prisons?
- W That's right.
- 10 CA Would you mind giving us an overview of his functions?
- W I would be happy to. His role is actually enshrined and protected by legislation. To some degree, despite the fact that he is an officer of Queensland Corrective Services, his role is one in the legislation, that is the *Corrective Services Act*, as being independent of the department largely, particularly around things such as audits, audit work.
- 20 He has been variously described to me, when I first commenced there, as the conscience of corrective services. The work that he does in managing the official visitor program is facilitating visitations by people not of the department, and the intelligence and information that is gleaned from that is then triaged and dealt with to facilitate bodies of work that otherwise Mr ZHOUAND would facilitate. He works with other extraneous organisations, such as the Ombudsman's office, Queensland Audit Office, and also our internal audit capabilities to identify and do further investigations with respect to risk that might be identified.
- 30 CA Just in terms of lines of responsibility, and dealing with this chief inspectorate function, is he subject to your direction?
- W The answer to that is yes and no. He reports to me in an organisational chart, so the answer to that is yes. He is a government-appointed and employed officer. Despite the fact that his role is enshrined in legislation and he is afforded a degree of independence, it sits as a quite unique model, the likes of which I can't point to another across government.
- CA In addition to his core function as Chief Inspector, you give to him oversight of the Ethical Standards Unit?
- 40 W I do.
- CA That places him squarely, does it not, in the management stream?
- W It does.
- CA He's responsible to you for the functioning of that?
- W Yes, that is true.
- 50 CA Does that conflict at all with the impartiality and independence required in his function as Chief Inspector?
- W It relies upon him to exercise a great degree of diplomacy, tact and discretion in discharging both of those quite difficult portfolios, but I understand your point, and it makes it difficult to administer.

- CA Is he an authority unto himself, so to speak, that is to say, responsible for how an inspection is undertaken?
- W Yes, that's right.
- CA You don't give him direction as to how he should go about doing his job?
- W No, I don't.
- 10 CA He does what he does and reports back to you?
- W Yes, he does, that's correct.
- CA Do you see his independence deriving from that kind of arrangement?
- W I know it adds complexity. I know it's less than optimal. I know that it's a challenge. But in a new department, bearing in mind the importance of returning Ethical Standards Unit to the organisation, providing that under his remit was the best, most appropriate mechanism to give it the primacy that it deserved, but it's less than optimal.
- 20 CA Is it a neat fit, given that ethical standards and its operation falls squarely within the management stream, doesn't it? You're at the top?
- W That's right.
- CA Part of your function is to operate the Ethical Standards Unit?
- W That's correct.
- 30 CA And, where necessary, give direction to do so?
- W That's right. To answer your question, it's not a neat fit. It was always going to be, for me, a temporary solution and it may not necessarily be a longer-term solution as we let the structure of the organisation settle beyond the Deputy Commissioner positions. So because it's there currently, it was always identified as being a temporary measure, but I don't know where it will fit for the future, depending upon the settling of that structure.
- 40 CA So far as his inspectorate reports are concerned, they take various forms, don't they?
- W They do.
- CA You could have so-called healthy prison reports, which are the product of regular announced inspections?
- W That's right.
- 50 CA Then there might be reports about particular incidents that occur within correctional centres?
- W That's correct.
- CA What use are they from a management perspective?

- W I think they're significant use. I have to say to you that certainly the general managers hold the view that when an inspection is facilitated by the Chief Inspector, it gets their complete attention. They're greatly concerned at the outcome.
- CA Is that the culture?
- 10 W That is the culture. That has been my experience, I have to say to you, that they really feel as though there is an investigative process being employed, and it is independent.
- CA The reason I ask that is that the function of the Chief Inspector is limited to the making of recommendations; are you aware of that?
- W That's right. I am.
- CA The question then arises as to what you, as the person responsible, and others, such as general managers, actually do about the recommendations.
- 20 W That's right.
- CA What degree of credence are they given?
- W I think they're given - I can only talk in the short time that I've been part of the organisation, but this is what I can tell you from my observation, that when the Chief Inspector does his work and when he delivers his report, the organisation takes that report very seriously. Certainly there is a conversation internally about what it means and about what the organisation needs to do in response to that, and I see activity that occurs.
- 30 I really can't answer the question whether it carries the same weight as some other external processes, but I can tell you that the organisation does not dismiss it out of hand and nor does it take the fact that when a report is made like that, it can cherry-pick those recommendations that it wishes to employ and dismiss the others out of hand. I haven't seen evidence of that, I'm sorry.
- 40 I can tell you, though, that as a result of the work of Mr Walter SOFRONOFF QC about the work of the Chief Inspector, there was a call for an independent inspectorate function, and government have committed to such a process. So I think that there is an inevitability that that occurs into the future, which then puts a question mark over the need for the Chief Inspector as it's defined under the *Corrective Services Act*.
- CA And may impact on his current additional responsibility with ESU?
- W Oh, I agree wholeheartedly.
- 50 CA So we'll have to wait and see on that one?
- W That would be my view. But can I also say that the same discomfort that you have identified with the role of the Chief Inspector in terms of inspection audits and the ethical standards function is something I have been grappling with for the last, probably, four or five months.

CA Mr ZHOUAND will have more detail and I will ask him also, but I'll just ask for your perspective. Recommendations that might be appropriate for one centre might also be food for thought for another centre, might they not?

W Very much so.

CA In the scheme of things, what is the circulation of the reports that Mr ZHOUAND generates? Do they go, for example, to all the centres for their consideration, even though it may not be the centre that is being inspected or the centre at which an incident is being inspected?

W I'm sorry, I can't shed any light in terms of the distribution of those reports. Either Mr ZHOUAND would be capable of answering that, or, alternatively, the Acting Deputy Commissioner in terms of how he utilises those reports in terms of institutional learning. That would be my experience, though. My expectation would be-

CA If you were to glean, for example, from one or more reports that there might be some resistance, say, to the use of body-worn cameras, that might be something that would be pertinent to be known as a general fact?

W That's right.

CA Would you accept that?

W Yes, that's right.

CA I guess what I am asking you is whether you see that these reports have a utility as a management tool beyond the direct incident to which they might relate and the direct centre to which they might relate?

W Unquestionably so. My view is that one report that deals with one particular issue at one centre would have a great degree of relevance right across the enterprise. I agree with that wholeheartedly.

CA Is that the way it works at the moment, do you know?

W I don't know, I'm sorry. I'm not sure about that.

CA Mr ZHOUAND would know?

W Most definitely, he would know that.

CA Thank you. Is that a convenient time?

PO Yes. Mr RICE, just one thing-

CA Yes, I'm sorry, I haven't tendered attachment 17.

PO I will make that Exhibit 6. Thank you.

ADMITTED AND MARKED EXHIBIT 6

PO We will adjourn. Does 2 o'clock suit, Mr RICE?

CA Yes, thank you, Commissioner.

LUNCHEON ADJOURNMENT

PO Thank you. Mr RICE.

CA Thank you, Commissioner.

10

Just to finish up on the discussion we were having about the Chief Inspector and the dual roles that he has - in fact, he has more than two, but he has obviously his Chief Inspector role and responsibility for the Ethical Standards Unit, he also oversees the official visitor program; correct?

W That's right.

20

CA Insofar as those first two are concerned, we were discussing whether they provided a neat fit in terms of responsibilities. Do you see there being any potential for any conflict between those two duties, that is, to report to you and the ethical standards function but at the same time to impartially carry out his inspectorate function?

W I think there could conceivably be conflict, were it not for the quality of the individual that performs that role and for the trust that I place in him and also for the relationship that we have. There are occasions where it takes good people to make a bad system work. In this particular case, you have two people who are making the system work, and in the absence of another option, it's probably the best option, but it is not a perfect fit.

30

CA And it may or may not be temporary is the other thing, perhaps?

W That's very true, very true.

CA In response to that, your answer is that in this case you can trust the individual?

W I do.

40

CA Can I go back to something that we touched on quite early. It concerns the interrelationship between you and perhaps the Deputy Commissioner level and the general managers. Just to clarify a little, do the general managers report to you or the Deputy Commissioner in any formal sense?

W The general managers report to the Deputy Commissioner absolutely in a formal sense. The Deputy Commissioner reports to me in a formal sense, but the general managers, as part of their normal day-to-day business, don't report to me directly, but that occurs through the Deputy Commissioner.

50

CA But they do have responsibility in a reporting line in this case to the Deputy Commissioner?

W That's correct.

CA As part of that, is there some performance measuring done of their function?

