



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 8 – WEDNESDAY 23 MAY 2018**
(DURATION: 3 HRS 5 MINS)

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LEGEND

30 **PO Presiding Officer – ALAN MACSPORRAN QC**
 CA Counsel Assisting – GLEN RICE QC
 INST Instructing – AMANDA BRIDGEMAN
 HRO Hearing Room Orderly – LIZ BARTLETT
 W Witness – PETER SHADDOCK
 PC Legal Representative – Ms P CLOHESSY, Crown Law

- PO Good morning. Thanks, Mr RICE.
- CA Thank you, Commissioner. I call Peter SHADDOCK.
- PO Mr SHADDOCK, do you prefer to take an oath or an affirmation?
- W An oath, if it please.
- 10 HRO 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.
- PC Good morning, Commissioner. I appear for Mr SHADDOCK.
- PO Thank you, Ms CLOHESSY.
- 20 Please take a seat.
- CA Is your name Peter Anthony SHADDOCK?
- W Yes, it is.
- CA Mr SHADDOCK, do you presently occupy the position of Deputy Commissioner in Queensland Corrective Services?
- W I do at this time.
- 30 CA Is that a substantive position, by the way, or are you in an acting capacity?
- W I'm in an acting capacity. My substantive position is as the General Manager, Custodial Operations, Statewide Operations.
- CA Have you received a notice to attend the inquiry?
- W I have.
- CA Can I show you this. Is that a copy of your attendance notice?
- 40 W I believe it is.
- CA I tender that.
- PO Exhibit 67.
- ADMITTED AND MARKED EXHIBIT 67
- 50 CA For how long, then, have you been acting as Deputy Commissioner?
- W On this particular tenure, since December 2017.
- CA That's at the time of the transference from Department of Justice and Attorney-General to a stand-alone department?
- W The transition to the department was on or around 21 December, so I've

been in that acting position since the substantive holder of that position retired.

CA You have a long history in corrective services, have you not?

W This is my 35th year in the industry, yes.

CA Could you give us some idea of the senior positions you have occupied?

10 W I have occupied the position of general manager across a number of sites throughout Queensland.

CA Correctional centres?

W Correctional centres.

CA Yes.

20 W I have been a senior inspector with the Office of the Chief Inspector. I have been a senior investigator with the Office of the Chief Inspector; now I'm in a corporate function in Statewide Operations.

CA Statewide Operations falls within your area of control as Deputy Commissioner; correct?

W Correct.

CA Is it part of your function or does it describe your function?

30 W I think it better describes the function. The Deputy Commissioner, Statewide Operations has a particular operational focus, but it also is responsible, amongst other things, for a reporting relationship from the general managers and the regional managers in our probation and parole service area.

CA We will talk in more detail about that, of course. Perhaps, to begin with, you might just give us your overview of the responsibilities that come with being in charge of Statewide Operations?

40 W I'll summarise it fairly succinctly. There is a lot of detail. There is a lot of moving parts. There is a lot of responsibilities. In essence, I provide strategic operational support to the general managers. I have an upward focus to the Commissioner, service to the Commissioner, information sharing with the Commissioner, also with board of management.

50 Downward focus is the reporting relationship with the regional managers and the general managers, a lot of stakeholders at a strategic level - for example, Queensland Health, our colleagues there, Queensland Police Service, and those types of entities - but very much an operational strategic focus with many elements of operational day-to-day operations of the centre and the environment.

CA There is an interest in the framework of governance over the correctional centres. Is there some document that identifies that framework of governance over, say, the 11 high-security centres?

W There's a framework - if this is what you refer to, Mr RICE, it is the governance assurance framework. They have a model that is operated within Statewide Operations, a small group of dedicated staff, excellent operators. They operate the three lines of defence model that has a strategic focus. It also has a focus with the centres for local assurance frameworks.

10 CA Would that document assist to explain the relationship between central oversight that you may exercise and what levels of flexibility apply at the local level?

W I think it would explain an element of that. If I could just go into some detail?

CA Yes, by all means.

20 W As an example, the local assurance framework, as a strategic document, are three lines of defence run by that unit, as I described. The three elements are the custodial and the probation and parole environments, the Statewide Operations environment, and then the external review environment.

30 For example, the relationship that that document has with the centres is thematic reviews. There was a thematic review done recently on the breaches of discipline, a thematic review done of May 2017 on safety orders. There are certain requirements within the assurance framework that the Deputy Commissioner position will dictate, insofar as five risks that must be on the centre's risk register as an absolute. What else they add to their own risk register depends on the nuances and the profile of the different centres. So those five elements, for example, will cover things like at-risk management, safety orders, breaches, safety and security and removal of clothing searches. The Deputy Commissioner position made a decision, which I was part of, that those five mandatory areas of risk are of such import to us that they must form part of their risk register.

40 Following on from that, if I may, Mr RICE, the thematic reviews would be related to the local assurance framework where 10 per cent of the breaches in a quarter at a centre have to be reviewed for compliance with the Act, compliance with the procedure. That information is collated by this assurance framework team in Statewide Operations. They present to me the findings, the deficits, the gaps, as an example, for breaches of discipline.

50 The other recent example I referred to of May 2017 was the thematic review for safety orders: where were the deficits, the gaps, the learnings? What's changing? Do we need to amend our practices? Do we need to amend our custodial operations practice directives? Were there any strategic changes identified in relation to the safety orders, which is covered by the *Corrective Services Act*, 53 to 59.

For example, one of the things identified in the thematic review of safety orders was a real deficit - this is my position, a real deficit - in section 57 of the Act, which talks to the examination of health, the health review of a prisoner being managed under a safety order. That was an area of significant focus for us. Because of the growth in prisoner numbers, the

unrelenting numbers, the churn, safety orders were increasing. We had to ensure that the absolute compliance with those aspects of the Act were being met, regardless of those other factors, which we don't control.

10 The deficit in that regard from my perspective at a strategic position - and I didn't work on this on my own. There were many moving parts with this. The Act previously said that the doctor was the person that could satisfy section 57 of the Act, the health review. We found, from the thematic review and other points, that those reviews weren't being met purely because of the unsustainable model of the growth in numbers, prisoners on safety orders, and the limited resources or time available for visiting medical officers to conduct the review.

20 So it was a long, arduous, two-year journey, Mr RICE, if I may say, to get that legislation changed. The significance of the change is not replicated in how it actually turned up into the Act, but the significance operationally and the support it provided to the staff and the support it provided to the prisoner to make sure we satisfied that aspect of our Act, section 57, a health review, was significant, so it changed it from not only a doctor or a medical officer, but it says "or nurse".

That gave us great capacity in the centres, because we have clinicians in the centres, most centres, 24 hours a day, but not all. The clinicians would be seeing these prisoners probably three or four times a day. Previously, they couldn't satisfy that section of the Act. With that change to legislation, albeit small, it was significant operationally. We then could meet that requirement of section 57.

30 So things like that come out from the thematic review, the local assurance framework and the three lines of defence. There are similar examples that I could give, as I referred to, for the breaches of discipline.

CA Perhaps we'll come to that level of detail a little bit later. Could I ask you this, before we turn to the assurance framework, it may be the best way to illustrate some of the concepts that you have been speaking about. Insofar as you may be aware, the Commissioner referred in his evidence to the individual centres and the general managers having a fairly high degree of autonomy in the operation of their centres.

40 Is there some framework document that would identify the scope and limits of the autonomy that general managers have, as opposed to requirements that you in your role in Statewide Operations might impose?

W If I'm reading the question right, Mr RICE - and if I'm not, please correct me - the governance that the Commissioner spoke about in his opening address on 14 May spoke to the autonomy of the correctional centres, but the overriding superior piece of legislation is our Act, the *Corrective Services Act*.

50 CA Yes, everyone must comply with that.

W The corrective services regulations, the custodial operations practice directives, which are the procedures, in essence, to guide-

CA So they apply to everyone?

- W Yes, they do, public or private.
- CA Yes.
- W The delegations, who has authority for what. So the Commissioner has a delegation of one. My delegation is set at two.
- 10 If I could just explain the delegations operationally. The general managers have delegations, they have to work within those delegations. There are 180 delegations that apply to the *Corrective Services Act 2006*; 140 of those refer directly to the Deputy Commissioner position. That's specifically for the *Corrective Services Act*.
- I don't include in this, Mr RICE, because it's linked to but peripheral, the *Public Service Act*, *Public Trustee Act*, *Penalties and Sentences Regulation*, *Youth Justice Act*, the *Bail Act*. But confined to the *Corrective Services Act*, they're the types of delegations. There's incident frameworks, incident management, if that's what you're referring to.
- 20 CA There is a range of individual sets of requirements, for example, those comprised by the practice directives. You mentioned delegations also?
- W Yes.
- CA Do we piece together the framework from a combination of documents like that?
- 30 W We piece together the parameters that the general managers, public or private, need to work within. The privates are a little bit different. They are managed by the contract management unit, but I do have some operational involvement and overlay with their operations. But the public sites - those pieces of material that I've referred to.
- CA You have made mention of the reporting relationship between yourself and the general managers.
- W Yes.
- 40 CA How does that work in practice, or what does it consist of?
- W How do they report to me?
- CA Yes.
- W How do we exchange information?
- CA Yes, and on what subjects?
- 50 W Okay, yes, if I could provide some examples. For example, we have a weekly statewide forum with the general managers that I host every Tuesday at 10:45 hours. I host another one with the regional managers at 9:30 hours each Wednesday. We hold and host the operational leadership groups, which is like a GM forum, a gathering for GMs across the state. We had our last one on Tuesday, the 15th-
- CA I'm sorry to interrupt you. Does that involve actual meeting or is it done

electronically?

W No. The Movi that I referred to at 10.45 each Tuesday for the general managers is a Skype or a Movi and I'll provide some detail of the types of things we discuss. The OLGs, the operational leadership groups - at a minimum, we gather face to face at a forum four times a year. We held our last forum on Tuesday, 15 May, the second day of the hearing. I have site visitations, not as often as I used to be able to do, but I have site visitations to the correctional centres and the probation and parole offices.

10

If I could go into just a little bit of detail, Mr RICE, in relation to the Movis, for example, each Tuesday. We'll talk about - I'll provide an overview. I'll look at the strategic things that I believe the general managers need to have visibility of, awareness of, information sharing, clarification of points.

20

As an example, I might talk to them about the private prison tender, where I sit with the private prison tender, as an example. We might talk about this activity, what it means, how important it is to us. Why is it important? I'll give information about the 10-year plan, where we're at with that; the appointment of the three Deputy Commissioner positions; the appointment of the Director, Ethical Standards - things that they need to be aware of at a strategic level. Where are we at? Because these things at an operational level, for the GMs, who just do such a remarkable job every day, under the most unrelenting circumstances - they will have an interest, because I have carriage of some of this, in where is the bunk bed project? Where are the body-worn cameras up to? Where is the procurement process for the 1,350 vests on order? When can we see them in our centre?

30

I'll provide them information about the DOME project, which I think others before me have alluded to, the Digital Offender Management Environment, the replacement for IOMS. Where are we at with those things? Where are we at with our infrastructure builds?

I'll talk about my information in regard to Capricornia. When are the cells coming online for the Borallon Training and Correctional Centre? What does it mean for the prisoner numbers? How is it going to help? When are we moving prisoners? That's the type of thing-

40

CA That's the type of thing that comes downwards, from the sound of it, from you?

W From me, from sharing the strategic position on those things. And then we go site by site, general manager, general manager, all the way down from Lotus Glen and Mike MACFARLANE up north, and they'll talk about local issues, local pressures. They'll talk about incidents. For example, Mike MACFARLANE spoke Tuesday this week about an assault that occurred in his centre, where prisoners hurt and harmed three staff members. What did that mean? What was the fallout from that industrially? There were a range of 11-point motions that were sent through.

50

We work through those. We look at what's happening in the centres. Peter HALL, general manager at Townsville, spoke about the Ombudsman on site this week for the duration, four days. What's their

focus? What have the exit briefs been each day after their visitations? Is there a theme to it? Do we have any work to do? Is there any feedback that we can share amongst the group? Where is the next full announced inspection? What does that mean? Where are we at with NDIS?

10 Paula MAY is general manager at the Capricornia Correctional Centre. For example, Paula will give an update on the NDIS. We have a general manager involved in NDIS. Then we have a regional manager, Teena INGRAM, up at the Townsville Correctional Centre. So they give a perspective on where they are with their local working groups and those types of things.

CA This Tuesday morning meeting is the opportunity, is it not, for individual centres to convey to you and other general managers topical developments of interest within a particular centre?

W That's correct. There's the local flavour to it.

20 CA Share experience, in other words?

W Clarification. Where we're at with things. But then there's also great benefit in people like Tracy NEIL, the portfolio owner for the DOME project, who came and gave a presentation to the GMs, so they knew at their level, and could share with their staff, where they were with the DOME project. So they get the one message, at the one time, from the one person. There's a source of truth.

30 We invited Peter SHIELDS, Deputy President of the Queensland Parole Board, to give a presentation on his perspective on the types of reports that are coming from the centre that help and assist and support his work and that of the Parole Board, and the general managers posed any questions to him to tease out a better-quality product. That's just an example.

40 Operationally, Tamara BAMBRICK, Custodial Operations General Manager, Statewide, works very closely with myself - that is, my substantive position - and has the portfolio of managing the Islamic Council of Queensland. We have 167 Muslim prisoners in our custody and care across the state. As you're probably aware, it is now the season of Ramadan. That will lapse on 16 June. We have certain obligations that we're happy to participate in in supporting the imams visiting the centres, leading Jumu'ah, Friday prayers, in the centres. Tamara will just give an update on the relationship with the Islamic Council of Queensland, just to make sure that everything is on track operationally. She can feed it back to Ismail CAJEE, the President of the Islamic Council.