- W My understanding is that that is the case, and that's performed by the Deputy Commissioner.
- CA We'll ask him. To your knowledge, does that include any performance management concerning mitigation of corruption?
- W I'm sorry, I don't know the answer to that question.
- 10 CA We were talking about some features of internal controls that mitigate corruption risks, and we dealt with the Ethical Standards Unit and we have spoken about the Chief Inspector's office. Just a moment ago, I mentioned the official visitor function. Could you give us a brief overview of that?
- 20 W As I understand it, there are something in the order of between 30 and 35 official visitors. That changes over time as people are recruited because of their various skill sets or interests or the group that they represent. The official visitor program is extraneous of employment from Queensland Corrective Services. These are people separate from the organisation. They come into a correctional centre. They inspect. They examine. They make inquiries of inmates, prisoners. They report things outside of the normal lines of reporting to, directly, the Chief Inspector. The Chief Inspector ultimately looks at those reports within the context of institutional organisational learnings, and as a result of those notifications, then that shapes the further work that the Chief Inspector might do with respect to his investigations or inquiries.
- 30 CA The official visitor reports about such matters that are brought to their attention. You mentioned, I think, that they go to the Chief Inspector?
- W That's right.
- CA Do they also go more directly to the manager of the prison concerned?
- W That's my understanding.
- CA To both, you think?
- 40 W That's my understanding.
- CA You have attached, I think, a copy of the official visitor manual.
- W Yes.
- CA I might just tender that. It is attachment 3 to your submission.
- W Thank you.
- 50 CA Is that a manual that is made available for the assistance of official visitors?
- W Yes, that's right.
- CA I tender that manual.

PO Yes. Exhibit 7.

ADMITTED AND MARKED EXHIBIT 7

CA I won't delay asking you about the details of that, because that is another area that falls within Mr ZHOUAND's responsibility; correct?

W That's correct, yes.

10 CA But can you tell me this: does he, or you or anyone exercise any control, quality control, over the functioning of the official visitor system?

W I believe that he does. That is, Chief Inspector Samay ZHOUAND is the liaison point; he is the focus of the attention of the official visitor program. I certainly exercise no control over the official visitor program. That occurs completely aloof from me and ultimately through the reporting relationship that Chief Inspector ZHOUAND has.

20 CA We will perhaps find out more about that from him.

W Yes, indeed.

CA Another of the internal control mechanisms to mitigate corruption is a complaints process; do you agree?

W Yes, that's right.

30 CA What do you see as the importance of a complaint management process to identifying corruption or management of corruption risk?

W I think it's critical. It is absolutely imperative that what we've got is the means to identify, whether it be through self-reporting or, alternatively, officer reporting or other mechanism, the reporting of misconduct or criminal behaviour, to be able to feed that into an intelligence process, to determine what risks are attached to that behaviour, to not only do something about it but otherwise to make sense of what it is telling us about particular vulnerabilities that exist from a systems approach. So in terms of a functioning complaint system, it is pivotal to corruption resistance in a corruption-resistant culture, absolutely.

40 CA What avenues are there for prisoners to make complaint?

W There is a range of avenues by which a prisoner can make a complaint. There is a facility referred to as a "blue letter", so named because of the colour of the envelope, and that is a direct communication between the prisoner and the general manager of the prison and other people. There is the privileged mail system, and I think it is really important to make mention of the fact that a blue letter can be privileged mail, but a privileged mail is not necessarily a blue letter.

50 There's also the means to be able to make a telephone call to a range of stakeholders, not least of which is the Ombudsman, or alternatively the CCC. They can ring directly the Ethical Standards Unit. They can speak to the general manager of a prison. They can engage the official visitor program, so a prisoner can engage an official visitor and make a complaint directly to him or her about allegations of misconduct or

criminal matters. And, of course, that's not to say that a prisoner or a delegate on behalf of a prisoner might very well decide to send an email or write a letter directly to some other competent authority, not least of which is the ethical standards.

CA Within Department of Justice and Attorney-General, there is a complaint management policy; am I right?

W Yes, there is.

10

CA I think you have actually attached that to your submission.

W I have.

CA I will show you this document.

W Thank you.

20

CA Is that the Client Complaint Management Policy of DJAG that you inherited?

W Yes, that's my understanding.

CA I tender that policy.

PO Exhibit 8. Thank you.

ADMITTED AND MARKED EXHIBIT 8

30

CA Like the Fraud and Corruption Policy, it is expressed in generic terms; am I right?

W That's right.

CA There is no mention of "corrections" in this policy?

W No, there is not.

40

CA Or of operation of such complaints mechanisms as there are in corrections?

W You're quite correct.

CA Is that to be addressed?

W Yes, indeed. That will definitely be addressed.

CA In what way?

50

W My view is that there is scope there for a very specific policy dealing with the context of corrections. It needs to be informed by the evidence and literature and, more importantly, needs to reflect the corruption risks that I spoke about before that are focused on the domain that I operate in and not necessarily generic across other units of public administration.

CA Is formulation of a new policy to be tasked to someone?

- W Yes, most definitely.
- CA Who?
- W That will be tasked to, ultimately if the Ethical Standards Unit remains with the Chief Inspector, the Chief Inspector. But fundamentally that work will be done by the Director of Ethical Standards.
- 10 CA You mentioned the blue letter method of making a complaint. Are you able to offer any comment as to how secure that is in terms of confidentiality to a prisoner?
- W I can understand that there would be some concerns that that could be abused, that it could be used inappropriately. I am very sensitive to those sorts of criticisms, but I haven't seen anything that would dictate that that is the case, that that is not only a theoretical risk but that it's actually happening. I haven't seen evidence of that, but I am certainly alive to the prospect that people could be sceptical that a letter from a prisoner under a privileged mail arrangement would get to the intended recipient. I understand that.
- 20 There are rigours and controls put in place, including registers, and I would be reinforcing to the general managers my belief that it fulfils a very important part in people having a say that their privacy should be maintained, and I would also be very alive to - I would regard it as a very, very significant infraction of privacy. If that was abused in the way that we are talking now, that would be a very serious allegation.
- 30 CA Should prisoners have the opportunity to make their complaints with confidentiality?
- W Absolutely, yes, they should.
- CA And you think the blue letter method should achieve that?
- W I believe that. I believe that's one mechanism that they can make a confidential complaint.
- 40 CA Privileged mail is in a bit of a different category, isn't it?
- W Yes, it is. It is in a different category, and hence my comment that a blue letter can be privileged, but privileged mail is not necessarily a blue letter.
- CA What would fall into the category of privileged mail?
- W My view, quite clearly, is that the obvious privileged mail would be - a prisoner communicating with his or her legal counsel would fall absolutely squarely in that category.
- 50 CA Do you have a view about whether prisoners have disincentives to complain?
- W I think that the prisoner population are disadvantaged in a range of ways. In some cases, it's because of the power imbalance or the perception of

power imbalance. There are prisoners who have very significant educative, cultural disadvantage. There is a high degree of prisoner population who have medical issues, mental health related issues, and because of these things, staff within corrective services need to be particularly sensitive to the needs of prisoners and particularly sensitive to their rights to complain.

10 CA Do you have any view yourself about a feeling amongst at least a proportion of prisoners that there may be some retribution or risk of retribution attached to the making of complaints?

W I have never seen, in the short time I have been there, evidence of retribution being meted out to a prisoner because of a complaint being made. Having said that, I think we need to be very concerned about the prospect of that theoretically occurring. Certainly from my perspective, if there was evidence of that, that would be a very serious allegation that would need to be investigated and dealt with appropriately.

20 CA Some of the pathways involve complaint made to external bodies, such as the Ombudsman and the CCC?

W That's right.

CA But for those that are made within the system, is there a system of management complaint?

W Yes, there is.

30 CA Is it standard across all centres?

W I don't know the answer to that. I don't know the answer. I don't know - yet again, this is one of those vagaries that I've picked up where there is a slight change in the way that it's executed from one correctional centre to another. But my great hope is that standardisation across reporting and in the way that complaints are managed and dealt with will be facilitated through the sorts of mechanisms that I spoke about before. I am very concerned to examine that as part of this new ethical standards arrangement.

40 CA Consistent with the complaint management process policy that was just tendered, has there been a management process in place to manage internal complaints?

W Yes, my understanding is that there is a process in place to manage internal complaints.

CA You mention in your submission a system called Resolve. Can you tell us what that is?

50 W My understanding is Resolve is the internal complaint management system that applies to Queensland Corrective Services, something that we inherited from the Department of Justice and Attorney-General. I am aware that across government there is a range of mechanisms by which internal complaints are managed.

I have never been a user of Resolve. I don't know the system itself. I have

never recorded a complaint on it. I am much more familiar with other mechanisms that exist within other government departments. I mentioned Queensland Police. But I don't know, and I haven't formed a view yet, as to whether or not Resolve is an efficient system, a system that we need to invest in for the future, or whether there might in fact be better systems that exist across government at the present time.

10 I know that with the work that has been done particularly recently by the Crime and Corruption Commission Chair and the Queensland Police, I am very, very keen to see what developments are being made with respect to other better, more dexterous systems, systems that are able to be interrogated to a greater degree than currently Resolve.

CA What is it, though? Is it some computerised recording system?

W That's my understanding.

CA Does it fall within the Deputy Commissioner's responsibility?

20 W No, it wouldn't. It would fall under the remit of the Chief Inspector.

CA You give some detail about it on page 19 of your submission. Would the Chief Inspector be better placed to answer further details about the operation and management of that system?