50 Things like that at a very operational level, but there's a lot of local issues, strategic issues - they're a very purposeful activity. The same is replicated for the regional managers, Probation and Parole Service, on Wednesdays at 9.30.

CA You mentioned a little earlier your view that the general managers do a remarkable job. Can you tell me, does it fall within your responsibility to measure and assess performance, firstly, of correctional centres and, secondly, of general managers?

- W Correct on both counts.
- CA Is there some measurement, some regime of measurement, of those things?
- W I'll take your second point first, if I may, Mr RICE.
- CA Yes.
- 10 W I'm in the process now of responding and constructing my commentary in regard to the individual general managers' performance and development agreement.
- CA Do they have that with you, by the way?
- W Do they conduct that with me?
- CA Well, the agreement that you mentioned.
- 20 W No. I facilitate - if I could just explain how it works?
- CA Yes, sure.
- W It's a performance development agreement. It's part of the framework. We still work off the DJAG model until we do this complete separation. So a document will come in. The last one I did refers to a particular general manager. It will cover off on nine fields of inquiry, testing about government priorities, government expectations, down to our business plan, our strategic plan, how is that general manager meeting those requirements, how is he satisfying these sorts of things.
- 30 A simple example would be financial management. Big budgets, a lot of pressures on budgets: how are they performing? Stakeholder engagement: what are you doing with your stakeholder engagement? Who do you engage with? What's the frequency, what's the purpose? What are the outcomes?
- 40 So the general managers will get the document. They will fill out against those criteria. They will look at developmental opportunities. They'll identify some deficits that they identify themselves, some room for improvement, a strategic approach. Are they strong? Are they needing improvement? Do they need support? What sort of support do they need, as an example? That document is constructed by or completed by the general manager. Then it'll come to me.
- CA I was going to ask you - it's an agreement, as you've described-
- W Yes.
- 50 CA -and an agreement has parties. Presumably the general managers are one party to the agreement. Who would be other?
- W I'm one party because the AO direct reports to my position at this time, and ultimately it will go to the Commissioner.
- Before that, before the Commissioner and the separation on 21 December

2017, it would have gone to Mr MACKIE, as the Director-General, DJAG.

The general manager populates where he thinks he's sitting. He rates himself or herself. The document comes to me. I have an intimate knowledge of the general managers across the state. I've known these people for a long time at a lot of different levels. I've worked with them; I've worked for them. I can put my commentary in there. I will do an assessment on where I think they are; do I agree with what they've said?

10

That document then is sent back to the general manager and then it finds its way up to - ultimately now it will be the Commissioner.

Is that enough, Mr RICE?

CA

Yes, I think so.

W

20

Aspects of that, if I may. The fields of inquiry - they're quite complex within themselves. I talk about financial management, but you talk about financial management of the department, which is a department managing a billion dollars. That's a lot of public money to manage appropriately.

One aspect of the general managers' performance measured is financial management, their budget. We had our last central board of management finance committee on Friday, the 18th. I talk on behalf of the general managers about the pressures, why certain things are happening, why there are budget overspends and what are the triggers. How can we mitigate that? What are the pressures coming? Where do they sit? What are they doing? What are the drivers for it?

30

They know their budgets intimately. They manage complex moving parts in a correctional centre. Not to put a clinical aspect - they're managing people. They're managing high numbers of staff and high numbers of prisoners, who are people, who are individuals, who have got needs. They have a lot to manage in a complex environment.

40

Financial management is just one aspect of it. I expect them - and I talk with them, I share the information before we have the finance committee, because I want to fact-check it. If I could use an example. I sent the documentation out to the general managers and the regional managers. The general manager from Brisbane Correctional Centre, Mr KRUHSE, came back and challenged a point within the document, where the document said that he was in fact overbudget. This is the minutiae that they get down to. This is how personally they take this. "No, that wasn't correct, Peter. I can prove that these documents, these figures, are wrong." So I said, "All right, you do that and I'll liaise with finance and let's find exactly what's fact."

50

That was really worthwhile, because I would have otherwise presented that centre, that leadership team and that general manager, in a poor light. It ended up being what was in the original document provided to me by finance was an overspend, he was overbudget, when in fact he was underbudget. That's the relationship we have. We have frank, open, honest discussions to make sure we have got things right. But that's just one aspect of it.

- CA Is the completion of the performance agreement done annually or on some other basis?
- W It's done annually. The GMs, like myself, are on contract under section 122.
- CA What's the duration, by the way, typically?
- 10 W Three years. I believe, Mr RICE, that may have changed to five years now, or there's an option for five years, but it's generally three years for the general managers.
- CA Who, by the way, would approve the renewal of a general manager's contract? Would that be the Commissioner himself?
- 20 W That would be the Commissioner, yes. That's forecast by our HR directorate, through Peter HOLLIS and his team, so they would know when my contract, as an example, like I do, is coming up for renewal, do the lead-in work before that, put a case before the Commissioner, whether it's renewed for that length of tenure, at what rate - all those types of things.
- CA A performance agreement, and the processes behind it and its content, is that relevant to contract renewal?
- W If you're asking my position on that, absolutely, but that's just one aspect of it. That's one small sliver of a very complex environment that the general managers have to manage.
- 30 CA You've given a description of the performance appraisal and measurement of the general managers. The other aspect of the question I asked you a little earlier was, is it your responsibility to measure the performance of centres, or is it incorporated in the assessment of managers?
- W I have a visibility of how the centres are tracking.
- CA Can I give you an example?
- 40 W Yes, please.
- CA Take, say, the private centres. We've heard evidence that they, under their contracts, have I think 11 key performance indicators and there are statistical measures of performance, and there are quarterly meetings at which reports are presented so that progress can be monitored, and so forth. Is there an equivalent for the public centres?
- W In a clinical sense, no, I don't believe there are, Mr RICE.
- 50 CA How is it done, then, if it's not done that way? Do you measure centre performance and, if so, by what standards?
- W The standards would be some of those aspects which I've just described. It would be their performance on training documents. How are they meeting their training requirements, mandatory training, for what groups? There's an expectation that they meet a particular standard. Are they meeting the standard? I get that material from the academy through

Mr BUTLER. I believe he was here yesterday. We see how they're going.

The financial aspects - the finance committee will look at that, which I'm part of. Board of management will have visibility of the incident management at the centre.

10 CA Is there a set of standards that provides a list so that general managers know that their centre is going to be appraised against that list, or is it not as prescriptive as that?

W Not as clinical as the private centres that you've just described. But then other aspects of it are the activities conducted by the Chief Inspector against the healthy prison standards, the full announced inspections, the Queensland Audit Office, the Ombudsman report. Those types of things also inform us about the temperature check of an individual centre.

20 CA Perhaps, then, to develop that further, so that we understand the significance of the assurance framework, we might go to that.

W Yes, please.

CA It was Exhibit 16, Commissioner, if Mr SHADDOCK might see that.

PO Yes.

W Thank you.

30 CA The document is described as Statewide Operations Assurance Framework. At its most basic level, what is it an assurance of, Mr SHADDOCK?

40 W It's an assurance of performance against criteria. Some of those points I alluded to earlier about the safety order, compliance with the Act, the regulations, the COPDs, the breaches against the same things, fall into the assurance framework, the three lines of defence. So compliance, satisfying the standards described in the Act, the regulations or the COPDs or a policy position that the department may have. How do individual centres meet those standards? Do they meet them? Is there deficit? Is there a gap? Is it a localised issue? Is it a thematic review? Is it a strategic issue? Is there a strategic gap?

CA As the document reads, we see the introduction on page 3, it identifies Statewide Operations is committed to increasing local flexibility. In what sense do the correctional centres exercise local flexibility and why is that encouraged?

50 W I think it needs to be encouraged. There is always going to be a level of nuance in a correctional centre. No two correctional centres are the same. I say that, Mr RICE, because there are so many moving parts. Even the two secure female facilities in the state, as you're probably aware - Townsville and Brisbane Women's. I've had the opportunity to be in both of those centres. They have infrastructure differences. They have profile differences, the type of prisoner that they manage. Their staff profile may be different. Their role and function will determine how they operate.

10 So you might have a centre - if I could refer, Mr RICE, to Brisbane Correctional Centre, it has a particular role and function in the South East Queensland precinct. It's not a placement centre. It's an admission centre. It has a high degree of churn, in the vicinity of 732 moves a month, of churning prisoners through. After they're received into the centre, then they go to the placement centres. So there will be some nuances at the Brisbane Correctional Centre that the general manager, Mr KRUHSE, will have to contend with, have to manage, that other centres won't have to.

If you move across the state to Woodford Correctional Centre, our biggest centre in the state, it's managing high-profile prisoners. It's managing a 20-bed maximum-security unit. There are other centres apart from Brisbane. No-one else manages maximum-security units that are operational at this time. That's the sort of nuance that Scott COLLINS at Woodford would have to take into consideration.

20 Lotus Glen in Townsville would have to manage differently again. Lotus Glen is an example. What Mike MACFARLANE would have to manage up there is a large centre, a low-custody site, managing a work camp, doing community service projects.

30 And then you move back down to the Borallon Training and Correctional Centre, managed under the stewardship of Mr HENDERSON, where he's working in a different model of a centre. It is a centre with a TAFE campus within the centre. Unique. It has a particular profile of prisoner. It has a particular role and function. It has management of Palen Creek Correctional Centre, a 170-bed, low-custody male facility in the hinterland near Beaudesert. That manages 22 community service projects. It manages four work camps. Those people have to manage all those different nuances.

So they are all different. Some centres will have safety units. SQCC, Southern Queensland, will have an acute care unit, four-bed acute care, the only acute care unit in the state. So Mark WALTERS out there, private, provided through Serco, will have some practices around that sort of operation.

40 They are all very different. They are all very different, for very good reasons. That's why, when we talk about practice directives - previously we had 120 standard operating procedures. We now have approximately 20 custodial operational practice directives, and that's why-

CA Some of them deal with a range of subjects?

W They do indeed.

50 CA So 20 is not necessarily 20 topics?

W The 20 seeks to gather all the bits and pieces under the one common theme. An example of that, Mr RICE, would be admission process. Previously, when we had 120, I found them very difficult to follow myself. You would have to go to so many different standard operating procedures to find out the whole story on admission. Under the new model, everything that is gathered for admission, induction, assessment,

interventions will be under a particular theme for the 20.

But the point I was going to make is that's why we have local procedures. You would imagine, all right, we work on a framework of the superior piece of legislation, being the Act, supported by the regulations 2017, and then we have these practice directives.

- 10 CA Can I just ask you in relation to that, do the practice directives attempt to capture the requirements of the legislation in any comprehensive way?
- W They have.
- CA They might do incidentally, but do they collectively represent an attempt to capture what must be done under the Act?
- W Yes.
- CA And provide direction in relation to how it is to be done?
- 20 W Operational direction, and a document that has been deliberately constructed for ease of interpretation from an operational perspective. It should be constructed in a way that it's purposeful, it's useful-
- CA Reflects the Act?
- W Reflects the Act and the regulations, a given. Maybe I should say that. It's a given. Officers can automatically default to that position. If I'm doing something today, do I need to check on - you know, whatever topic.
- 30 CA Safety orders, or whatever?
- W Safety orders. What do I need to satisfy? It will list there its relationship to the Act. Sections 53 to 59 describe safety orders, as you're well aware. The COPD will put an operational flavour or focus on it but capturing the Act and the regulations.
- 40 The point I was trying to make before, Mr RICE, I apologise, was the nuances of the centre, that is also recognised in the development of local procedures. So there's not only-
- CA I was interested in what the distinction is.
- W If I could give an example, just a couple of simple examples?
- CA Sure.
- 50 W Brisbane Correctional Centre is the only centre in the state that doesn't have a gatehouse. Traditionally when you arrive at a gaol, a centre, the bifold door will open, or the sliding door will open. You will drive your vehicle in. They'll shut behind you. You will do certain things. The bifold door at the other end, or the slider, will open and you enter the centre. This is for vehicles.
- Brisbane Correctional Centre was formerly Sir David Longman Correctional Centre. They didn't have a gatehouse when Brisbane Correctional Centre was recommissioned. So Bernie KRUHSE, the

general manager there, because of the uniqueness of that situation, has to have local procedures because you can't default to the state procedure on entry to a centre, because we don't have that infrastructure there.

The operation of the MSU, a 20-bed unit at Woodford, for example, 18-bed unit at Brisbane Correctional Centre - they're the only two centres in the state that have operational MSUs.

- 10 CA So there might be a local area instruction dealing with the operation?
- W A local procedure, because even those MSUs are varied in their infrastructure, in their layout, their design.
- 20 Another example, Mr RICE, is the management of mothers and babies at Brisbane Women's. You'll have one that would correspond with the mothers and babies perhaps to an extent, but it won't replicate it exactly because the infrastructure is different, at Townsville. Numinbah Correctional Centre also manages mothers and babies. Helana Jones, our community custody site at Albion. All those centres, four out of the state, would have a local procedure to look at that aspect.
- CA Is the local procedure developed within a particular centre; that is, someone like the general manager might take it upon himself or herself to develop a local procedure for dealing with mothers and babies in that centre, for example?
- W Yes, and we would have visibility statewide of the general managers.
- 30 If we just use the example of Darryll FLEMING at Brisbane Women's, developing a local procedure for the delivery of opiate substitution treatment program to the ladies there. Only a couple of sites in the state do that. Darryll would develop a local procedure in relation to the nuances that need to be covered off in that, because the infrastructure of the health services at Brisbane Women's is different to Townsville Women's, for example. Darryll would send that in to the assurance framework team. I would have some visibility of it, but I would not be the approver of it. That's the general manager's remit. I have every confidence that they will do that.
- 40 CA All right. So it may be developed and the general manager, I take it, has responsibility for the development of such procedures?
- W Yes.
- CA But you retain some oversight function of it. You have to be satisfied, after all, that it's appropriate; correct?
- W Yes, because if there was a local procedure, like some of those that I've described - and there are many. I don't know the definitive amount, to be honest, but I understand the rationale, why we have them.
- 50 CA There might be a variety per centre; is that right?
- W Absolutely, yes, yes, very much so. But when the Office of the Chief Inspector, for example, is doing a full announced inspection of Brisbane Correctional Centre, one of the inspection standards is the management,

governance, support, intervention for mothers and babies, so it would have to meet a particular standard. If it didn't, we would be found wanting. There would be a gap, there would be a deficit and we'd fix it. But the local procedures are very much nuanced to the particular site for those particular very good reasons, I believe.

10 CA Coming back to the assurance framework, it's introduced in terms that there is a need for accountability and transparency to provide assurance on operational matters, including effective management of risks. Is this document directed to that, directed to identifying accountability and transparency mechanisms?

20 W I think the model more so, Mr RICE, is. Previously my position on it - the governance and accountability framework, the assurance framework was convoluted, it was layered, it was clunky, and I had a position on that. We did a lot of work - not me personally, but others did a great deal of work of trying to make this a purposeful document, a model that actually helps, assists and supports the centre. It shouldn't be seen as a burden to the centre.

Now, I'm not going to say every time we put out a local assurance framework request to do your 10 per cent of breaches, it's met with overwhelming applause. But it shouldn't be a burden to the centre. It's there as a support mechanism to the centre to make sure, as I described earlier, at an absolute minimum those five areas that I believe are strategic critical risk, as I mentioned, are satisfied, and, if they're not, why aren't they? If they aren't being met, like safety orders - there was, I believe, some level of legitimacy with the gap, because of section 57. We couldn't satisfy the health review of those prisoners.

30 CA We can go through the document, if it's helpful. How, then, does this document assist the centres with those five critical objectives that you referred to?

40 W It assists them knowing from a strategic perspective that this is a strategic position on five risks at the moment. They should be quite dynamic. Those five risks - I may decide, for whatever purpose, as the environment changes around us - and it changes very rapidly, Mr RICE, given the growth and the pressures, et cetera. Like the COPDs, these documents should be dynamic. They shouldn't be just written, set in stone and that's the end of it. The environment is changing around us. The profile of prisoner is changing around us.

50 So I might, say, review with the assurance framework team, are those five critical things dictated by the Deputy Commissioner still relevant? Should I add another two? Should I drop two off and replace them? The flexibility aspect that you mentioned, Mr RICE, has to be to allow the centres to manage their site. It shouldn't be a case of the tail wagging the dog. They don't need me to tell them how to do their business. They are very good operators. They're very committed staff. They're genuinely passionate about what they do.

If there are deficits identified, that's the whole purpose of the exercise. So they would have that flexibility through the local assurance framework within this model, and their relationship with the assurance framework team in Statewide Operations - they should see that as a support

mechanism.

CA The document focuses on the so-called three lines of defence, and there is a flowchart on page 4.

W Yes.

CA Could you give us your explanation of what's depicted there?

10 W The three lines of defence, as far as I know, and understand, and have had explained to me, talk about, as I mentioned earlier, the environment, which is probation and parole services, custodial environment, very complex environments.

The second line is Statewide Operations with a level of governance.

CA In what sense, though, are they lines of defence?

20 W I think, from my interpretation of this, the three lines of defence model, in my read of this, just describes the model. Before this, we had an iteration of something else. Before that, we had something else. I'm sure this is not going to be the end of the journey for us.

At the particular point in time this model was adopted, I think it was before my time, but the way the team explained it to me is, as I've tried to articulate this morning, that we provide governance, we provide oversight, but we also have to provide the flexibility for the workplace.

30 W The external component is those bodies, as I mentioned earlier. We will come in and do a thematic review remotely on the information that's in the local assurance framework from the centres. It might be coupled with a review by the Chief Inspector, it might be the Queensland Audit Office, or it might be the Ombudsman's office. So they all have some relationship to the framework and what we're trying to achieve from the framework to support the centres, to make sure we are absolutely compliant to the extent that is practicable.

CA Do I read it correctly, are they three lines of scrutiny of operations?

40 W How you interpret them, Mr RICE, might be a little bit subjective.

CA Yes.

W I would like to think that it's a supportive mechanism. Is that how the general managers in the centres see it? Look, I can't speak for them. I'm sure you will get an opportunity to pose that question to them.

50 W My comments earlier were - and I'm genuine about this. The whole rationale of Statewide Operations is to support the operational aspects of our business. It shouldn't be a case of me dictating how people are going to do their job.

CA There's some level of that, though, as you've already acknowledged. There has to be, because everyone must comply with the legislation.

W Yes, well, dictating is probably not the right word. There has to be some

governance at a strategic level that's overlaid. There has to be.

CA There has to be a means of identifying that, doesn't there, so that everyone is clear?

W Everyone knows the parameters.

CA And how is that achieved? We've mentioned things like practice directions, delegations.

10

W Yes, practice directions, delegations, yes.

CA Some of these things which provide the necessary framework for operations, are they listed at pages 6 and 7, where we see the description of assurance framework mechanisms?

W I'll just take a moment, Mr RICE?

CA Yes.

20

W I think we've touched on some of those, on page 6 already, Mr RICE.

CA We see in the middle of the page legislation, standards, delegations-

W Thematic reviews.

CA -directions and guidelines, and so forth?

W I think we've touched on a few of those, not all of them.

30

CA All of those things would be, in a sense, externally imposed, because they reflect the requirements of the legislation and regulations; correct? I think you mentioned earlier, for example, that practice directions were an effort to capture the requirements of the legislation and express it in a practical way?

W Yes, I'm just going to finish this. No, I think you're correct, absolutely, yes. But there has to be, as you mentioned yourself, a strategic overlay to that, to set the level of acceptance, compliance, the standard, the threshold, the benchmark - call it what we like - that certain things are being satisfied, because we've recognised that they are critical to our operation, critical to our business, but particularly when we're dealing with people in our custody and care. And never before has that been under so much pressure as it is now.

40

CA You may have touched on this before - if you have, forgive me - but this document at page 7 refers, once again, to local assurance framework.

W Yes.

50

CA What would that consist of for a given centre?

W If I could just read the dialogue there?

CA Yes.

W My understanding of that, Mr RICE, is apart from those five areas that the DC's position is overlaid that are mandatory to be satisfied and form part of the local - whether it's a centre or probation and parole region, their risk register. So then each centre will identify what are those critical risks, what are those areas of potential compromise, for Capricornia Correctional Centre, as an example. So Paula MAY and her team will sit down and look at their operation, their role, their function, their profile, their infrastructure, where they're sitting at the moment. They might identify a small number of local risks that they think they need to make sure they're on top of. They would form part of their local assurance framework.

10 Just as an example - I'm not saying that this is written into their risk register, because I don't have visibility of that at the moment - Paula and her team may see some potential compromise with aspects of the low-custody site, which is on the same prison reserve but physically separated by 750 metres and operates autonomously as a low-custody centre but has a reporting relationship back to the secure centre or host. She might have some concerns about the work programs that that centre manages, the relationships with the community advisory committees within those regional and remote areas where she has work camps, where she has prisoner gangs, work crews, going, where she has a supervisor out there, whatever. She might see some compromise in those types of areas.

20 Or there might be some compromise in the particular area of management of prisoners. There might be some compromise for Mike MACFARLANE at Lotus Glen because he has the highest proportion of transgender prisoners in the state. There is a reason that that is - because they have a great relationship with the Cairns clinic. But what does he have to manage? What's the risk there for that particular cohort of prisoner in our custody and care, in a population that is large up there, a particular profile? What are the vulnerabilities of that group? How would he manage that? Is that a risk for him?

30 I would have a position on that, but I'll be guided by Mike. He's there. He's got his fingerprints all over things. He knows his centre intimately. But I'll have a position on it.

40 CA You're aware, I think, of the evidence the Commissioner gave. In the course of it, he described a number of corruption risks. I think there may be five of them that he mentioned - inappropriate relationships, misuse of data, and a number of other things.

W Yes.

CA Are corruption risks captured organisationally within risk registers or by some other means?

50 W I think the short answer, Mr RICE, is no. These are more, and deliberately so, operational risks, if that satisfies the question. I don't believe that's captured in this sort of document or our focus in that regard.

CA You refer to them as operational risks. Perhaps the benefit of having it described and written somewhere is that everyone can be aware of it and attempt to deal with it and mitigate it.

- W Are you talking about a particular thing, like the word "corruption"? I just want to clarify.
- CA Yes, and its particular constituents as it applies to a correctional centre, and the Commissioner mentioned four or five such risks.
- W Yes, and I don't disagree with the comments.
- CA How is awareness of those things kept to the forefront?
- 10 W If I could give just a couple of examples. I'm not saying this is the end of the journey here. I'm aware of the five areas identified by the Commissioner, and appropriately identified. I could rattle off another 10 where I think there's a level of compromise, absolutely. But could I just qualify it for a moment, if I may?
- 20 W When I refer to staff in any of my dialogue, I would like it noted that I refer to 99 per cent of the staff, who are genuine, passionate, hardworking people, who come to work every day to do the right thing to the best of their ability. I am amazed and humbled by the remarkable work they do in an unrelenting, complex environment. There's nothing remarkable about me as an individual. The remarkableness is the staff in our employ across the whole environment. And I mean that from the Commissioner down to the last person we recruited. They are remarkable people doing a very difficult job under very difficult, complex circumstances, and it is unrelenting, unrelenting at the moment. Never before have I seen a system under so much pressure, Mr RICE. And I genuinely say those things. So when I talk about staff, I talk about 99 per cent of the staff, who do the right thing, good, honest people, decent people. They care about what we do.
- 30 W There's an element of compromise, "compromise" meaning corruption, inappropriate behaviour, excessive force, those types of things-
- CA Or even risks thereof?
- W Beg your pardon?
- CA Or even risks thereof?
- 40 W Risks, absolutely. There are so many elements of that potential occurring in our workplace at all levels across the whole environment every day. But I am satisfied, to the point I can satisfy myself and from the information that I get that comes across my desk from the Chief Inspector, the Ethical Standards Unit, the Crime and Corruption Commission, the CSIU, the Corrective Services Investigation Unit, Queensland Police, Queensland Corrective Services Intelligence Group, that that isn't the case. There isn't that level of overwhelming corrupt behaviour.
- 50 W It would be terribly naive if I suggested that everything is perfect. It's not perfect, because people aren't perfect. There's compromise. So in answer to your question, if I may, how is that captured? You could have your framework documents. And at this time, because we haven't completely uncoupled from DJAG, we refer to their fraud and corruption policy document.

10 What's more important for me is the visibility - if you take a centre, for example, the visibility of the general manager, the leadership team, out and about at the centre level, observing things, listening to things, giving the prisoners a voice. The general managers satisfy this, and I'm very satisfied with it myself, with the way they conduct their inspections. Every week, the general manager, deputy general manager and members of the leadership team will visit every single part of the correctional facility that they have governance for. They'll go to the detention unit. They will go to the maximum-security unit. They will go to every accommodation unit. They'll talk with the prisoners. That's an avenue and an opportunity for the prisoners to raise issues with the general manager or members of the leadership directly.

20 That is so important for me, that sort of thing. When I was in a centre, that's what I did. I recognised the connection. It gives an opportunity for the staff to see that visibility, that, "I am interested in what you do. Tell me what the issues are in this unit." If I'm not satisfied with something as simple as the cleanliness of that unit, I'll talk with the supervisor or the manager of that area and I'll tell them that I'm not satisfied. "I'll be back in an hour, and it had better be to a better standard." And I'll get the prisoners aside and say the same thing to them. I know the general managers do this, that it is visible.

30 That means, related to corruption, they know that they have someone in that stewardship position that is genuinely invested and interested in what they do, so they might have confidence in saying something to the general manager that otherwise they wouldn't. They might write a letter that they otherwise wouldn't. They might get a member of their family to ring the centre that otherwise they wouldn't. So those sorts of things, and that's a simple example, but-

CA Are you speaking about culture building?

W "Culture" is a difficult word for me because I don't really understand, and I think it's used in a cavalier fashion for a lot of people, but, yes, it probably captures it.

40 But then at the strategic level - and I think Commissioner MARTIN has demonstrated this since his arrival on 13 November 2017, a period of just over six months. He seems like a very genuine man, a very caring man, a very committed man, a very invested man. I haven't known him for a long time, only since his arrival in our organisation, but in that time I'm convinced that he is genuine about his intent to raise the standard, to lift the benchmark and to keep raising those standards, so there are consequences for poor behaviour.

50 The examples that I give there, Mr RICE, are twofold. I have the delegation for suspending staff. I will suspend a staff member for all the right reasons. A great deal of work goes into that, but ultimately I might end up at the position where I suspend a staff member because I am convinced that their behaviour, their level of conduct, their level of performance has failed to meet our standards and has compromised us in a range of ways - reputationally, operationally, safety, security, the safety and security of people in our custody and care, not good enough.

The example that the Commissioner brought with him, and I believe he

brought it from the QPS model and I think that was the result of some work that the CCC did with QPS: where normally historically a suspension would be satisfied and the matter would be perhaps pushed off to the Ethical Standards Unit for investigation, progression, outcome, et cetera, what we do now is very outward facing. It's a deliberate promotion or progression to the entire staff group: be aware, a 45-year-old gentleman from a particular site has been suspended by the Acting Deputy Commissioner today, today's date, for a particular generalised reason.

10

Now, that is a powerful message. It's a powerful message to staff and I think it's a very powerful message for all the people who do the right thing, those 99 per cent of the people who are our remarkable staff. It sends a message and puts on notice those people that are prepared to compromise our standards that it is not good enough. Mr RICE, we have very high standards and we need to keep ratcheting them up. The Commissioner has done that very visibly.