W Yes, he would.

CA Are you, though, kept informed in some way about numbers and types of complaints, trends, and so forth?

30 W Yes, I am.

CA How do you get that information?

W I get that information by personal briefings, reports periodically about particular types of complaints and general throughput in conversations that occur at the board of management about complaint trends.

CA Is there any information about that that is made available to the public - not the content of complaints but numbers, trends and that kind of thing - do you know?

W Not to the best of my knowledge. But can I say to you that one of the benefits of being a department in our own right is that fundamentally we now have the means to be able to produce an annual report statistical review specifically related to Queensland Corrective Services, whereas before it would have been an annual report statistical review aggregated up on a whole of Department of Justice and Attorney-General level. But from my perspective, one of the things that I think, as a department, we need to think about is what are the metrics by which we inform the public and government of the work we do, and certainly complaint-related data, for me, is an important issue to consider.

50 CA One of the pathways of complaint is to the Ombudsman, who can, if appropriate, make investigation about an individual issue or a systemic issue?

W That's right.

CA Like the Chief Inspector, the Ombudsman can make recommendations?

W That's right.

CA What is the status of the recommendations from the Ombudsman?

10 W Those recommendations, to the best of my knowledge, and certainly we have been privileged to have been the subject of a great degree of attention by the Ombudsman over very recent years, each of those reports that the Ombudsman has inquired into our activity, to the best of my knowledge, the vast majority, if not all, of the recommendations have been either implemented, operationalised or, alternatively, are substantially in that direction. There are regular conversations with the Ombudsman and the Ombudsman's office about progress and that those recommendations are taken very, very seriously.

20 CA As a general proposition, do you feel any obligation to act on Ombudsman's recommendations?

W I certainly do, absolutely. My view is that these come from a very credible, important third party, dispassionately and aloof from the organisation. My view is that you would really want to have a very clear rationale for not taking an Ombudsman's recommendations on board any more than I would the CCC or any other important authority that is making recommendations generally from a position of - in a positioning that's better.

30 CA Just for completeness, Dr MARTIN, you did attach to your submission a list of persons authorised to view privileged mail. I will just make that available.

W Thank you.

CA Is that the list of persons authorised to access privileged mail?

W Yes, sir, that's my understanding.

40 CA I tender that list.

PO Exhibit 9.

ADMITTED AND MARKED EXHIBIT 9

CA Are you aware of an exception to the privilege of the mail to the extent that it may be read to determine whether it is privileged mail?

50 W Yes, I am.

CA Do you see potential for abuse of that?

W Yes, theoretically I do. But I also understand that, in some cases, it would be really difficult to determine whether something was privileged mail until very perfunctory inquiries were made. To the extent that it's

identified that it's privileged mail, there should be no further inquiries beyond that point, to interrogate the information and to do anything with it other than to establish that it's privileged mail. I certainly can understand, notwithstanding my previous comments about the need to protect that, that it could be subject to an exploitation, although I don't have evidence of that.

10 CA At what point in the process is that kind of examination made? Is it made in unit, for example, by persons who may be interacting with prisoners, or somewhere else?

W I'm sorry, I don't know the answer to that question. I would be surprised if it was made in unit. I am thinking that knowing the way that a correctional centre is run, my view is that it would be made at another stage in the process much more closely aligned to the role of central administration of a correctional centre and not necessarily by an individual officer at a unit level.

20 CA Do you know whether it would be done via a custodial correctional officer?

W I don't know, I'm sorry.

CA Would all centres operate the same in that respect?

W I don't know the answer to that question.

30 CA Can I ask you about the use of CCTV in centres. To what extent is it deployed, do you know?

W CCTV is one of those technologies that has been increasingly rolled out not only in terms of the number of cameras but also the dexterity of the system. CCTV doesn't cover every area within a correctional centre, but there is a significant degree of coverage. But it is also one of those things that, bearing in mind that not all correctional centres look the same, their physical design is a manifestation of time and investment over a long period of time. So to varying degrees, they have varying degrees of CCTV capability, but I am reasonably assured that there is a reasonable amount of coverage within correctional centres in Queensland.

40 CA Would that coverage include accommodation units?

W In a lot of cases, it does.

CA What would be the priority areas?

50 W My view, and certainly from what I have seen, is that those priority areas are generally those areas where there would be a higher degree of potential for assault. Certainly there is a lot of CCTV camera in terms of access and egress areas to residential units, in residential units, in exercise facilities, companionways and walkways within correctional centres.

CA To sum it up, is that where prisoners are mingling?

W That's right, so where prisoners generally are moving-

- CA Does that sum it up accurately?
- W That would be a degree of accuracy from my perspective, that's right.
- CA So the opportunity for prisoners to mingle brings greater opportunity to come into conflict, does it?
- W Yes, it does.
- 10 CA Is that the rationale?
- W That would be my view. I can't tell you the historical rationale, but I would imagine that the CCTV over a period of time has been put in places where you have a high degree of interplay between prisoner on prisoner, staff on prisoner and prisoner on staff. That's my observation.
- CA The placement and angle of cameras is influenced by those kinds of things?
- 20 W From what I have seen, that would be the case, but there is not total coverage.
- CA More recently, there is another form of camera coverage, isn't there?
- W There is.
- CA In terms of the body-worn cameras?
- W That's right.
- 30 CA There has been a roll-out of availability of body-worn cameras?
- W There has.
- CA How recently?
- W My understanding is that it is quite recent. That is a fairly recent innovation, and when I say "recent", I understand over the last 18 months or so - 110 supplementing the original 43 that were in existence. From my perspective, body-worn cameras are reasonably new technology in Queensland in the correctional space. Certainly from my perspective, I can see them as offering a very important corruption-prevention risk and also officer safety strategy. So from my perspective, they have a great degree of support and I am looking forward to doing what I can to roll those out with a greater degree of frequency.
- 40 CA You make mention of them at page 32 of your submission. There are figures that you have mentioned: 110 in addition to 43. Is that the total number?
- 50 W That's right.
- CA So 153 in total?
- W That's right. That's my understanding.

- CA Across, what, 11 high-security centres?
- W Yes, bearing in mind that that should only be considered within the context of nine government-owned, government-run centres, because the two private facilities have the means to be able to employ their own camera technology, and I think that that is exclusive of this, but certainly that's-
- 10 CA Do they do that, do you know, the private ones?
- W My understanding is that they are embarking on the investment in body-worn video, and I have seen examples of that myself.
- CA How is the distribution prioritised, because there are many more correctional officers than there are cameras, aren't there?
- 20 W Yes, there are. This was an initial investment. This was a governmental investment to initially approve the concept and start the rollout. This is in no way saturation of the workforce. I mentioned before that in the custodial space, there are some 3,500 officers. In order to get saturation, you would probably need at least 1,500 to 2,000 at any one time in the system. That would be my uninformed assessment of how many cameras that I would need.
- 30 To answer your question, though, in terms of the allocation, they were reasonably equitably distributed amongst correctional centres around the state. Many of the correctional centres have something in the order of 10 cameras. They are allocated on, initially, areas of greatest risk, but my understanding is that certainly I am personally committed to the technology, for the various reasons that I raised, and I am very keen to see that rolled out as a significant investment into the future.
- PO Dr MARTIN, can you tell me whether the type of camera and the technology for its storage, and so on, is the same as the police use?
- W Mr MACSPORRAN, originally the first iteration of cameras weren't consistent. They were found to be not fit for purpose. The camera that we have at the moment is a camera very consistent with that which is being used by police, and in fact the mechanism by which it is docked and the data is stored is very consistent with the police-related technology. So there has been a learning process associated with this to the extent that the original suite of cameras has been replaced by the current delivery of camera and it is a very consistent platform with policing, is my understanding.
- 40 PO Thank you.
- CA Do staff have to go to some centralised place when they have a need for one? Do you know how the system works?
- 50 W My understanding is that the cameras are available for staff, who take a camera; it is recorded against them; they use the camera; and at the end of shift, the camera is docked, the data is downloaded and the data is up-captured as part of the docking process.
- CA How would a staff member know in advance that such a camera would be

available for him or her?

W I don't know the answer to that question, I'm sorry, and bearing in mind that there are finite cameras in a correctional centre, and you have rightly pointed that out.

CA Less than 20 per cent, just taking a rough average?

W I think that would be true, that's right.

10

CA So can you assist us with how their use would be prioritised?

W No, I can't, I'm sorry. I don't have the answer to that. The Deputy Commissioner, Statewide Operations would have knowledge of that.

CA What is the state of training in it, do you know?

20

W There is a custodial operations procedural directive with respect to the devices. I understand that training has occurred with respect to those devices, particularly training not only in the use of the technology but also in terms of the application of the policy. That policy has been disseminated across the organisation and the technology itself is reasonably simple to operate. That's the extent of the knowledge that I have.

CA Do you know how they have been received by correctional officers?