20

Since the Commissioner has come in, we've also worked on the 10-year plan, the restructure of QCS, working out in a sophisticated way where do we need to be in the future? Is the model we have here good enough? No, it's not. Hence the introduction of another layer of Deputy Commissioners. The three Deputy Commissioners will come online at some stage, and they will have the opportunity to invest their time, energy, resources, passion, hopefully, into a particular portfolio as opposed to the current model, where I am spread very thinly. There is only so much I can do.

30

I'm not complaining. I love the job. I love the workload. I love the challenge and opportunity. But I think the Deputy Commissioners at that level, as a strategic lead, will put in such a powerful message to the staff that this is how much we're investing.

40

When we went around the state - and the Commissioner led these. I had the opportunity to host a couple of them, the one up at Cairns. The idea behind those forums was to gather staff from those regions, and we did this four times across the state. Cairns was one. I think Caloundra was another one. Then we did two in Brisbane. They were attended by upward of 200 people, staff, our staff, across all the portfolios. We couldn't release everyone, obviously. The business still churns on.

50

But the Commissioner gave a very deliberate, focused message to the staff then about what it means; where we're going; how is it going to affect you; what are the standards; what are the expectations, and be aware of the consequences. They are powerful messages that the general managers, the regional managers and all those people that attended, from administrative staff, to Together union delegates, to operational staff, to intervention staff - they were all represented there, so they take that message back to their teams. This is a very important, powerful, critical time for us to get this right.

CA You've spoken at length, I think, now - correct me if I'm wrong - on aspects of setting the tone?

W Yes.

- CA Leadership?
- W Yes.
- CA Both from the Commissioner down to general manager level?
- W Yes.
- 10 CA You've described the ways in which general managers might contribute to that?
- W Some ways.
- CA You mentioned that you're satisfied that corruption is not heavily present?
- W I think I said I'd be naive to suggest that there aren't elements of corruption in our industry. There are. I have seen it. I have been involved in those investigations.
- 20 CA Whether or not it's actually present, organisations need to be on guard against it, don't they?
- W Every organisation, whenever there's more than one person involved, and particularly in our environment.
- CA In terms of the ways in which, speaking perhaps at a higher level, QCS might address the risks, you have spoken at some length about the leadership contribution that can be made to creating an environment that's resistant to that. Are there other mechanisms beyond setting the tone, the leadership that you've described?
- 30 W If I'm on the right track - and if I'm not, please correct me - the mechanisms, apart from those sorts of entities that I've mentioned already that have some visibility, including the CCC, into our business, the Ethical Standards Unit, the Office of the Chief Inspector, the official visitor program, the Queensland Audit Office, Queensland Corrective Services Intelligence Group, those sorts of avenues; we also have the complaints management system; we have the blue letter system in the mail.
- 40 We have the community auto dial list. There are 17 people listed on that list, which is a free call for prisoners. The CCC is mentioned on the CADL list on two separate areas - one for Flaxton in particular and one for a general opportunity for prisoners to make contact with the CCC. There's a phone line dedicated to the official visitors. Those types of things also add to that element that people have a voice, they have an avenue, they have an opportunity.
- 50 That's over and above what their family could do as well. I get letters from family. I get phone calls from family. They write to tell me certain things. I think that's a wonderful thing. I'd rather know about an issue or a problem or a potential problem than not.
- CA Could we go to some of the committee work in terms of governance. There are a couple of committees I want to ask you about. One is the custodial operations governance committee, or you may know it as the safety and security committee.

W Yes, I know it as the safety and security committee, Mr RICE.

CA I see. I mentioned the other name because I'm looking at a document that has been titled Handbook.

W I think you're looking at a fairly dated document, too.

CA You're quite right.

10 W I think it's 2012, from memory.

CA 2010, actually.

W Okay, yes, worse than I thought.

CA Perhaps you might tell us if this document is not sufficiently current. There remains a safety and security committee?

20 W There does, yes.

CA Are you a participant in it?

W I am.

CA Are you the chair?

W I host the meeting, yes.

30 CA What does it do?

W The safety and security committee - it has changed over a period from that other title that you just referred to then. It has had different participants over time. But in its particular frame now, the safety and security committee will meet once a month. It has the people as described there. I think it might give a list of attendees or positions.

40 Just for an example, it will be hosted by the Deputy Commissioner. It will have the General Manager, Custodial Operations, which is Tamara BAMBRICK at this time. It will have a member of the Statewide Operations team, Sandy LANGRIDGE, performing the coordination, the secretariat. The Chief Inspector, Mr Samay ZHOUAND, is a member. Mr BUTLER, the general manager from the academy, is a member. We have Mr FORSTER from our facilities area. I think he has given evidence already. Then we have specialist people from infrastructure, and the manager, for want of another word, of the technology side of the world, talking about cameras and innovations and enhancements.

50 The purpose of that forum is to get an update statewide from the various portfolios who I've just described, particularly from a gentleman named Tom DANIELUK, who provides the infrastructure, what projects are unfolding at the moment across the state, what enhancements, what innovations are on the horizon.

CA Infrastructure?

W No. More innovation about equipment, accoutrements. He'll give a presentation, Mr RICE, on drone technology. Is that a risk from a safety and security perspective for our environment, for our centres? How do we manage that?

10 For example, we have a trial at the moment for drones. I won't go into the details of that. It will look at also technology advances in mobile phone detection. It will look at things like the applicability of body scanning. We have an interest in those types of things, Mr RICE, because we're looking at things that are less intrusive than removal of clothing searches. Where can we push these? How far can we take it? Where do these Fitbits fit in? Staff are wearing those into the centre. Do they compromise us in any way?

CA Is the focus on innovative technological development?

W No. That's just one aspect of that portfolio. The focus is a blend of a number of activities, but the focus is to draw centrally a governing body of specialist portfolio people that can promote or approve things that the centres would like to do. We try to get a level of consistency in practice.

20 A very simple example of that, Mr RICE, is exercise equipment. It sounds fairly mundane and straightforward, but in an operational context it's very important that's we get a particular type, a particular brand, a particular model that is suitable for a correctional environment, because we have had hurt and harm come to people because we haven't had the right equipment in there. With the best of intentions, people go off on a journey to buy exercise bikes from Amart, just as an example. But we wouldn't condone that. We need a type of equipment, the type of installation that is safe for the prisoners to use, can't be weaponised and can't be used against staff. That's a simple example of consistency of practice.

30 Other things might be the types of restraints. A current trial is under way, with the sanction of the safety and security committee, to use a different type of restraint, which is side-tethering, for problematic prisoners, who are self-harmers, as we move them from point A to point B. It's to protect them from themselves.

40 So we have a look at that. We trial it. We see where it fits in with the schedule, because we have a schedule of approved equipment. We see the benefits of it. We see the pros. We see the cons. We test it. We give sanction for a trial somewhere. We get the members to all agree that it's worthy of a trial, it's safe to trial, that it's in the best interests for our business and the persons in our custody and care to trial it.

50 For example, for that one, we also got sign-off from Q Health. Did it meet their standards for clinical care? Did it compromise anyone? So we trialled that. We found that it was of great benefit. It was of great purpose. It assisted the centres. It kept people safe. That would now ultimately end up on this schedule, so that would get approval through a central, consistent triage.

CA Could I ask you this: without for a moment downplaying the significance of any of the things that you've mentioned, does the work of the committee focus at that micro level? By that, I mean even the details of what exercise

equipment might be bought, what kinds of restraints might be used, is it pitched at that level rather than at a higher level as to what might constitute a safe and secure environment for a centre?

W I take your point. But, to be fair, Mr RICE, those things that I've just described are critical to our environment.

CA As I say, I don't mean to downplay any of them.

10 W No, I understand. But I understand what you're saying, too.

Another example where it would come through the safety and security committee would be directly related at the moment to what we refer to as the modified unit routines. Because of the growth in prisoner numbers, you picture a 50-bed unit that now has 100 prisoners in it. It is complex. It is noisy. There is competition for resources. It leads to assaults. It leads to assaults amongst the prisoner cohort. It leads to assaults on our staff.

20 A modified unit routine just describes very basically we're going to change the routine. It might mean, for a particular time of day, that only a certain number of prisoners are out and about on the floor, so they can service the health centre; they can get their medication without fear of threat or menace; they have somewhere to sit to have their meal; they can use the phone to ring their family and their kids - those sorts of things.

30 That has some compromise with it, and we have been criticised for going down that road by some of the external stakeholders, who saw it as a reduction in service delivery. Yes, it is. I don't argue with that. But the overriding consideration for the general manager and people like myself and members of the safety and security committee is that we're trying to find that very difficult balancing act between an overcrowded environment and still providing the services we can, to the extent we can.

40 That will have an impact on the delivery of medications. It will have an impact on the ability for prisoners to access the health centre. It will have an impact on prisoners, where they can work, how they can access programs, interventions, because all those sorts of things - we're trying to hang on to all those ideals, to provide all that service delivery to an ever-growing population, and we're finding it very difficult to do that.

So we have to identify models. There is risk. There is compromise. There is criticism in this for us. So we take on that responsibility on behalf of the general managers. The general managers will put in a model, and we'll say, "Yes, we are supportive for this period under these circumstances. Do your business."

CA How would issues for consideration of this committee come forward? How would they be thrown up?

50 W The secretariat, which is done very ably by Sandy LANGRIDGE in the custodial operations pod within Statewide Operations, will send out to not only the members, that group that I described earlier; it will also go out to the general managers, so the general managers would be cognisant of what's happening in their environment. They would be talking to their leadership teams about what's happening. "The safety and security

committee is considering this. Do we want anything to be tabled on the safety and security committee?" Like those side-tethering restraints - that came through from the General Manager, Escort and Security Branch, Peter COYNE.

10 So they know when we're meeting. We advertise when we're meeting. Tamara BAMBRICK, in the role of Custodial Operations General Manager, promotes that through our Movis each Tuesday at 10.45. She puts out a document that gives a list of activities to the general managers, that describes against a particular topic where we're at with it. "Safety and security committee: 31 May is the next forum, if there's anything you'd like to raise." That's the sort of avenue.

CA Another committee that I think you have some involvement with is the incident oversight committee?

20 W I haven't had any direct involvement in this tenure period, because there hasn't been a forum. I'm aware of the committee. I'm aware of the purpose of it and the process, et cetera. I'm aware of who the proxy is if I'm not available for it - Marilyn SINN, a remarkable worker in Statewide Operations. The chair, being the Chief Inspector, Samay ZHOUAND, calls the meetings or may defer the meetings.

I believe, in my current tenure, there have been one or two that have been deferred for a particular reason. I have on-paper involvement, representation at the table, either myself or proxy, but I haven't participated in the forum as yet as an ongoing business activity.

30 CA Is it part of your function to keep oversight of incidents independently of the operation of this oversight committee, which may meet sporadically?

W I think there's a fairly strict regime of when it is scheduled to meet, Mr RICE, to be fair.

CA Yes, okay.

40 W It's not ad hoc. But in answer to your question, I have a great deal of visibility on a daily basis for incidents across the state - public, private and probation and parole.

CA There are different levels of incidents, aren't there, descending in seriousness?

W There are three levels. Level 1 are critical. Level 2 are significant. Level 3 are general.

50 In the category of level 1, we have levels 1 and 1A. So 1A refers to those higher-level, those really critical incidents. If I could give an example, Mr RICE, it would be death, murder; it would be escape, a code green, from a secure centre, a low-custody centre or an escort; or it may be a tamper alert for a DPSOA prisoner - *Dangerous Prisoners (Sexual Offenders) Act* prisoner. They would meet the category of a 1A where they have to satisfy certain time frame requirements of reporting through to myself, certain aspects of-

CA That's contemporaneous reporting, isn't it?

W Yes, it is.

CA So that you're aware that such an incident exists?

W It should come to my position seven days a week, day or night, within a particular time frame, given the significance of it.

10 Then the level 1s, which are critical, will also be determined by a time frame. Everyone has a role to play with the incidents. I could give you an example, if you wished.

20 The visibility of 1 and 2 is highly visible. As you would imagine, there's a lot of incidents that occur across the state day and night. We have a portfolio in Statewide Operations that will review the level 1 and 2 incidents from the previous 24 hours. That is in the custodial operations pod within Statewide Operations. There is only a small number of people in that pod, and they do a remarkable job. Then the policy area also has some level of scrutiny from a policy perspective to make sure that the incidents are coded correctly, that they meet the threshold for assault, serious, as an example.

From an operational perspective, yes, I have a great deal of visibility. There are IOMS notifications that go out to certain distribution lists every day about level 1s and level 2s.

30 But having said that, I also get notifications and am made aware of level 3s that may be of interest, even though they don't make the threshold for those higher-end matters.

CA Who identifies them as being appropriate for you to have a look at?

W Beg your pardon?

CA Who identifies them as being appropriate for you to have a look at? Presumably you don't trawl through incident reports yourself.

40 W Like I say, Mr RICE, I get the level 1s and 2s, so I have visibility of those, and I go through them. Voluminous. I go through them. Core business. Very important to our functioning.

The level 3s, Sandy LANGRIDGE in our Statewide Operations custodial pod, or one of the others, will - this doesn't happen very often. She might think, "Peter, you just need visibility of this. It's only a level 3. You wouldn't have got the notifications, but for whatever reason, I think you might just be aware of it."

50 That might be a case where she is assessing and QAing these incident reporting to make sure they have been allocated the right threshold, the right code descriptor, the right level. She might say, "I think this is a level 2. Would you have a look at it?" So I'll have a look at it. I'll go through the document. I'll go through the incident report. I'll go through the officer reports. And it may be a level 3, I'm satisfied with that, or we go and get some further clarification from the centre, "Tell me a little bit more about the context of this? Tell me about who was involved? I don't follow the sequence of events. I think there's more to this. Am I on the

right track?" Those sorts of things.