30

W I was curious as to how they had been received when I first came into the organisation, but there is a number of ways to look at this. You can look at it in terms of it having a wonderfully protective effect in terms of unfounded allegations, as a device that fundamentally facilitates safety. It encourages, if you look at the literature, good behaviour from the offender and arguably better behaviour by the officer the subject of it. I have been quite surprised at the acceptance of the technology and that the staff seem to have embraced it and understand the benefits of it. I thought that that really showed their maturity in what is a very important piece of technology having regard for unfounded allegations and also the safety of the workforce.

40

CA In terms of a trigger for the operation of a camera, you have noted, at page 33 of your submission, that current practice is that the cameras are activated by staff during an incident where there is a need to make a recording. Incidents can arise without much notice on occasions, though, can't they?

W They can.

CA How, then, is a staff member to have access to a camera in anticipation of a need to make a recording?

50

W That's a very good point. Bearing in mind, though, that there is a finite amount of cameras, we are never going to be able to know - we are never going to be able to provide everybody, at this juncture, with a camera that is performing an operational shift, but I don't know the degree to which you are aware that the camera has a back-capture function. At the point at which you activate the camera, the camera back-captures a period of

time for behaviour because of a continually cycling digital recording. At the point at which you activate the camera, it back-captures a period of activity. So if something was to happen in front of an officer, they don't necessarily have to have had the camera on for the duration of the exchange for them to capture the vision. Hopefully I have explained that simply.

PO I think the police ones capture 30 seconds or so prior to the actual activation?

10

W That's my understanding. I am not sure whether these capture 30 seconds or 45 seconds. In any event, there is a period of time if something was to occur, so if there was a fight to occur in front of me and I activated the camera, I know that at least 30 seconds or 45 seconds - depending upon the variant of the camera, there would be a period of activity that would be captured and then continue on until such time as I deactivated it.

CA I think you actually note it in your submission as 30 seconds.

20 Who, there you are. Sorry.

CA Do you know whether certain officers occupy a particular position that would make them candidates to have priority access to these and use them throughout a shift?

W I don't know the answer to that. I don't know whether they have been prioritised based upon the activity of particular officers, but I do know that there are officers that perform a role as CERT, centre emergency response team, that are more involved in tactical extraction of prisoners from cells, and what have you, who would have access to the technology.

30

CA They would typically be the kind of incident where there would be prior notice of what their task was and why they would need one?

W Often that would be the case, that's right.

CA There was some issue initially, wasn't there - perhaps using the term "industrial issue" might not be quite accurate, but there was some level of concern, wasn't there, about the availability of some kind of vests to accompany the cameras?

40

W Yes, that's true.

CA What was that, Dr MARTIN?

W Ostensibly, as I understand it, and to some degree that pre-dates my arrival into corrective services, but the camera was, first of all, sourced under the premise that it would be attached to a shirt pocket of a uniform, but officers were of the view that that was a less than optimal solution and that, in a scuffle, the camera could dislodge, the camera could come free, it would fundamentally not do what it was required to do, and in order to have the camera, the camera needed to be used in consort with what was a tactical vest, a load-bearing vest, and the camera would affix to that on a more rigid and permanent basis.

50

CA We touched on the role of the intelligence group a little bit before, but just

turning to that, and without descending into methods at this point, can you give us some overview of the area of operations of the corrective services intelligence group?

- 10 W I can. The intelligence function within corrective services is an area that I have also identified as very fertile ground for review. I want to make sure that it is aligned to other areas of intelligence gathering, including QPS. I think there is a golden opportunity to work much, much closer with the intelligence gathering function, specifically corrective services. There is a central coordination with intelligence, but every correctional centre has an intelligence collection unit that does rudimentary intelligence gathering but does analysis locally to determine areas of risk both for officers and for other prisoners and feeds that back up into a central intelligence database, as I understand the process.
- CA Are you able to tell us on what topics at least intelligence is gathered?
- 20 W My understanding is that the sorts of things they would look at would be plots to escape, plots to bring in contraband, threats to other prisoners, physical threats to them. Those are the sorts of things that the intelligence function would mine specifically to ameliorate risk in correctional centres.
- CA Intelligence about relationships?
- W That's my understanding, yes, very much so.
- CA Does the intelligence group have a role in mitigating each of the corruption risks that you mentioned earlier in your evidence?
- 30 W I'm not sure whether or not those corruption risks have been specifically articulated to the intelligence group, but I would be very, very surprised if they weren't alive to those corruption risks and they weren't specifically looking at particularly issues about bringing in contraband, they weren't looking at inappropriate relationships, certainly issues associated with force, threats, those sorts of things, even issues such as contractual issues and those sorts of things. I would think that the intelligence function would be well placed to capture that information.
- 40 CA There is a relationship, is there, with some Queensland Police Service officers?
- W There is a relationship, and certainly my arrival into QCS has fostered that.
- CA There are Queensland Police Service officers stationed at each centre, are there?
- W No, there's not.
- 50 CA How does that relationship work, then?
- W That relationship works in a two-fold effect. Firstly, there is a relationship between a correctional centre and Queensland Police locally. Say, for example, at Lotus Glen in the far north of the state, there is a relationship there with the police at Mareeba and other police on the

Atherton Tablelands. But there is also a state intelligence relationship that exists between state intelligence in Queensland Police and also the state function of intelligence, and there have been communications at a fairly high level between police and also corrective services around how we interact.

CA What, then, is the function of the corrective services intelligence unit, as opposed to the intelligence group?

10 W I think that the group is the overarching - the group is the overarching intelligence capability-

CA It is a matter of technology?

W -for which case, you have outposted officers that perform an intelligence function at a correctional centre level.

CA In what lines would the intelligence group be reporting - reporting to you or to the management, or both?

20 W No. The intelligence function exists at a correctional centre but doesn't report to the general manager. It performs a function from which the general manager derives a benefit, particularly around identification of risk, but the intelligence function, as I understand it, is owned centrally by the area that looks after intelligence more broadly.

CA How is its performance managed?

30 W Its performance under those arrangements would be managed centrally and not locally.

CA I'm sorry, what do you mean "centrally"?

W By the group that overarches the performance of intelligence that's based in Brisbane, that outposts their intelligence officers, but the intelligence officer is not owned by the individual correctional centre.

CA Are you talking about Police Service central intelligence?

40 W No, this is completely divorced of Police Service. These are only intelligence officers allocated - they are owned by and allocated to Queensland Corrective Services, but they are in a hosted and owned model. There is a central area in Queensland Corrective Services that owns the intelligence function, but they're outposted. So the Queensland Corrective Services officers are outposted to a correctional centre, but they are not owned by the centre locally. They perform their role there, but they are centrally functioned back to an area of the organisation that owns the function.

50 CA Who oversees the performance measurement of the intelligence group?

W You have Mr Bruce WELK on the witness list to appear before the Commission. My understanding is that Mr WELK is well placed to talk about the key performance indicators by which performance is assessed.

CA I was going to ask you: are there measures by which performance of the

intelligence function as an anti-corruption measure can be assessed?

W I don't know the answer to that question, I'm sorry. I don't know whether or not the key corruption risk indicators are the lens by which they measure performance.

CA At any rate, that is Mr WELK's territory?

W That's correct, sir.

10

CA Allegations of misconduct or corruption could come from many sources. What obligations are there on staff to make reports of what they observe perhaps about other staff?

W There is an obligation upon staff not only in Queensland Corrective Services but across the public sector more broadly to report misconduct or suspicions of misconduct or criminal action. Fundamentally, we rely upon the public sector code of conduct, and that code of conduct places an obligation upon our officers to report under those circumstances.

20

CA Are you aware of any workplace resistance to doing so?

W I can't say that I am alert to that. I haven't seen examples of it. I am conscious of it. I am mindful of it. It is something that I want to make sure that Ethical Standards Unit into the future focuses on significantly as either a theoretical or an actual risk.

CA Are there sanctions to staff who may be caught out not reporting that which they have observed and should have been reported?

30

W Yes, there are, and there would be.

CA Would that fall within the Ethical Standards Unit responsibility?

W Yes, that's correct. Yes, it would.

CA From what you have seen thus far, are you aware of any cultural resistance amongst staff to reporting on each other?

40

W I have seen conversations internally that would lead me to the conclusion that it would be difficult for some officers to do that. I am really mindful of that. I think that there is a body of work that needs to be done at every level of the organisation to make sure that that is surfaced and fundamentally dealt with.

CA Is that part of the culture that you have mentioned several times through your evidence?

50

W It is a culture I would be concerned about. I don't have an example that I have actually seen, but I am alive to the fact that there would be some individuals internally that would find it a very difficult proposition to make a report or a complaint against a colleague.

CA How are such reports made or supposed to be made?

W They can be made one of a number of different ways. They can be made

by a direct report to a more senior supervisor. They can be made by a direct report to the Ethical Standards Unit. They can be made by any one of a number of different mechanisms, including an online complaint, but, more importantly, they're made to a more senior officer.

CA The topic of bullying has been within the corrective services environment in the last couple of years, has it not?

W It has.

10

CA One of the features that has emerged is that there is a degree of bullying taking place?

W Certainly through the Working for Queensland survey and other internal survey mechanisms, bullying featured fairly prominently as an activity that people had identified or witnessed.

CA Does it make it any more or less likely that staff would report on each other to their superior if they have been in a bullying environment?

20

W I think that would be fair to assume.

CA The staff survey that you give some details of at pages 44 and 45 has resulted, it seems, in the establishment of a workplace engagement unit?

W That's correct.

CA Do you know about its operations?

30

W I do.

CA Can you tell us?

W My understanding was that the workplace engagement unit was established after a survey - after allegations were raised about perceptions of bullying in the workplace across QCS. A survey was facilitated that identified that officers across QCS had identified or were subject of bullying, and that the workplace engagement unit was established under the remit of the academy to act as a central coordination point to get materials and information and to support officers in the workplace who had personally been the subject of bullying, who had encountered bullying and, more importantly, to attempt to defeat the practice of bullying within a QCS environment.

40

CA Does that survey, details of which you outline, indicate to you that there may be some cultural shift required?

W It indicates to me that this is an important area of activity and that the mere establishment of the workplace engagement unit, as important as that work is, is a body of work that everybody in the organisation needs to take seriously and take responsibility for. There is much more that we can do in this regard. This is a good and early first step, but it is something that will need to continue for the duration of the 10-year strategy.

50

CA Can I just take you to a part of your submission, on page 46, where you

talk about the work of the unit. The second-last paragraph, the work that is undertaken to address bullying - some of the measures are providing supervisors and managers with training on how to deal with claims of bullying. In the last sentence, you mention training sessions and engagement with staff concerning ethics, and so forth. Are they responses to the fact of bullying, or do you think they are addressing the fact that bullying takes place?

10 W My great hope would be that they are doing both, that they are not only addressing the underlying factors that contribute to this, but they are also acting in a way that would give people coping strategies, that otherwise might support people to make complaints and to deal with these matters appropriately.

20 I am also aware, of course, that there seems to be a recent manifestation also that it is not all one-sided, that there is a high degree, much more than there ever was in the past, of people that are knocking up against an appropriate leadership decision and appropriate management decision that doesn't go their way that is more likely to make an allegation of bullying.

So the truth lies somewhere in the middle. Every complaint isn't necessarily actually confirmed bullying, but we have enough of an issue here that this needs to be a very considerable activity and it needs to be a focus and that, more importantly, there is much, much more that needs to be done here.

30 CA Can I ask you about the current information technology system. It is called the Integrated Offender Management System; correct?

W Yes, that's correct.

CA What kind of information does it hold?

40 W The system, or IOMS as it's colloquially referred to within the organisation, is a reasonably, by today's standards, unsophisticated offender management system that records, amongst other things, the antecedents, the criminal history related to an offender, a prisoner. It will record actions that were taken against that particular person. It will record the original offence for which they were sentenced, the period for which they were on remand comparative to the period for which they were sentenced. It will record next of kin related details, and it will record some rudimentary medical information, to the best of my knowledge.

CA Who can access it?

50 W That has a varying degree of access control, but generally there is a high degree of usability across correctional officers and people within Queensland Corrective Services generally, although there is a category of access control limitation that is applied to prominent and very serious offenders that throws up a flag to alert the Deputy Commissioner, Statewide Operations of an inquiry that has been made on the system.

CA Does every correctional officer working as a custodial officer have access to it?

- W Working as a custodial officer, my understanding is that that is probably yes.
- CA Why do they need it as a daily tool?
- W They may not need it as a daily tool. They will need various degrees of access over a period of time, but they won't need access to the entire system and they won't need access to it on a daily basis and they won't need access to it comprehensively.
- 10 CA You mention a certain category of prisoner, perhaps a high-profile prisoner, to whom a particular level of access applies.
- W That's right.
- CA Are there any other distinctions in levels of access that you are aware of?
- W Not that I am aware of.
- 20 CA Whatever is there in relation to a particular prisoner is available for any correctional officer to view?
- W To the best of my knowledge, that is true. There is a warning at the very start of the system to identify that inappropriate use will be reported and interrogated and the risks associated with that. But by and large, that is at the front end of the system and does not necessarily cover the things that you spoke about.
- 30 CA Putting aside the category of so-called high-profile prisoner, there are no levels of access to which one progresses depending on duties or responsibility?
- W I don't know the answer to that question, I'm sorry.
- PO You mentioned before Mr Bruce WELK. Just so I am clear, is it the case that every correctional officer has access to the prison population state-wide as opposed to those under his or her control within the facility they work at?
- 40 W Mr MACSPORRAN, that's my understanding. My understanding is that it is not limited to a correctional centre, having regard for the migration of prisoners from one centre to another, that an officer that has access to the system has access to the entirety of the system.
- CA Is access audited?
- W Access is audited, as I understand it.
- 50 CA Perhaps there are two things rolled up there. Is there a capacity to audit, first of all?
- W My understanding is that there is a capacity to audit.
- CA Is there auditing undertaken?
- W My understanding is that there is auditing undertaken. The degree to

which that is comprehensive and all encompassing, I don't know the answer to that question.

CA Is that Mr WELK's responsibility?

W Mr WELK would be well placed to answer that question.

CA Do you know if there have been any disciplinary matters involving breaches of access to data, say, in the last 12 months?

10

W I don't have access to that information, I'm sorry. No, I don't know that.

CA Are there sanctions, though, for unauthorised access, browsing and the like?

W Yes, there are.

CA What kinds of sanctions?

20

W I don't know. The prescribed officer for disciplinary matters relating to that is the Deputy Commissioner.

CA Can you tell us this: computer terminals are the point of access to this; correct?

W That's right.

CA How widely are the computer terminals distributed in, say, accommodation units?

30

W They're not. My understanding is that there is a very narrow opportunity to use computers by the workforce in correctional centres. They aren't, like other government departments, sitting around in common areas and what have you, given the nature of the correctional centre. So there is a small number of computers comparative to the size of the workforce and are largely located in administrative or functional areas of correctional centres.

CA Not in accommodation units, you think?

40

W Certainly not to the best of my knowledge.

CA What do you say about a proposition that a prisoner would be in a position to view a screen being operated by a correctional officer?

W What would I say about that? I would be very concerned about that behaviour, and in terms of-

CA Do you think the opportunity for that would exist, from what you've told us?

50

W If it was in a residential unit, I don't know how that could occur. But there could be other parts of the prison domain, for example, in an education room or in a hospital, in a medical facility, where there might be a computer that might be accessible by IOMS. But if an officer was using a system and if an officer was interrogating a prisoner's details and

another prisoner was in close proximity, I would have significant concerns about that behaviour.

CA Why, then, is that system becoming outdated?

W My understanding is that it is a very old system. It is a system that doesn't facilitate bolting on new functionality. It is limited in the way that it is supported because of it being a very old platform. From my perspective, I have concerns about the access control and that for a whole range of-

10

CA Sorry, why is that, Dr MARTIN?

W My understanding is that for the various reasons that we spoke about before, there needs to be a more dexterous system. There needs to be a system that enables us internally a greater degree of flexibility to provide information to the workforce on a needs-to-know basis and not merely open the platform up to large sections of the workforce. From my perspective, we need to have a system that has normal contemporary, modern, access control functionality. The system that was built and the system that we've got and have inherited doesn't give us the degree to which we need that for the future, and that is one of the reasons, and probably a significant reason, to replace it.

20

CA Are there any pressures placed on staff through the fact of this aging platform?

W Yes, there are. There are pressures placed on the staff.

CA What form do they take?

30

W Fundamentally, we have some very, very good people, numerically small; they are a small group of people. Keeping systems like this alive takes a great degree of resourcing and, importantly, the business is really dependent upon the system being functional. So increasingly over a period of time, these functions become unserviceable, they become undependable. Over a period of time, they fail. They need a lot of attention to keep them propped up and what have you. And, at the end of the day, we are making some fairly significant decisions about things such as releasing prisoners, security, assessments of prisoners, the risks associated with prisoners, with a significantly outdated platform. So there needs to be - and the work has begun to look at conceptually replacing that system.

40

CA It sounds like that's some way down the track?

W It's not imminent.

CA You mentioned its possible replacement. It has the name Digital Offender Management Environment; is that correct?

50

W That's correct.

CA Is it only in the planning stages?

W It is.