CA Does someone evaluate trends of incidents, incidents of a recurring kind, or themes or trends? Does someone do that?

10 W Yes, yes. A lot of people do that, actually. Clinically, that's satisfied by the policy area, because they do the report on government services. They do a remarkable job. From a policy, clinical perspective, they do great work. They will engage with Statewide Operations on a daily basis, because there is a little bit of interpretation with all these types of things, what meets the threshold, or you get information after an incident that might change it or escalate it. It's very much a moving feast, incident reporting.

20 Most of the time, they are settled for code descriptor, for level, and you move on. People like the Office of the Chief Inspector would have an interest in it. Our policy unit would have an interest in it - themes, types of incidents that are occurring in a particular centre, for a particular reason.

CA In the filtering upwards of the nature and content of incident reports, does that throw up matters for you which you would take to the Tuesday morning meetings with general managers?

W I'm not sure I understand the question, Mr RICE.

CA You're learning directly about levels 1 and 2, because it's reported to you as required; correct?

30 W Okay, I could give you an example.

CA That's probably not necessary for moment. Whereas level 3, you wouldn't be expected to review reports of all such incidents, and you've told us that others do that and perhaps refer matters to you?

W Correct.

40 CA I'm just interested to know whether this process of incident review, however it's comprised, identifies for you matters which you would then take to be of general interest and education for general managers?

W Yes.

CA Is that a process, a thought process at least, that you have in mind?

W Yes, and I appreciate time frames and all that, but there are a couple of very clear examples that would demonstrate just what you've described.

50 CA Perhaps you might just give us one?

W Okay. There was an incident at Woodford Correctional Centre where - I'll give an overview. A prisoner was taken from an accommodation unit, went through various barriers of validation of identity, reason for the prisoner to be taken, going to discharge to liberty. It came to pass that the prisoner got to the reception stall, again IDs checked, validation. The prisoner was on the point, the very last point, of being discharged to

liberty when it was discovered that that was in fact the wrong prisoner.

We take that very seriously. That would have compromised us so badly. What further compromised that and made it such a significant event for us was that we later learned why that prisoner so desperately wanted to get out, and it was to inflict some hurt and harm on another person in the community.

10

This is just unacceptable. Reputationally, that is so appalling. The general manager, Scott COLLINS, was absolutely shattered by that outcome, that we'd got that close to a significant failing in our system. We have many barriers to pick that up, and they weren't satisfied, so we did an investigation into that.

20

Not long after that - and this is addressing your point of a theme - we had a similar incident at Lotus Glen Correctional Centre. So I spoke with the general manager group. I spoke with Lotus Glen staff. I referred the matter to the Ethical Standards Unit, because it just compromised us so badly.

The Lotus Glen example was similar in some respects, where the prisoner had been allowed to go through certain barriers that are in place for very good reasons, and he actually got external of our secure centre and got transported to our low-custody site before it was revealed or uncovered that they had in fact got the wrong prisoner. So there's a theme, for me, about complacency, procedural compliance.

30

CA Does your awareness and assessment of those kinds of scenarios throw up management issues, which you would then take to the other general managers? I'm just interested to know the extent of sharing of experience for everyone's benefit.

W All those gory details, Mr RICE, were shared with everyone.

CA General managers?

W General managers.

40

CA Is the Tuesday morning meeting a forum? Is that the forum?

W It might not have been in that forum that I shared it originally. I would have pushed the material out to them. I would have grabbed the incident reports and pushed it out to the general managers for their visibility. "Be aware of this. We've had almost a couple of disasters here, one hot on the heels of another. It's not good enough." They know it's not good enough. They don't need me to tell them. It's my job to reinforce those things, because it's compromise to our reputation and our core business. It's not good enough. So that information gets pushed out to the general managers. I pushed it out to the custodial teams within Statewide Operations for their visibility.

50

CA You might like a break, Mr SHADDOCK.

W Thank you, Mr RICE.

CA Commissioner, is it a convenient time?

PO Thank you. We will adjourn until 10 to 12.

SHORT ADJOURNMENT

PO Thanks, Mr RICE.

10 CA Thank you, Commissioner. Mr SHADDOCK, I've been given what may be a more recent version of the terms of reference of the safety and security committee. Could I just show you this and see if you recognise it.

W Absolutely. Thank you. Could I just take a moment?

CA By all means. It appears to be dated, on page 2, from 2016.

W Good. Thank you, Mr RICE.

20 CA Do you adopt that as a copy of the terms of reference of that committee?

W I do.

CA I tender that, Commissioner.

PO Exhibit 68.

ADMITTED AND MARKED EXHIBIT 68

30 CA I won't go back and ask you more about that now.

We were speaking before the break about incident review. You explained, in a little detail, about what I might call incident awareness and how awareness of incidents comes to you. Is that a different content from the incident oversight that might be considered by the incident oversight committee?

W Yes.

40 CA Awareness is one thing, and as a high-level manager you obviously need to be aware, particularly levels 1 and 2 incidents, but review of them, for what they might reveal, and what learning arises out of them, is perhaps something different, is it, in practice?

50 W They would be teased apart in greater detail. When I get the incident report notification, whether it's during hours, out of hours, if I use the example of in hours, I'll read the incident report, I'll read the topic of the incident, the level. I may go into the detail of the officers' reports attached. I may go into footage. I may go into pictures, depending what the incident is. I may leave it at that stage and do no further assessment of it, unless I think there needs to be some level of progression to some other area if I thought there was something found wanting from the information I've just looked at by a staff member or a practice or a process. But the incident oversight committee would get down to the absolute minutiae and pull the details apart in greater detail than I would from that first flush.

- CA Let's speak hypothetically about identifying something that's wanting in terms of process. Is that part of your function or does that concern the incident oversight committee, or both?
- W I think there's an overlay there. A recent example, Mr RICE, would be some footage that was provided to me that depicted a removal of clothing search being conducted. There were aspects of that that immediately spring to mind that didn't satisfy the standard of the practice directive or the legislation for searches. That was brought to my attention, I viewed that footage with some level of interest, myself and others, and then we decided to promote that in another way.
- 10
- CA Let's say that you had identified something that was wanting in terms of process. For example, in one of those incidents where a prisoner was almost incorrectly released and, from your review of circumstances, you identified something in process was wanting, how would you ensure that that process was rectified?
- W In that particular instance, from memory, Mr RICE, I believe I commissioned an internal management review of that matter. That just means that I get another senior executive, usually a general manager or a regional manager from other than the site, other than Woodford, other than Lotus Glen, to come in over the top and physically test the processes, practices, that were in place at the time, look at the detail, look at the context, look at the strengths, look at the failings, and then make a recommendation.
- 20
- W In that particular instance - and I've done this before with internal management reviews, it gets to a point, like that one did, where I thought, no, I'll stop the process here for very prudent, valid reasons, and I think this is more than just an internal management review, I think there's some absolute deficit, and I'll hand this over to the Ethical Standards Unit. I'll package it up, I liaise with the Ethical Standards Unit and then I will distance myself as a decision-maker from it.
- 30
- W So, such was the import to us, from an operational perspective, with those sorts of things. I'll stop a process and head it in another direction if I make an assessment from the information before me that it warrants it.
- CA That was of a particular type that you felt the need to engage the Ethical Standards Unit.
- 40
- W Yes.
- CA But in another matter which raises some matter of administration, it doesn't require going to Ethical Standards, but you've identified there's something wanting and you want it fixed in a certain way.
- W Yes.
- 50
- CA How do you implement that?
- W Given there are so many variables with what you've just described, it might be a conversation that I have directly with the general manager. It might be a conversation that I have with Tamara BAMBRICK in the general manager position next to me. It might be a conversation that I have with the Chief Inspector. It might be a conversation I have with

Ethical Standards: "Look, this is what I've got. This is what I'm thinking of doing. What say you? Am I missing something? What's your perspective on this". So I'll test those sorts of things, and I test them all the time. Those matters need to be tested.

In its simplest form, it might just be a conversation with the general manager at the centre.

10

We had an example this week of just this sort of scenario that you've portrayed, Mr RICE, where Tamara and I were made aware of a situation at a particular centre. We assessed it. We tested against each other and the general manager of the centre. We looked at the footage. We got the reports that were requested from the staff involved.

Then I made an assessment that, no, I'm satisfied that it doesn't meet the threshold for progression anywhere else, but I want the general manager to write to those two staff members, and write very clearly to them, under his hand, the expectations of the centre and the department and where they were found deficit.

20 CA

What about following up on that, to ensure that something that you want to see rectified has been rectified?

W

If I can use that example again. I did follow up with the general manager, just to make sure that we understood each other. He clearly understood. He was in agreeance. He was part of those conversations, both on the phone and Movi when we discussed this matter. He had full visibility of it. We all landed at the same spot; then I asked the general manager to do certain things. I followed up Tuesday, yesterday, with the general manager, "Where are we at with it?" One of the officers was still on days off, I think from memory, but will be seen when they come back, and the letters were going to be prepared.

30

CA

You mentioned your general manager, Ms BAMBRICK.

W

Yes.

CA

What's the working relationship between the two of you? Your roles overlap to a significant degree, don't they?

40

W

They do, just like in my substantive position, that Tamara currently occupies, when I occupied my substantive position and the working relationship with the Deputy Commissioner, with Kerrith MCDERMOTT, there is a great deal of overlap. There's a great deal of deliberate overlap. There's a great deal of testing things, like that example that I just gave, Mr RICE.

50

Other things that Kerrith MCDERMOTT had tested with me - for example, a conflict of interest that she was considering, "What's your opinion on this?" A criminal history check for a potential staff member, "What's your slant on this?" I wasn't the decision-maker at that time, so I would offer, in writing, my opinion on the circumstances described, the scenario, the context, and then I give it back to Kerrith. Tamara and I do the same sorts of things.

CA

What, then, is the content of her role as general manager?

- W The content?
- CA Mmm. I'm just interested in a delineation of function as between you and her.
- W Okay. As I tried to explain early on, probably poorly, mine is more a strategic upward focusing to the Commissioner and the board of management. The role that I have substantively, and Tamara now occupies, is deliberately focused on a more operational level, working closer on day-to-day matters with the general managers than I would, working closer and at another level with stakeholders than I would.
- 10
- A simple example, Mr RICE, would be that I deal with certain people in Q Health, with our colleagues, and the way we move our businesses forward. Tamara will work at another level, where Tamara and the general managers in the Wacol precinct will attend an interdepartmental meeting with Q Health on a monthly basis. Well, I wouldn't attend that, but I would attend a strategic meeting, an alliance meeting, we have with the DG Health, Michael WALSH, and others at that level.
- 20
- It's just working in different spheres for different reasons. Tamara's role is very much hands-on, deliberate operational focus, a closer working relationship with the general managers than I do on a daily basis, despite all my engagements with the general managers, as would the general manager, probation and parole services, who also sits in Statewide Operations - that lady, Sara HYDE, another remarkable worker, would have a very hands-on daily function with the regional managers. Even though I have engagement with them at an operational level, that's where they sit.
- 30
- CA Perhaps to try and complete the subject of incident oversights through the committee, has there been a committee meeting in the last six months since you have been occupying your Deputy Commissioner role?
- W I don't believe there has been, Mr RICE. All I can say is that I haven't attended a meeting, and I don't believe my proxy, Marilyn SINN, has. I can't be certain, but I haven't. I can only speak for myself. I haven't attended one of those forums.
- 40
- CA Have there been meetings, whether you were able to attend or not?
- W That's what I don't know, Mr RICE, yes.
- CA I see. Do you know whether the work of the committee would result in recommendations arising out of review of incidents?
- W Yes.
- CA To whom would the recommendations be made - to you?
- 50
- W The recommendations or findings - if we could just call them recommendations - from my understanding from the incident oversight committee, would be obviously relayed to the members of the committee. They may at that time be made known to the Commissioner. They would certainly be made known to the portfolio owner, if it was a matter to do with, for example, a correctional centre, or a probation and parole office,

it would come to Statewide Operations, or it would go to Sara HYDE, General Manager, Probation and Parole. If it was a matter for operational services, it would go around to the Executive Director, Samantha NEWMAN, for her portfolio carriage, responses, and all those types of things.

- 10 In Statewide Operations, I have visibility of those types of things from my previous and substantive position. They would go back to either Kerrith MCDERMOTT or they would go back to the proxy, Marilyn SINN. Marilyn SINN would then liaise with me in my substantive position, these are the findings or recommendations, against whatever topics they may be; this is the response from the centre. What's the strategic perspective on this? Are we right with that response going back? Does it have any impacts that we need to be aware of? Is it a COPD change? Is it a practice change? Those types of things.
- CA Implementation of recommendations from that committee, would that fall to the person most directly concerned with the operational area?
- 20 W Yes. Whoever owns the portfolio for that particular recommendation. There would be very clearly articulately recorded recommendation, what is required from that incident oversight committee, time frames to satisfy it, and then a response is provided, and final sign-off is with the Commissioner, I believe.
- CA Another means of incident review is through the work of the Office of the Chief Inspector; is that correct?
- 30 W Yes, that's correct.
- CA The Chief Inspector can investigate both incidents and also does full inspections against the healthy prison standards.
- W Correct.
- CA What role do you have in reviewing reports that the Chief Inspector's office makes?
- 40 W Like from a full inspection, Mr RICE?
- CA Both categories.
- W If it's not a full inspection, what else are you referring to, sorry?
- CA Incident inspections.
- W Okay, all right.
- 50 CA We looked at a number of those yesterday with Mr ZHOUAND. For example, a couple of years ago, there was an incident at Arthur Gorrie, I think it was called a mini riot, and it resulted in quite an elaborate inspection report of that incident.
- W Yes.
- CA Do incident reports of that kind come directly to your attention?