- CA Concept stages, perhaps?
- W Its concept and exploring it as a proof of concept, that's right.
- CA What advantages do you see it having if you could develop a better system in terms of managing the risk of misuse of data?
- 10 W Specifically around that issue of misuse, from my perspective, and this is a key function of a system like that. It would be to marry the need of the individual, and that is the corrective services member, to the internal authorisation mechanism to access only the need-to-know information on that system for specifically a work-related purpose. So it would give greater ability for us to tailor make the need of the authorisation to accessing only that information they would need; that would be one significant feature of that.
- CA If that could be achieved, that is some distance down the track, by the sounds?
- 20 W Correct.
- CA Some years, probably?
- W My hope would be that it's not that far, but it could be.
- CA Can I ask you a bit about human resources. You have spoken a few times about your desire to make the organisation top tier and make it a professional service. What qualities do you see the ideal correctional services prototype officer having?
- 30 W I have this view that the best features of the workforce currently are the ones we don't want to lose. There are 4,700 officers, and if you look at just the custodial officers, I often see that there is a common element, something very, very good in them as individuals and as a group, and this is around esprit de corps, that these are people that work well as a team, they are people that are flexible, agile, adaptable, they are hard working, dedicated; often feel undervalued, though, often feel what they are doing is underrated.
- 40 CA Do you want too much for what they are being paid?
- W I think that's a very good point. I think that's a very good point. Naturally enough, as Commissioner of Queensland Corrective Services, the issue of pay and remuneration is not a consideration for me. I don't control that.
- CA No.
- 50 W But what we need is a professional officer. We need an officer that has high ideals, that is professional, that has, as their core, integrity. These are the qualities that we need for the future. But what we also need are officers that are prepared to professionally develop, to up-skill, to position themselves, their colleagues and the workforce incredibly well for the future. Importantly, what they need to do is they need to see that what they do considerably contributes to that public safety proposition, as opposed to just locking up an offender.

What they do is much, much more than that. I know that when they think about it, they can see that, but often it is really hard when you are doing this day to day, for 10 or 12 hours a day, when you are involved in the containment of an individual, to see that you are contributing to something much broader, and that is the safety and security of 5 million people in Queensland.

- 10 CA Unlike policing, it occurs behind closed doors, not in a highly visible environment?
- W It is one of the tragedies of the work that they do, the good work that they do, particularly around prevention. I have seen some wonderful examples of dedicated, hard-working officers, dedicated, hard-working officers doing a really difficult, undervalued job, who are using problem solving, who are being innovative, who are using resources, government resources, really, really well, fundamentally motivated to get good outcomes for the people that they have responsibility for. I see examples of that regularly, and regrettably the community will never see it, and that's the shame of the work that they do.
- 20 CA Do you see disinterested or disaffected staff contributing to corruption risks?
- W I think it is something we need to be alert to, and I think that almost in all walks of life, officers that are feeling as though they have been passed over, officers that feel as though they are disenfranchised, disengaged, I think are at particular vulnerable risk to corruption and corruption risks. So I think we do need to be mindful of that and I think we do need to look at how we engage and keep people engaged and motivated.
- 30 CA Would you accept that pay is an important factor of one's package of workplace satisfaction?
- W I think it is a factor that contributes, yes.
- CA You can't do anything about that yourself?
- W Regrettably that's not a decision that I can make. There is a process that fundamentally deals with the pay, conditions and remuneration of public sector employees, and I influence that almost in a non-existent way.
- 40 CA You have to influence the job level satisfaction-
- W I do.
- CA -without being unable to affect the remuneration for that job; that is the reality, isn't it?
- W Remuneration is dealt with somewhere else, but motivation is something that I am a direct stakeholder in.
- 50 CA You have tried to take some measures in that regard, I think. You mentioned a Corrections Day that you have initiated?
- W That's right.

CA What does that consist of?

W Corrections Day is a day of the year celebrated as there are other days of the year for various good causes. I mentioned before about the workforce feeling as though they are undervalued, they are not recognised. Corrections Day is but one vehicle to be able to recognise the excellent work that correctional officers and corrective services personnel do right across the State of Queensland.

10 We have focused a lot today on the custodial operations, but also - it hasn't been a feature of these conversations today, for very good reasons, but the people that work in community corrections, the probation and parole people working in reporting centres, of which there are 100 from one end of Queensland to the other, they work at places like Torres Strait, they work at Mount Isa, and 87 per cent of the workforce in the community corrections are women. These are often young women working by themselves or with a colleague in far-flung parts of Queensland, doing an extraordinary job, and I am incredibly proud of their achievements. What they do for the safety of people in Queensland is extraordinary - and, again, a very limited vehicle to be able to get their message out.

20 CA Are you having any difficulty attracting recruits, do you know?

W Attracting the right people is always a challenge. It is not only a challenge for Queensland Corrective Services, but it is a challenge right across government. From my perspective, I won't compromise our standards. We need to have a minimum standard. People need to meet that standard, and if they don't meet that standard, then we should not lower our standard to select a cadre of people that otherwise present longer and downstream risks associated with the work that we do. So we need to maintain our standards but do all that we can to be seen as an employer of choice.

30 CA Who does the vetting of new recruits to determine those who may be unsuitable?

W The vetting is done currently with an external recruitment agency. It is also done internally, and we utilise the Queensland Police criminal history checking processes before we onboard people. And, of course, these days, with recruits being aged 30, 35 and even 40, people have a life history. In some cases, they have a history in another jurisdiction or have a history in another area of public administration and in another work area. Trying to get a definitive profile in terms of their antecedents is sometimes a little challenging.

40 CA There are the obvious criminal history checks that can be undertaken.

W That's right.

50 CA Speaking more widely than that, for example, to reveal associations that may be inappropriate, are you satisfied that the vetting processes are satisfactory to weed out those who oughtn't be correctional officers?

W I can't say that I am satisfied, only because I have a degree of ignorance when it comes to that. I haven't as yet had an opportunity to interrogate the recruitment processes, but can I say to you that, from my perspective, that is one of - I mentioned before about 30 or 40 programs of work. The

way that we recruit and onboard people into the organisation is one of those line items of work that we need to look at.

CA Who determines the content of the training?

W The content of the training, the in-service training, is determined by - the curriculum is established by the academy, but that which contributes to it I think is historically based and I don't know the mechanism by which that occurs.

10

CA The training is conducted, I gather, by an agency called ManpowerGroup?

W No. No, it's not. ManpowerGroup is an external recruiting agency. But the training that is facilitated, pre-service training for a custodial officer, 10 weeks - 8 weeks training at the academy or at a correctional centre around Queensland and 2 weeks on-the-job training - and another 12 months on-the-job training thereafter, is facilitated internally.

20 CA Do you know whether the screening processes to identify those who may be inappropriate compare with processes employed by the Police Service?

W No, I don't know the answer to that question, I'm sorry. That is a body of work I have yet to do.

CA Does someone keep oversight, though, of the content of training?

W Yes, they do.

30 CA Does that fall within your capability area?

W The head of the academy is Mr Alan BUTLER. Mr BUTLER, I understand, will be appearing before these proceedings. In terms of the curriculum and content, the manner of training, that is something which is specifically within his knowledge.

CA Training on the technical requirements of the job is one thing. You wish to impart a certain culture on the organisation. What content do you see that having as part of the training?

40

W I think it's equally as important as the hard skills associated with being a custodial officer. Certainly one of the things that I have done in the short time I have been part of the organisation is that wherever I can go and talk to a pre-service or in-service training group, I seize that opportunity, and specifically I talk to them about the future positioning of the organisation and, importantly, the need to embrace concepts of professionalism, ethics and integrity. My understanding is that by me doing that, hopefully other senior leaders will, and that becomes part of the internal feature and the narrative that becomes endemic in QCS.

50

CA I asked you earlier about information policy, but I didn't at the time show you the Information Security Policy. Could I show you that?

W Thank you.

CA Is that the current Information Security Policy?

- W To the best of my knowledge, that's the current one, that's right.
- CA It is another of the Department of Justice and Attorney-General generic policies; am I right?
- W It is, that's right.
- 10 CA It doesn't refer to corrections or apply the policy specifically to the corrections context or the use of IOMS?
- W That's my understanding.
- CA I tender that information policy.
- PO Exhibit 10.
- ADMITTED AND MARKED EXHIBIT 10
- 20 CA Do you see a need to develop that to something more specific to the service?
- W I do, and specifically around that notion of the power of our indices. Notwithstanding my comments about their limitations, but the power of the information that we have and its ability to theoretically use that inappropriately warrants special mention in an information security policy, so I support that.
- 30 CA Is that another task to be done on the rather long list of new departmental tasks?
- W You would wonder who would want a job like that. There is no shortage of challenges, but they're critically important challenges, and from my perspective, work like that is low-hanging fruit. It needs a priority.
- CA It is apparent, isn't it, from the various policies that we have looked at that they're what may be described as generic in kind, none of which are really focused on the corrective services function?
- 40 W I think that is a truism.
- CA That is the task that presents itself to you?
- W It does. It does present itself.
- CA You accept, do you, that you need the appropriate policy framework as an anti-corruption measure, amongst other things?
- 50 W There is no doubt about that.
- CA And that is yet to be done?
- W That is yet to be done to the degree that it needs to, and it needs to be a focus, and there is a strategy in place for that.
- CA I just want to ask you a couple of things about delegations.