- W Yes, they would, given the significance of the event, yes.
- CA Well, do incident reports that attract the attention of the Chief Inspector, and he prepares a report - do they routinely come to you?
- W The only reason I hesitate, Mr RICE, is I'm just trying to differentiate between my substantive position, the DC position, and historical what has come my way. I believe they do come to the Deputy Commissioner, at a minimum.
- 10 CA Taking the incident reports, to begin with, they might identify what appears to be an issue at a centre.
- W An issue of poor practice?
- CA Yes.
- W Yes, okay.
- 20 CA Take for example inadequate use of a body-worn camera. Would you review an incident report with a view to identifying what may be drawn out of it for wider application across different centres?
- W Yes.
- CA How do you approach it?
- W Yes, I would. Just for example, there was a recent incident at Arthur Gorrie Correctional Centre where staff responded to an incident of assault. In response to the assault, a number of staff who were wearing body-worn cameras, the cameras were dislodged. I forget the actual date that occurred. It might have been on the weekend, but I got the notification, so, straightaway, that sparked my interest, given the context and where we're going with body-worn cameras in the public and non-public facilities, the relationship we have with the investment of 1,350 investments to support the body-worn cameras, where we are with procurement, so that sparked my interest, yes.
- 30 CA A broader question is, I suppose, are the incident reports used as a tool to identify defects?
- W Yes.
- CA Insofar as defects may be identified, is the learning from them spread more widely than the particular centre involved?
- W Yes.
- 50 CA By what mechanism?
- W I can only speak for what I do.
- CA Yes.
- W But findings and recommendations, outcomes from Chief Inspector

reports, full announced inspections, incidents, incidents like the one I just described at Arthur Gorrie - from my portfolio, I would send that broadly to the general manager group at a minimum, at a minimum, because I might also include the custodial team within Statewide Operations, and I might include the portfolio owner of the body-worn camera project at the moment.

- 10 CA It would be possible to learn from them, would it not, what's done well or what's done badly?
- W Absolutely correct.
- CA Are they used, then, as a management tool to identify and disseminate such things?
- W Yes.
- 20 CA In terms of the mechanism for doing that, you have mentioned the regular Tuesday meeting with general managers. That would be one forum.
- W Yes.
- CA Is there any other means by which the learning from an incident review might be disseminated?
- W The Movi with the general managers at 10.45 on a Tuesday is just one mechanism. I wouldn't wait for a forum. I would push the information out regardless. Bearing in mind that the general managers get notifications, just like I do, the IOMS notifications, so-
- 30 CA IOMS notification, is that a form of notification of an inspector's report?
- W No, that's the incident notification.
- CA Itself, yes.
- W They would see that, where it happened, what were the circumstances. If it was to do with a melee of some description, of some level, in a unit, they would see what I saw with reference to the body-worn cameras. So, yes, the Movis on a Tuesday. The OLG groups, when we meet face-to-face, pushed out in the interim, those sorts of mechanisms.
- 40 CA What about the healthy prison reports, are they brought to your attention? For example, the Chief Inspector's office completes a review of, say, Brisbane Women's, is that as a matter of course brought to your attention?
- W Yes.
- 50 CA That would be one way also of learning what's being done well and what's being done badly at a particular centre?
- W Yes. Even though that may not be applicable to a male correctional centre facility, there might be some applicability in process and practice. It mightn't be just learnings, deficit, gaps, between Townsville Women's and Brisbane Women's. Like I think I mentioned earlier, the report that was tabled in relation to the claimed overuse of strip searching at Townsville

Women's Correctional Centre, that was made known to Brisbane Women's, but they had a different scenario, a different model. This was particularised for Townsville Women's, the removal of clothing searches, or strip searching as it was known then, in relation to ladies leaving a particular environment, getting a schedule 8 drug and returning back.

That was a learning, and a valuable learning. There was a change to practice, and I believe it was warranting a change of practice.

10 In relation to your question about the learnings, we use the footage captured on cameras, as well as body-worn cameras, when they are operationally deployed, for those purposes.

20 I had a representation from Mr BUTLER, who you met yesterday - I think it was last week, and he put it in writing to me, which I requested, that could they use actual footage from incident management in a correctional centre live environment as part of the COEP, the training course out at the academy, to instruct, raise awareness, inform the recruits, the trainees, of, look, this is an environment, this is how we respond, these are good practice, this is what we found wanting in this particular area; I think that's a valuable tool.

CA Do you know whether the healthy prison reports get distributed not only to the manager of the centre being inspected but to other centres also?

W Do they, did you say, Mr RICE?

CA Do they, yes.

30 W I believe they do, and I have done so myself because I think it's a valuable thing for everyone to have that global visibility. If not the full report, Mr RICE, it would certainly be the recommendations and findings. That's the nub of it. That's the critical aspect of a full announced inspection.

CA Yes. Does that dissemination to other centres and other general managers occur via the Chief Inspector? For example, does he take it on himself, do you know, to distribute more widely?

40 W No.

CA Who would take responsibility for doing it?

W Me.

CA I see. And you have done?

W Yes.

50 CA Could I just ask you for a bit more detail than the Commissioner was able to provide about body-worn cameras.

W Yes, if I may. I'm not the expert, Mr RICE.

CA No, but I was just interested in what degree of delivery there has been, even down to numbers, and how you project forward.

W I can do that.

CA Yes.

W We started the trial of the body-worn cameras in 2015. We started the trial of the body-worn cameras in Brisbane Correctional Centre maximum-security unit, Woodford Correctional Centre maximum-security unit, Townsville Women's Correctional Centre and Brisbane Women's Correctional Centre. Those types of body-worn cameras were of a variation of type or model. Such is the purpose of the trial, to look at the effectiveness, the applicability, the battery life, the clarity of audio, the clarity of vision, the application of how the body-worn camera would be worn.

That trial was managed by a gentleman, Bryan QUANT, and who I default to for all things body-worn cameras. That trial was well received. I think it served a very purposeful outcome of informing us what we should do with body-worn cameras.

20 We modelled the selection of the types on technical specifications that would suit our environment. We modelled it on the use and the practice model with Queensland Police Service. I was involved with some engagement with the Valley police precinct, spoke with operational staff about the worth of it, the type, the pros, the cons. We spoke and had a presentation from the inspector down there. We looked at the various methods of affixing the camera. We looked at harnesses. We looked at magnetic plates that sort of fit like a large name tag. We looked at belt clip-ons.

30 At the moment, after the trial, we decided on - we had a working group represented by various disciplines. We settled on a particular brand, Axon, for applicability, robustness, ease of data retrieval, the docking stations that were provided - the price would have figured in here somewhere too, I'm sure, but we came on the back of a standing offer arrangement with the Queensland Police Service.

40 At the moment, Mr RICE, we have 160 units of body-worn cameras, issued to the nine public secure facilities. I don't include the privates in this conversation at the moment; happy to explain why. So we have 160. We have on order 1,350 vests that we also had a working party to deliberate and identify the best type of vest to be worn with the body-worn camera. Again, we had some liaison with the police. We looked at jurisdictional scans, what would best support the body-worn camera. The 1,350 should be rolled out - 150 vests to support the cameras - by the end of this month.

CA Just to understand that, on the numbers you've spoken about, the vests are obviously vastly more widely available potentially than the cameras. What's the rationale behind that?

50 W The reason behind that, Mr RICE, is - the simple example is that at Wolston Correctional Centre, they have an allocation of 10 body-worn cameras. Unlike the police model, where you are issued a body-worn camera as part of your kit, you retain it, you're responsible for it, you don't share it; in a correctional environment, because it's rotating posts, not all posts will have a body-worn camera or need a body-worn camera. So as

people rotate through a post, to satisfy 10 cameras, and the rotating staff through those posts, we need 150 vests at each site.

CA So that everyone has a vest?

10 W No, not everyone will get a vest at this first roll-out of 1,350, because that's only supporting, as an example, Wolston with 10 cameras. You need 150 vests. If we were to roll out the second and the third tier of the body-worn cameras, we would need a lot more vests, because a vest would be issued to you as part of your accoutrements, but the camera is a shared resource at this point in time.

CA In terms of the management of limited availability, that is to say, how the cameras are going to be deployed in practice, given their limited numbers, is that something that's determined at local level?

20 W No. To support the training and the implementation of the body-worn cameras once we settled on a type and a model, which was the Axon, there was a Deputy Commissioner instruction issued, which described, as an interim, to the construct of the model within a COPD. That's why the existence of a Deputy Commissioner. We have 12 Deputy Commissioner instructions active at this moment. That's just an interim measure until we get around to the opportunity to embed it in a practice directive.

When the cameras were issued, there was also staff training at the centres, site visitations by a group of people to instruct the staff about how to use it, how to dock it, how is the information saved, what functionality of the body-worn camera.

30 CA All of that's necessary, no doubt, but then a practical question arises. The practical question arises concerning the actual deployment of them.

W Yes.

CA That is to say, whether certain position-holders will, as a matter of routine, wear one, or whether one needs to anticipate a certain kind of activity which might benefit from the wearing of a body camera.

40 W How we identified this over three tiers, Mr RICE, if I may - if I could just use Wolston as an example, but it was replicated across the state. Again, I wasn't going to tell them how to do their job or manage their risk, or best deploy a resource. The centres were each asked, in the first roll-out, "Wolston, you'll be allocated 10 cameras", just as an example. "Where do you believe - what posts do you believe that those cameras should be allocated to within your centre?"; "If we went to the second-stage roll-out and you got another 10, 20 cameras, where do you see them deployed?", and we took it to a third tier. So the centres identified, from their knowledge of the centre, the operation, the risks, the posts, et cetera, where the cameras would be allocated to.

50 CA So local identification, but reporting back to you about the results of that?

W Yes. The portfolio owner for the actual device is a gentleman by the name of Bryan QUANT. There's two people that can adjust the settings for body-worn cameras, the unit themselves. So if we're talking about the pre-event buffering of 30 seconds, as an example, a user cannot adjust

that. The user cannot retrieve, edit or delete data or footage captured.

There's two positions in the state, they're both in Statewide Operations, that have carriage and responsibility for this, and that's done for particular reasons, obviously. So, yes. Does that answer that question?

CA Yes. Funds permitting, what availability would you regard as ideal? That everyone would have one?

10 W Funding restraints aside, Mr RICE, and I'm a little bit sensitive how I couch this - we have certain submissions in before government at this time to get certain funds recognised and allocated. I don't know the-

CA For that purpose?

W For that purpose, is one of them. We have many submissions in, as you would appreciate. I don't know what the outcome of that will be.

20 Do I believe they're a useful, purposeful part of kit? Absolutely. I think they are critical. I think they have proven worth already, and I've made some investigations into this myself, testing against, talking with staff that I know, talking with prisoners that gave me feedback. In an operational sense, I think the deployment should be rolled out.

30 There is a significant cost. They cost \$1,700 a unit. We've got 160 now. You might need 1,000, whatever the case may be. But at \$1,700 a unit, there's a lot of cost and there's a lot of background costs as well about the upload, the storage of data, and all those types of things, coupled with the vests. If we're going to get 1,350 vests, we have a submission in for that to complement the body-worn cameras, obviously. I don't know what the outcome of those funding submissions will be.

If we are successful, wonderful. If we're not successful, we're going to have to assess where that fits in with other demands within the department of, can we find funds for it?

CA Do you have a means of monitoring the extent to which the correctional officers are receptive and supportive of the utility of the cameras?

40 W Yes.

CA Is that by way of feedback or some other mechanism?

W A lot of it is by feedback. For example, I recently spent the day in Maryborough Correctional Centre and had an opportunity to talk with staff up there about a couple of issues that were bubbling away.

50 Mr INGRAM, who, I think, is giving evidence some time over the next week or so, is the general manager up there at the moment. I spoke with four of the union delegates. The topic of body-worn cameras and vests came up, deliberately.

Their level of investment was wonderful. Three of those four officers were on days off, and they took the trouble to come in and see me on their days off, which I thought was remarkable, and good on them.

The applicability of a body-worn camera in our environment, from my position, and from what I understand from talking to the centres, talking to people in the centres at all levels, is well supported as another tool for their accoutrements to protect them.

CA Would you also review, say, inspectors' reports about incidents that may involve the use or non-use of body-worn cameras as adding to the store of information on that question?

10 W I think I have seen some commentary, Mr RICE, in regard to use of body-worn cameras. I think that was more themed about the take-up of them rather than a particular issue, unless you can give me a specific?

CA One of the incident reports that we looked at yesterday, the inspectors, perhaps without expressing a final conclusion, at least vented their perception that the cameras were inappropriately focused, that is to say, not focused on the area of interest, and that it was more than coincidence that that had occurred?

20 W Are we talking specifically and only body-worn cameras?

CA Body-worn cameras, yes.

W Okay. I don't think I'm across that particular incident.

CA At any rate, you may not have a particular incident at the forefront of your mind.

30 W No, I don't.

CA But as a proposition, would you be looking to reports, such as from the Chief Inspector, to add to the feedback of what people may tell you face to face on the degree to which staff are supportive of the use of this?

W Yes, yes. It would be deficit if I didn't.

40 CA Could I ask you, then, about perhaps some more specific issues pertaining more closely to the areas of corruption risk that have been spoken about, for example, by the Commissioner. One is the use of violence and the incidence of violence generally. There is, I think, a violence prevention framework. Are you familiar with the Violence Prevention Framework 2016?

W Yes, I am, Mr RICE. Thank you.

CA It was one of the attachments to the Commissioner's submission, and hence we spoke about it a little.

50 W Sure.

CA It identifies on the topic of violence prevention strategy, that Statewide Operations would develop an agency action plan.

W Correct.

CA The document that mentioned that happens to be dated 2016. Could you

give us an indication of the stage of the development of the agency action plan?

W The agency action plan has been developed. The journey with the violence prevention framework and the violence prevention coordinators started off with a model called StARS, which was the Staff Assault Reduction Strategy, some years ago. That evolved into staying safe coordinators; that has evolved into what this document is now.

10 We have an investment of over \$1 million annually in the appointment of nine AO6 violence prevention coordinators in each public facility.

CA That's not quite one for each?

W The privates have a representation, they do their own. We don't fund that, that's within their remit.

CA Is that a new position, by the way, the violence prevention coordinator?

20 W No, it's been going for a couple of years now.

CA Yes, but was it new then, a newly created position?

W The violence prevention coordinator's position?

CA Yes.

30 W Yes, but it had been in existence for a couple of years. Sorry. We have those nine positions in each of the public secure facilities. Probation and parole also have nominated persons in their environment. We have a governance committee. This is very successfully modelled on the smoking cessation oversight that we introduced on 5 May 2014.

We deliberately modelled this on that sort of model because it was so successful. So we successfully transitioned to no smoking in our environments for staff, prisoners, visitors, contractors on 5 May 2014.

40 We established, for this violence prevention framework and coordinator, local working groups. They are chaired by the violence prevention coordinator.

CA There is a flow chart on the document. It might assist your explanation to have regard to that.

W Okay. I don't have the document, that's all.

CA No, not yet. It's Exhibit 5, Commissioner, if Mr SHADDOCK could see that.

50 W I do have one in my folder here, Mr RICE. Could I refer to that?

CA By all means. You know what it looks like.

W Yes, yes.

CA Okay.

W I thought there was something specific you wanted me to comment on.

CA It has come up on the screen now.

W Yes, thank you.

CA It's Exhibit 6. I think you were commencing your explanations. It looked as though it was-

10 W It will just describe that.

CA Yes. Perhaps if you would give us the dynamic of the operation of this strategy by reference to that flowchart?

W Okay. It's very important, like I mentioned - I'm not looking at you, Mr RICE, I'm looking at the screen. Apologies.

20 It's very important that the prisoners have a voice in this model, purely because, obviously, they live and breathe the environment. We visit it, albeit for 12 hours a day sometimes, four days in a row, five days in a row, but it's very important that the prisoners have an understanding of what we're trying to achieve, with their support, their involvement, through the prisoner advisory committees, which are the PAC meetings for all public facilities. The privates call them something else, I believe.

30 The violence prevention committees at the correctional centre are chaired and hosted by the violence prevention coordinator. It's attended by multidisciplinary portfolio owners in the centre. The committees develop local action plans, initiatives, suggestions, innovation, of a particular - what will work, what will resonate, what will provide value-add from a violence perspective in their location.

They send those through to the portfolio owner in Statewide Operations, which is Wayne HOOLE. He coordinates those. He also provides the secretariat for the committee. The committee will review what the centres have sent in, what their initiatives are.

40 CA That's the governance committee?

W The governance committee, yes, Mr RICE. They'll look at the innovations, what they're trying to achieve, how they're going about it. They share that information amongst that group, the violence prevention coordinators. Wayne HOOLE hosts and chairs forums separate to the governance committee meeting.

50 Four times a year, we'll get the violence prevention coordinators together as a group to talk with them face-to-face about what's working and what's not working, what's the pressures, have we got funding continuing for the roles, those types of things. Shared initiatives across the state, and they will feed up too.

The safety and security come into this, as I earlier mentioned, because some of the initiatives have some significant impacts to the operation of a centre. When I spoke earlier about the modified unit routine, that has a flow-on effect to other areas, like Q Health, program interventions,

work, industries, et cetera. So if we're going to effect a change from a violence prevention perspective, under the model of a modified unit routine, we need to have visibility of other implications, impacts to other areas, so we deliberately put that through the safety and security committee to give the centres some coverage, protection, validation of what they're doing, because a couple of the centres have put through proposals that we haven't supported for what, I believe, are very valid and prudent reasons.

10 It goes up to board of management for visibility. I will talk to the topic at finance committees, to see whether we're still going to get funding for the new financial year. Is it something that we're going to have to review?

I have a position on the violence prevention model as it sits now. I think it is time to review it. I see the success of it as very successful in a number of sites, but not all sites.

CA You mentioned success. I was going to ask you how you would assess the success of the strategy overall?

20

W The success of the strategy for me - and this caused a little bit of hurt and harm to the violence prevention coordinators, because I know how invested some of these people are. They are so passionate about this and get so enmeshed in this activity, but they can still see, on their data, that the assault rates may be climbing, "Why aren't I making a difference?" I had a conversation with them, not at the most recent one, but I think it was the one before that, "Don't beat yourself up with the clinical data." Certain things are proportionate to our overcrowding, our increasing numbers. We are going to see things increase, no matter what we do.

30

But what they are achieving is awareness: awareness in the staff group that safety is a priority; awareness among the prisoner group that their safety, these people in our custody and care, is a priority for us. We are genuinely interested in this. But we have had a lot of innovation. A lot of practices occur in the centres that are attributed to the violence prevention coordinator. They have a keen interest in body-worn cameras. They have a keen interest in the procurement of vests. They have an interest in the modified unit regimes. It's a way of finding a balance between the numbers and service delivery.

40

Say at Brisbane Correctional Centre, they identified disposable, soft, less-harming implements of cutlery for the prisoners in the MSU, something that they couldn't weaponise. Things like that are really important for our environment. Prisoners will sharpen pens. They will use them as a weapon against themselves for self-harm, and they will use them against staff, they will use them against other prisoners. So they identified some soft pens, flexible pens, that you can't sharpen. Terribly difficult to write with, admittedly, but they couldn't be weaponised.

50

The cutlery that they were trialling in the MSU there was of a hardened cardboard variety. That's nothing to do with being punitive or restrictive to a prisoner. It's about keeping people safe. It's about keeping the person in the MSU safe; prisoners around them and the staff around them.

Violence prevention takes many forms. Awareness, for me, is the biggest-ticket item, that staff have awareness for it. We meet, we talk, we

10 have an elevation about this topic, and you'll see simple things like Scott COLLINS, the general manager, a very experienced general manager at Woodford, our biggest centre, a very complex centre, Mr RICE, full of a lot of moving parts, a lot to manage there. He has a local process in place called "Code Zulu" where that is a particular colour on a name tag that a prisoner has to wear, has to carry, but it's something as simple as having that, a particular colour. So that's a warning for staff, when they're dealing with this prisoner, passing the prisoner on the walkway, escorting that prisoner from the centre, be aware, just be a little bit more aware than you should be anyway, this guy has hurt people before, don't give him the opportunity. So it's just little things like that.

20 Every centre has done a lot of work, but I think it is timely, with no disrespect to the violence prevention coordinators, to review it. The reason I say that is because every day we move into a new realm. More numbers - you're sitting at 8,800 today. We're planning, as the Commissioner probably referred to, for 10,000 by May 2020. That's less than two years away. What is our environment going to look like then? What do we need to plan for? I would expect the general managers strategically between now and May 2020, we're starting to talk about 12,000, not 10,000. The violence prevention coordinator is a very important function.

CA Do they have any particular qualifications, by the way?

W Apart from their passion, commitment and investment, no.

CA Would they be drawn from the ranks of experienced correctional officers?

30 W Some are, some aren't. Some are administrative officers. The young lady at Wolston Correctional Centre, and with no disrespect to others, is probably the best example of a violence prevention coordinator. She's female, she's in an administrative position at the centre; she has a history in the Scottish prison system, but she is not a custodial officer right now. So, no, not necessarily. That's not a requirement, nor is it an operational position. It doesn't have to be.

CA Is it a position that's advertised and filled according to criteria, in the usual way?

40 W No, not necessarily the usual way. That was deliberately done, and I know we have received some level of criticism for that.

CA Yes.

W That can land squarely in my lap, Mr RICE. But we didn't know whether we were going to get funding. The funding was always so tenuous, we didn't know whether we were going to get funding for 12 months, or was it only going to be for 6 months, or was it going to be ended right now.

50 We started off on this journey some years ago, but if I can confine it just to the violence prevention coordinators, I didn't know, right to the 11th hour with budget release, whether the initiative would continue to be supported.

So going forward, if I could get some commitment of, instead of

temporary positions selected through an EOI process, which they were - not all, granted, but I left that to the general managers. They knew - I had the utmost faith in them that they would select the right person. That has proven to be true in some respects, most respects, but I don't think we had the right person, the right place, right time, in all cases.

10 If I was given some assurance and we were of a mind to continue with this initiative, if we got funding, I would certainly recruit to a criteria to make sure we got the best person, with the right skill-set, not just looking internally in the agency; let's look broadly. This is a big item for us.

CA Okay. Perhaps on a related subject, I gather the Commissioner has announced there is to be a use of force review. Are you aware of that?

W I am aware of that.

CA Will you have any responsibility for that review?

20 W I don't believe so, Mr RICE. I think that will be a portfolio that will go to the Deputy Commissioner, Custodial, because of its operational content.

CA When that position is created?

W Beg your pardon?

CA When that position is filled?

30 W When that position is filled.

CA Do you know what the objective of the review is? Just say so, if you don't.

40 W No, no, I'm just collecting my thoughts. Sorry. I know some of the objective, from the conversations I've had with the Commissioner about the topic as an individual topic item. I've heard the Commissioner talk at board of management about it. I've heard the Commissioner talk about those forums I described earlier. I've seen the communiques that the Commissioner puts out. I've been at the ministerial roundtable meetings recently with the Commissioner, myself, the minister and others, and we spoke about the use of force review. That was a ministers roundtable at the request of the minister involved, together with union representatives and the Director, Michael THOMAS.

But, yes, it's a conversation that I have some awareness of. I have an opinion on certain aspects of it, I've made them known; I know the rationale behind it. I know what's seeking to be achieved by it.

50 CA I take it, then, that it's to be conducted in earnest when the Deputy Commissioner of Custodial Operations is appointed?

W I think that's a very accurate statement.

CA All right, thank you. Turning to the subject of IOMS-

W IOMS, yes.

- CA -the appropriate accessing and disclosure of IOMS information is an area of interest. Does any responsibility for that fall on Statewide Operations?
- W There's an element that's directly related to the position I currently occupy. That, in essence, is if someone, somewhere, with IOMS access, accessed a particular prisoner or person of high profile that they wouldn't ordinarily fall in their remit to do so outside their centre, outside their reasons, got nothing to do with you, I will get a message on IOMS, and then we will take some actions in regard to that. That's just one example.
- 10 CA We've heard from representatives of Operational Support Services as to the extent of that area's responsibility for IOMS.
- W Yes.
- CA Which was provision of the software and ensuring only the right persons have access to the system. Once a corrective officer has access to the system, there is then a question of appropriate use of it.
- 20 W Yes, bearing in mind that they don't have access to the full system.
- CA Correct. Is the monitoring of that anything that falls within your area of responsibility? I ask because it seems that the authorisation for access is done at the work unit level, that is to say, within Statewide Operations' area of operation?
- W There will be certain positions that I will be involved in for functionality of a role in Statewide Ops. For example, I mean there if one of the established managers is going on leave, someone else is coming in, that person may need a different type of access than they otherwise would have access to, to do the role and function of the relieving.
- 30 CA Is it correct that the authorisation of access, and the monitoring of levels of access, is done at the work group level within correctional centres?
- W Could you just expand on that, Mr RICE? Sorry.
- CA I'll do better than that. There is a document that offers a description of it. It's Exhibit 43. We're going to try to bring that up on the screen.
- 40 W Thank you.
- CA Could we just see the heading of that so that Mr SHADDOCK can see it. Have you seen that before, Mr SHADDOCK?
- W Could we scroll down a little bit, just so I can have a bit of familiarity with it?
- CA Apparently it's available on the QCS intranet.
- 50 W All right. Could you keep going, please? Thank you. To be honest, Mr RICE, I don't believe I've had visibility of that document.
- CA Okay. It describes things that Operational Support Services will do-
- W Right.

- CA -in the functioning of IOMS.
- W Correct.
- CA And it goes on to talk about the responsibility of managers who are attributed to Statewide Operations. In other words, for the integrity of use of IOMS, there is at least some function that devolves to Statewide Operations.
- 10 W Yes, it would appear so. Yes, yes.
- CA In the performance of those tasks that are listed as being appropriate to managers, do those managers or supervisors report to you in terms of the performance of those functions or to Operational Support Services?
- W No, they don't report to me, Mr RICE, in that capacity. I'm aware of some of the aspects of it in regard to when people move on, out of roles. We have a responsibility, and we've done a sweep through that within the last couple of months of updating the data through my executive support officers, because a lot of movement, a lot of people relieving, secondments, retirements, those things are tidied up, but, other than that, no, I couldn't say I've got visibility of that.
- 20 W
- CA And, do we take it, no responsibility for the integrity of access to data?
- W Myself or managers?
- CA Well, Statewide Operations as a whole.
- 30 W
- W So access to data?
- CA Well, yes. To take an example, leaving aside the high-profile prisoner, to whose file access may be restricted, short of that, correctional officers have fairly free access to quite a wide range of data on a wide range of prisoners.
- W Yes.
- 40 CA If you would assume, for example, that a correctional officer was accessing, for his or her own personal interest, the prisoner file of someone quite unrelated to their duties.
- W Right, yes.
- CA Is that conduct anything that falls within the purview or responsibility of Statewide Operations?
- W The matters directly related to the example you've provided, Mr RICE - I am aware at the moment of eight matters on foot that have been progressed through Queensland Corrective Services Intelligence Group, CSIU. I have been made aware of them.
- 50 CA Is that in your position as delegate?
- W As Deputy Commissioner, they've made me aware of it, that we have eight

matters on foot for staff members across the state at various locations, both custodial and probation and parole services, that they have been served notices to appear on the offence of hacking, for the inappropriate use of or access of IOMS; the inappropriate access and provision of that information to other parties, both internal and external, and sharing the information.