- W Sure.
- CA You have attached a number of delegation instruments to your submission. I will show you them as a bundle. I just want to ask you a couple of things.
- W Thank you.
- 10 CA Can I show you this instrument, which I think is attachment 9 to your submission.
- W Thank you.
- CA It is an instrument dated, and it would be no coincidence, 21 December 2017?
- W That's correct.
- 20 CA Who takes responsibility for the level to which powers are devolved or delegated?
- W Largely that's my responsibility. The level to which I delegate a function that I have as the chief executive, director-general, Commissioner, call it what you will, is fundamentally mine, in this particular situation, bearing in mind the date that you rightly point out, 21 December, was the date at which the machinery of government occurred and the need to translate the existing powers of delegation over to the officers as they were at that state the day prior.
- 30 CA One thing you have to determine, correct me if I am wrong, is how far down the delegations should extend.
- W That's very true.
- CA This instrument of delegation covers many things, but, within them, there are a number which would be of day-to-day concern for a prisoner? Take, for example, the first that is on the schedule, "Prisoner classification". I just want to ask you, if I read it correctly, so I understand the level of delegation of certain of the perhaps more important things on a day-to-day basis for the prisoner.
- 40 W Sure.
- CA "Prisoner classification", am I right that it is retained at a fairly high level? I notice four down from the top there is delegation to general manager of a corrective services facility.
- W That's correct.
- 50 CA Does it devolve further down within the hierarchy of a given centre?
- W Yes, it does. It extends in column 2 to the degree that it relates to column 1. Column 3 has limits and conditions upon particular individuals, that's right.

- CA Over on page 5, the power to search under section 33(1) is delegated, and it extends down as far as custodial correctional officer; correct?
- W Yes, it does.
- CA The power to search in section 33, I think, extends to conducting a search of a prisoner or a prisoner's room, prisoners' facilities?
- 10 W I would imagine that would be the case.
- CA On a day-to-day basis that is devolved down to correctional officer level, every correctional officer?
- W That would be the case, that's right.
- CA On appropriate cause?
- W On appropriate cause, that's right.
- 20 CA "Removal of clothing" is dealt with at item 37, or search requiring removal of clothing. That actually deals with section 37.
- W That's right.
- CA That extends down to, correct me if I am wrong, correctional supervisor?
- W That does.
- 30 CA Where does a correctional supervisor fit into the hierarchy of a centre's operation?
- W Correctional supervisor sits above the correctional officer level, before the correctional management layer. The correctional supervisor is a person generally that has a number of years of experience as a correctional officer, identified as such for their leadership and management skills, and now occupies a position, formally, both a role and a level where they supervise a number of other correctional officers.
- 40 CA The first layer of supervision, does that describe it?
- W I would think that would be very appropriate, that's right.
- CA Is there any practice directive concerning the conduct of strip searches?
- W There is.
- CA Would that be the basis on which a correctional supervisor, having a delegation, would exercise a discretion?
- 50 W That's my understanding.
- CA By recourse to that practice directive?
- W That's correct.
- CA Does that effect limitations on the exercise of the discretion?

W Yes, it would.

CA To put it differently, does it specify circumstances in which, at the discretion of the officer, a strip search may be undertaken?

W That's my understanding.

10 CA Is it any more specific than criteria like the security and order of the centre, do you know?

W No, I don't know that, I'm sorry.

CA Section 41 relates to the giving of test samples. That would include, would it not, samples for analysis for drugs, for example, body samples?

W I would believe so.

20 CA That delegation extends down, it seems, to correctional supervisor again?

W Yes, it would.

CA Is there any practice directive relating to the circumstances in which a test sample is taken?

W I'm sorry, I don't know the answer to that question.

CA Is the taking of test samples something that is regulated by some mechanism rather than an individual officer's desire?

30 W I don't know the answer to that question, I'm sorry.

CA Would that be within the general manager's province?

W It would, but also specifically the Deputy Commissioner. Statewide Operations could talk about the existence of a COPD that would qualify the use of that particular technique.

40 CA Section 45 is on page 8. It provides the delegation under section 45 to open search and censor a prisoner's ordinary mail. That extends down to the base level of custodial correctional officer; correct?

W Yes, it does.

CA Do you know if there is any limiting framework for the exercise of that power?

W I don't know the answer to that.

50 CA I ask you that because section 45(1), in its terms, doesn't identify any limitation.

W That's right.

CA It simply provides that a corrective services officer authorised by the Chief Executive may open search and censor a prisoner's ordinary mail.

- W I understand that there is a complex existence of COPDs that relate to the activities of correctional environments, but I can't answer that question specifically as one pertains directly to that issue.
- CA We could find that out, but you just don't know off the top of your head?
- W It is not within my knowledge, I'm sorry.
- 10 CA But, on the face of it, that power has been delegated to every correctional officer, to inspect and censor mail?
- W It has.
- CA Would you accept that that presents an opportunity for abuse of a prisoner's privacy?
- W I would accept the fact that it could do.
- 20 CA We will find out if there is a practice directive framework for that.
- W Yes, indeed.
- CA Could you look, please, at section 53. It concerns the making of safety orders under section 53.
- W Yes.
- 30 CA Safety orders allow for a prisoner to be segregated from the main population, am I right-
- W That's correct.
- CA -on a proper cause being shown. It is likely to be examined a little bit later in the hearings. But the delegation to make a safety order providing for segregation of a prisoner is devolved, it seems, to the manager or duty manager in a corrective services facility?
- 40 W That's right.
- CA At what level of management are we speaking about when you talk about a manager or a duty manager as opposed to, say, a general manager?
- W A manager would be the officer that would be responsible for the shift. In the absence of the general manager, or the deputy general manager, that would be the officer that would have responsibility for the correctional centre or a unit of the centre, predominantly after-hours.
- 50 CA In certain circumstances the power may be exercised by a correctional supervisor.
- W That's correct.
- CA I tender that Instrument of Delegation.
- PO Exhibit 11.

ADMITTED AND MARKED EXHIBIT 11

CA I am not going to ask you about them but just for completeness, since you have attached them to your submission, I will show you a couple of other delegation documents.

W Thank you.

10 CA One is entitled Instrument of Delegation of Minister's Powers and the other is titled Instrument of Limitation of Corrective Service Officers' Powers. Are you able to confirm the Instrument of Delegation of Minister's Powers?

W Yes, I can.

CA I tender that.

W Thank you.

20 PO Exhibit 12.

ADMITTED AND MARKED EXHIBIT 12

CA That is the Instrument of Limitation of Corrective Services Officers' Powers?

W Yes, I can confirm that.

30 CA I tender that instrument also.

PO Exhibit 13.

ADMITTED AND MARKED EXHIBIT 13

CA There are some other delegations likewise that I will tender for completeness but I don't wish to ask you more about. The first is Queensland Corrective Services Human Resources Management Delegations Manual.

40 W Thank you.

CA Is that the Human Resources Management Delegations Manual?

W Yes, it is.

CA I tender that document.

50 PO Exhibit 14.

ADMITTED AND MARKED EXHIBIT 14

CA There is also a Financial Instrument of Delegation that delegates matters of finance to persons lower in the hierarchy; correct?

W Yes, that's correct.

CA Did I give that to you?

W No. I have only got the Human Resources one here, to the best of my knowledge. Thank you. Yes, that is the Financial Instrument of Delegation.

CA I tender that also.

10 PO Exhibit 15.

ADMITTED AND MARKED EXHIBIT 15

CA I will show you this document which is another attachment to your submission. It deals with the subject of assurance framework for Statewide Operations.

W Thank you. Yes, I can confirm that is the assurance framework.

20 CA What is it, can you explain, Dr MARTIN?

W My understanding is that the assurance framework is a mechanism by which risk is considered, dealt with, and ameliorated within the Statewide Operations area of Queensland Corrective Services.

CA What kind of risk are we speaking of?

W The risk are broad risks. The risks are-

30 CA Agency risks?

W Beg your pardon?

CA Agency risks?

W Yes. Yes, indeed. Business continuity, corporate risk. The sorts of risks that otherwise you would expect to find at an operational arm of government.

40 CA It provides a framework, does it not, for the keeping of such things as risk registers?

W It does, that's right.

CA Does it have any focus on mitigation of corruption?

W By the very nature of risk in its broadest context, the answer to that question is "yes".

50 CA I tender that assurance framework.

PO Exhibit 16.

ADMITTED AND MARKED EXHIBIT 16

CA There is a similar document called Operational Assurance Framework.

W Thank you.

CA What is the scope of it, Dr MARTIN?

W In a similar way that I described the assurance framework relating to Statewide Operations, in the specialist operations of Queensland Corrective Services, this is a similar assurance framework that deals with the same sorts of structure, but bearing in mind that the risks are somewhat different. It is yet again another assurance framework in a different part of the enterprise of QCS.

10

CA Does it have any corruption mitigation focus?

W It would. It would.

CA In what way?

W In the same way that risk is defined not narrowly, but as an inclusive process, that any risks that were associated with corruption, particularly, I would imagine, in things like this: inappropriate relationships, things such as inappropriate use of information and particularly in the specialist operations side of the business, they would be particular risk issues that would be captured as part of a risk framework.

20

CA This one is under the hand of the Executive Director, Specialist Operations. Is that a position that will continue?

W Yes, it would continue.

30

CA This assurance framework will have continued operation?

W Yes, it would. It would be reviewed, as all of the strategic documents in the organisation will be, and as part of governance is being reviewed, that there is a critical role for this and, importantly, the assurance framework, there is a need for an assurance framework.

CA I tender that Operational Assurance Framework.

40

PO Exhibit 17.

ADMITTED AND MARKED EXHIBIT 17

CA There are just a couple more, Dr MARTIN.

W Thank you.

CA Can I show you this Internal Audit Charter.

50

W Thank you. Yes, I identify that as the Internal Audit Charter.

CA What is its scope of operation?

W The Internal Audit Charter is a document that relates to the work of Internal Audit as a subset of the Department of Justice and Attorney-General, not as Internal Audit specifically to QCS.

- CA What relevance will it have then going forward for you?
- W The document needs to be completely refreshed and it needs to be focused clearly on the Internal Audit function and the body of work is a priority for Queensland Corrective Services, so it needs to be completely revisited.
- CA With a corrections focus?
- 10 W With a corrections focus, quite so.
- CA Whose responsibility will that fall to?
- W That ultimately, Internal Audit, is a body of work that sits under the Chief Inspector, Mr Samay ZHOUAND.
- CA I tender that Internal Audit Charter.
- 20 PO Exhibit 18.
- ADMITTED AND MARKED EXHIBIT 18
- CA Can I show you this Custodial Operations practice directive.
- W Thank you.
- CA Is that a practice directive on the subject of search?
- 30 W Yes, it is.
- CA Is that an example of the style of practice directive, of which there are, it seems, numerous?
- W Yes. Yes, there are, and it is.
- CA It deals not only with search of prisoners but also, in parts, search of staff, for example, at page 11?
- 40 W That's right.
- CA Is there any policy of general application dealing with the circumstances and frequency of search of staff?
- W My understanding is that there is a policy with respect to the searching of staff going into a correctional centre. There is, up until recently, policy with respect to a search of staff coming out of a correctional centre, but as a result of recent legal advice, that is now being reconsidered within the context of this legality.
- 50 CA In terms of introduction of contraband to a centre, there are various entry points or methods of entry, are there not?
- W There are.
- CA Visitors would be one?

- W That's one.
- CA Mail?
- W Mail is another.
- CA People who visit, contractors, and so forth?
- 10 W That's true.
- CA And staff also?
- W And staff.
- CA Do you know how frequently staff are searched upon entry to a centre?
- 20 W There are a range of mechanisms by which searches occur of all people coming into a correctional centre. Some of the individual correctional centres differ from others, in terms of their capability, their advancement in terms of technology, but in terms of a - all staff are screened for metal coming into a correctional centre. Some staff are screened for the presence of drugs or other properties coming in through the mechanisms that exist, and then there is a random search conducted of officers periodically coming into correctional centres, but that's not on an each and every visitor occasion, nor would it be every week, but it is periodic and is infrequent. The practice policy talks there about being non-standardised and random. But other than that, I am not able to help further in terms of how that occurs.
- 30 CA Your submission at page 35, in the middle of that page, indicates that current practice is that each centre conducts an entry search on all staff once every three months; that's of a random nature?
- W That's my understanding.
- CA By "random", do we mean unannounced?
- W That's my understanding and that's what I was alluding to, yes.
- 40 CA Is that adequate to exercise control over the introduction or potential introduction of contraband, that staff would be searched in this way once every three months?
- W I think that's one of those things that certainly from my perspective needs to be reconsidered. The degree to which that is adequate or inadequate, I think, needs to be looked at within the context of the intelligence, the risk, the threat, and the practicalities locally, but I could understand how you could look at that and think that that was overly generous in terms of the timeframe between each search, I could understand that.
- 50 CA As you have put it in your submission, it is in terms that all staff, in effect, could be expected to be searched upon entry at least every three months?
- W At least every three months.
- CA What if there were certain intelligence that a particular officer may, at

a particular time, have some contraband?

W Then the search would not be random, it would be targeted. It would be fed by the intelligence, and I have seen examples in the time that I have been at corrective services over the last six months where the intelligence has led to a search, the appropriate resources, including in some cases police, or the appropriate level of supervision has been there, the search has been facilitated and the matter has been dealt with appropriately.

10 CA Whether a search is undertaken or how frequently is informed by the intelligence that is available?

W That would be my view.

CA Absent such intelligence, the expectation is that a staff member will be searched every three months?

W That's my understanding.

20 CA That is Dr MARTIN's evidence, Mr Commissioner.

PO Thank you. I just have a couple of matters very quickly, Dr MARTIN.

You said earlier in your evidence that one of the real problems with overcrowding you are experiencing is that the availability of programs is limited.

W That's right.

30 PO Those programs include such matters as anger management, sexual assault, and so on. There is a whole range of topics designed to assist in the rehabilitation of inmates.

W That's right.

PO There is an added complication, is there not, that sometimes a parole application will not be considered or, if considered, not favourably, if someone has failed to complete a program that they have been designated to do?

40

W I think that's fair.

PO So you have a vicious cycle, as it were: if you can't do the program, you can't get out, but you can't do the program because it is an overcrowded institution. It is a compounding effect, is it not?

W It is, and it is a source of some frustration for officers working within the system. But the point you make is a valid one, particularly where officers are trying to work toward the repatriation of somebody back into the community.

50

PO Is it the case that we hear anecdotally that the inmate population increasingly includes those with mental illness, mental instability of some form or another?

W That's true.

- PO Often, as it turns out, undiagnosed for a long period of time, if not the entire period of their incarceration?
- W There is a high incidence of people with mental health and psychological issues, that's correct, sir.
- PO Correctional officers are not routinely trained in the way to deal with such ailments?
- 10 W No, they're not. That's right.
- PO Is it, in large part, unfair to expect them to be able to deal with those situations?
- W I believe so.
- PO But that is routinely part of their lot, isn't it?
- 20 W It is, and that is part of what they deal with day-to-day.
- PO Do you see any solution to that problem, or a solution, being an increased emphasis on diagnosis of those conditions when someone is brought in to the gaol, for instance?
- W Yes, I do. I think that should be a part of onboarding anybody into a correctional centre, an assessment in terms of their mental fitness and their competence.
- 30 PO Thank you. That is all I have. Mr MURDOCH, do you have anything for Dr MARTIN?
- LR Just two matters, may it please the Commission.
- Dr MARTIN, you were asked earlier in respect of the delegations manual and you were asked, amongst other things, in respect of Exhibit 11, about the delegation of the opening, searching and censoring of mail to corrective service officers. Do you recall being asked that?
- 40 W Yes, I do.
- LR Can you tell the Commission, please, are there any operational or practical reasons as to why that delegation is placed at that level?
- W My understanding is that when mail comes in - and you could imagine that a correctional centre comprised of some 1,300 prisoners, there is a significant amount of mail and a wide variety of mail that comes into the centre. That is before you start to think about the normal mail that comes in as part of normal Queensland Corrective Services business.
- 50 We have got a range of mechanisms by which we X-ray that mail. We run over the mail a PADD dog to detect a range of substances, including illicit drugs, and what have you. At the point at which identification of a suspicion attached to an item of mail, the officer then is authorised to open the mail associated with the suspicion. Often it is accompanied by not necessarily a random search for a particular item, but

it is accompanied with a suspicion relating to some other mechanism or technology that has been applied.

LR Moving to a different topic, you were asked about the remuneration of the corrective officers. You gave some evidence to the effect that that's not a matter within your control. You went on to say that there were processes in place that deal with the remuneration of public sector employees. Can you just identify what process or processes you were referring to there?

10 W I was quite specifically referring to enterprise bargaining processes that occur between the employee, the employer's trade union and fundamentally government, of which case an individual department has a role to play in that, but, fundamentally, and often, those considerations occur at another level of government and that importantly the arbiter with respect to those decisions about remuneration is often a tribunal that sits aloof from government, such as the Queensland Industrial Relations Commission.

20 LR They are the questions, may it please.

PO Thank you. Mr SMITH, do you have any application to ask Dr MARTIN any questions?

LR No, not from me.

PO Thank you.

30 Dr MARTIN, thanks very much for making yourself available today, it has been very helpful.

W Thanks.

PO It is proposed - I think this has been raised with you before today's hearing - that we would like, if possible, if you are available, to bring you back towards the end of the evidence, on the assumption that you will be able to get a briefing of what the evidence has been between now and that time-

40 W Most certainly.

PO -to get your views, given your position, on some of the things that have been discussed in the evidence to flesh out what might be some recommendations we have in mind. Would you be prepared to come back and give us that time?

W Mr MACSPORRAN, I would be only too pleased to come back under those terms, so thank you for that concession; I would be very happy to do that.

50 PO Mr RICE, shall we stand down Dr MARTIN for the time being?

CA Yes. Yes, if Dr MARTIN can stand down.

PO Yes. Thank you very much.

CA It is almost time for adjournment, Mr Commissioner. May I suggest

we do so?

PO That is a good idea. We will adjourn until tomorrow at 10.

END OF SESSION

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UNPROOFED TRANSCRIPT