10 Now, I'm aware of eight. I don't know the extent of it. There may be others that are in train at the moment. I'm aware of the notice to appear dates. I know full well the responsibility of a staff member under the code of conduct, when they are served a notice to appear, what they have to do with that. They have to report it to their general manager.

CA Yes. I suppose the question is, structurally, on whose responsibility it falls that there is in fact appropriate use of IOMS - those eight examples being instances of inappropriate use?

W Yes. Well, I would suggest, and it might be a little bit simplistic on my behalf, the onus falls on the individual.

20 CA But there must be some governance of it?

W There are certain warnings, as I'm sure you're aware of, as you crank up IOMS every day. There are screensavers about the ethical use of IOMS that will come on full screen every day. There's code of conduct obligations that every staff member, they apply to. Is that what you're referring to?

30 CA I was wondering if any of that, or to what extent any aspect of the integrity of IOMS falls within Statewide Operations, as opposed to Operational Support Services?

W I would say no, Mr RICE, because when I am made aware of the potential inappropriate use of IOMS, I will seek advice and the support of that area to provide to me a sweep of the particular staff member's use, the access, the fields of inquiry they went into, for what duration, over what period. I don't have access to that sort of information. I will seek that from others in that area you described.

40 CA In the course of your evidence, you have referred a few times to the conduct of thematic reviews by Statewide Operations.

W Yes, Mr RICE. Yes.

CA It may even be referred to in the assurance framework.

W I think I made that relationship, the thematic reviews done under the breaches of discipline and the safety orders of May 2017.

50 CA They're done quarterly, are they not?

W At a minimum. It really depends on the dynamic, what's happening in the environment. We're not bound by certain things happening in certain ways, if there's an identified need for something else.

CA How would the need be determined that there ought to be a thematic

review on a particular subject?

W It might be informed by the activities from some other area. It might be informed by the Ombudsman's report, the Chief Inspector's report, the Queensland Audit Office reports. It might be associated with some of those things that we might have to align a thematic review at an operational level. We might have to dig a little deeper into other minutiae that those reports may not have covered. There might be complaints about a particular topic from a particular stakeholder, prisoner, whatever.

10

For example, complaints management. It might come through the avenue of complaints management. I'm familiar with complaints management, the model of Resolve. I know we get - the first quarter of this year, January to March, we received 912 complaints. That's about, on average, 76 a month and 81 per cent of those fall into the remit of correctional centres. I know what the topics are.

20

My point being here, Mr RICE, is that I know what the three most complained-about matters are from a complaints management system. Property is the highest. Accommodation. Then dental and medical assistance. The fourth one, and a long way fourth, is mail. Those sorts of things may prompt, you know, what's going on here?

30

But looking at that data - and I'm familiar with the complaints management system and how it works, et cetera. I think it's a very good function, and the portfolio owner, Charity BRITNELL, in Statewide Operations, she does a splendid job, very thorough, very pedantic, very detailed. I discuss those outcomes. I look at that data and I see if that means anything to me. Does it elevate something for me?

Those topics that I just mentioned, the top three historically have always been the top three, always. But if there was something that was evidenced in the next quarter, just as an example, Mr RICE, that just went out of kilter, something really spiked, that would be a good catalyst to assess and consider a closer review of that, a thematic review, an investigation - call it what you may.

CA

40

All right. Well, there have been reviews on various topics, one of which, about 12 months ago, concerned safety orders. I think you may have even mentioned that earlier in your evidence.

W Yes. If that's the safety order of May, 2017, yes.

CA Yes.

W Yes, I mentioned that in respect of section 57 of the Act.

CA Taking a scenario where, say, a thematic review of safety orders throws up an issue, a defect of process, leaving aside that in that instance it went as far as legislative change, apparently - short of that, there is an issue of process, how would the issue of process or defect that's identified in the course of a review be corrected? How would you go about that?

50

W If I could just tease out an example, because that will make it easier for me, not necessarily for you, but for my simple mind. If there was a deficit identified and there was some commentary in that May 2017 thematic

10 review about section 58 temporary safety orders, who authorised them, what was the delegation, how were they done, what was recorded, what was put on IOMS for the particular prisoner, from memory, and just as an example, there were some deficits in relation to that. Now, it wasn't to a significant degree, but if it was, what I would do is I would get the report, I would have highlighted to me from the assurance framework in Statewide Operations, just like they have done with safety orders and breaches, "Look, Peter, we've been through the document. Here is the document for your review. We will set aside some time to go through it", which I always do, line by line, "Tell me what it means."

20 Then I'll put my lens over it and I think there's an issue with the management of section 58, temporary safety orders. If we picked a particular centre, all right, let's tease this out a bit more. I would talk to the general manager; I would talk to the deputy general manager at the centre who I know has that portfolio ownership for safety management review, and then I would make that information known, as an example, Mr RICE, to the other centres, to the other general managers, "Could you do your own checks?", and this might prompt something further for us to do. Is it training? Is it a COPD? Is it complacency? Is it convenience? What is it? You'd have to tease all those things out, which I'm quite happy to, just as an example.

CA If a particular defect was crystallised, you were satisfied that it existed and it should be addressed-

W Absolutely.

30 CA -by what means would you do that?

W As I explained, it might be training, it might be education. It might be the interpretation that people have got wrong. It might be a deficit in wording in the COPD. It might be just something we need to tweak, or it might be something more significant.

So would we ignore it? Absolutely not. Hand on heart, never have.

40 CA All right. There may be just a small number of things in addition to ask you about. Do you mind coming back after lunch?

W Absolutely, no problem. Thank you.

CA Would that be a convenient time, Commissioner?

W Certainly, Mr RICE. We'll adjourn until 2 o'clock.

LUNCHEON ADJOURNMENT

50 PO Mr RICE?

CA Thank you.

Mr SHADDOCK, can I just ask you a little bit more about custodial officer practice directions.

W Yes, Mr RICE, please.

CA Is Statewide Operations responsible for the number and content of those?

W Yes.

CA To take the instance of body-worn cameras, do I understand there is not as yet a practice direction dealing with that, but rather a Deputy Commissioner's instruction?

10 W That's correct, Mr RICE.

CA I don't want to give away any secrets, but just in terms of process, how is an appropriate subject area for a practice direction identified and then what is the process for development of a direction?

W How is it identified - usually by an incident, or an act or omission that we become aware of at a centre level, if we're talking about an operational matter. That's raised with us. Then, as earlier articulated, we'd look at the context of it, the significance of it. Is it a strategic level, is it a local level, and that would determine and dictate how far any amendments, changes or corrective action needed to be introduced or warranted.

20 CA Let's assume that there is a new subject area. We can take body-worn cameras, for example.

W Sure.

CA If it was thought desirable that there be a practice direction in relation to that, what would be the process of formulating one?

30 W We have a particular team in Statewide Operations that has carriage of the development of practice directives. That comes through the manager, Craig ROSENTHAL's area and his custodial team. There would be consultation, but it would be basically formulated or constructed around the bare bones of a DCI, as an interim measure, what we've learned through the trials, what we've learned since the implementation trials finished, after 15 months, the application that we've learned from the deployment of the units across the state now, that would inform some of the areas of the practice directive.

40 W It would go into things like - depending what type of model we end up with, Mr RICE, and the significance of the roll-out, for things like that, but it would be closely aligned to what I have tried to describe in the DCI, how it's managed, how it's stored, checks on leaving the centre, those types of operational obvious aspects to it.

CA So in that instance, your instruction might form the basis for development of any practice direction?

50 W It would certainly give us a starting point, yes. We may also have a look at the operating procedures that the police or other jurisdictions use, just for information and context.

CA How would amendment of a practice direction be triggered?

- W If we get feedback from the centres, that's not uncommon. Statewide Operations, by no stretch of the imagination, gets it right all the time, I can assure you. We're informed by the centre. We're informed by the users of the practice directive. That would be the most obvious and probably the most prevalent cause for an amendment.
- CA To take a particular example, it would be no secret that correctional centres have as an objective, at least, restricting the inflow of contraband into a centre. In the development of a practice direction, how would the balance be struck between the overall need to achieve that and local conditions?
- W Are we talking about the potential introduction through staff, or a potential introduction through visitors, because there are some-
- CA Really by any means.
- W Okay. If we use the example of staff, we have a practice directive in regard to staff searches. There's a section under the Act that talks about staff searches. We base the practice directive from the legislation, obviously, as the superior piece of legislation. We would look at, in respect of staff searches, a commonality of practice and process. It's not a bad example, because we have been challenged on that recently, and we got an interpretation of the Act legally some time ago, to give us validation of searching staff members, staff both entering the centre, and the advice at the time was that we could search staff members on exit.
- Now, that was the advice at the time. That has subsequently been challenged on two separate occasions. The more recent one, we got legal opinion again. The legal opinion took us down a different direction this time. There were two sites in the state, two sites, to my mind, in the state, that were searching staff on exit of the centre.
- On that last advice from legal, we got in contact with those centres. We stopped that process immediately we became aware that - unlawful might be too strong a term, but it was called into question.
- Then we had a conversation with the general managers. Tamara BAMBRICK put out a descriptor of the context, what the catalyst was for the challenge and where we ultimately landed with that. So that is something that, as a practice, could amend, or force an amendment to a practice directive as an example.
- CA Just on the subject of staff searches, how would it be determined? In what circumstances and with what frequency would staff be searched?
- W The practice directive describes a staff search to occur four times annually, at a minimum, and it describes in quite prescription how it's going to be managed, how it's planned, who are the persons involved, what seniority are involved, and this is in addition to the obvious in-place barrier detections we have at every secure facility.
- CA But, for example, the quarterly inspection, that involves a policy decision, doesn't it, as to what level of frequency is desirable?
- W I'm not sure how that was informed in the construct of the COPD, to be

honest, Mr RICE.

CA Who would determine that matter of frequency? Would it come to you, in the end?

10 W I would imagine that the position we find ourselves in now, four times annually at a minimum, I would imagine that would have come through the Deputy Commissioner's position at the time and they made a determination, bearing in mind that that is a minimum, and the centres can do over and above that, of course, dependent on the circumstances.

CA I don't want to go into the specifics, but is there a practice direction dealing with contraband, detection of contraband?

20 W Yes, because there's a section in the Act that prescribes certain things as restricted or prohibited articles. The regulation talks to those, I think it's point A to U. It talks about what is an item or an article that shouldn't be in the prisoner's possession. That will be covered under the regulations for breaches, and things like that.

CA Can you answer me this: is each centre left to its own devices to determine the methods by which it will detect and try to prevent the introduction of the kinds of things that are specified in the regulation?

W To a degree, and I don't think that's unrealistic or unreasonable. As described earlier, Mr RICE, the technology available at centres is different: different enhancements over different times for different reasons.

30 What I described earlier was the sally port or the entry point at Brisbane Correctional Centre, where they don't have a gatehouse as such. If you looked at the entry point at Maryborough Correctional Centre, they have some significant sophistication in respect of, if you were a visitor to the centre, you would go through the rotor turn, you would present your bags to go through a carousel, like at the airport; you're under camera at all times. You would present to the other side of the rotor turn. You would then go through what we call a mantrap or a pod. You would use your biometrics to get through there; you have already enrolled external to the centre. They have certain security enhancements within those pods that
40 detects also particles and gives us an indication of the presence of drugs. Not all centres have that, for example.

Not all centres have heartbeat monitors at a point of entry. That's primarily used for when trucks come into centres. It's very difficult to search the back of a truck filled with 40 tonnes of laundry, so we have heartbeat monitors built into some of our facilities that have that function. Things like that. There are nuances at centres.

50 CA Are those nuances reflected in local instructions?

W For those examples that I just gave, particularly that last one about the heartbeat monitors, because there's only, to my knowledge, two or three sites that have those, they would be. They are simple pieces of equipment, but there is a process to use them.

CA Insofar as each centre may have its own tactics to prevent the introduction

of contraband, would that be reduced to an instruction of some kind?

10 W No, I don't believe so. I think that's why we provide that level of flexibility and nuance recognised at the centre level, because, as I described - I won't go over it, Mr RICE - every centre is different. The profile is different. The population they manage is different - whether it's male, female, mainstream, protection, indigenous populations; do they have a low-custody site attached to them or near them. The location of the site is very important. Some of our centres are surrounded by public access roads, as an example.

CA I just wonder is anyone keeping oversight of the adequacy of a particular centre's anti-contraband tactics?

20 W That could well be part of - the Commissioner referred to use of force. My comment to the Commissioner, with absolute respect, was that I thought that title was too narrow because if I say a "use of force review", to me that means certain things, but I think the context of that needs to be much broader.

I would expect the development that Bruce WELK has, and I think you've heard from Mr WELK recently - he has carriage and lead on the development of the QCS drug strategy, as an example. Those elements should be in that bigger review, safety security review, whatever we end up calling it. So I would imagine that the work that Bruce WELK will lead to the development of the QCS drug strategy - that will be an overarching policy, but there will still be those elements that will be nuanced to the site.

30 CA You're speaking in terms of a review, but, of course, there have been decades of experience to date.

W Yes.

CA I am really asking you, up to this point in time, leaving future review to one side, is there any mechanism by which you could get or retain oversight of the tactics used at a centre for the reduction of contraband, or is it something that's simply left to the general managers' devices?

40 W I don't think it's fair to say "simply left", because that is very complex, with respect, Mr RICE. It really is.

CA Okay.

50 W You're talking about the introduction of substances in mail. You're talking about the internal secretion of substances in our female population. They are complex areas we take very seriously, because they compromise, they hurt, they cause us harm. There is a level of autonomy with that. For example, when I was at Brisbane Women's, there were certain things that I had to consider there that, in my other 30 years, I had never had to consider about the introduction of contraband into the centre, and particularly laid on top of that those centres that have an opiate substitution treatment program, so then you're looking at another aspect and another level of diversion and threat and menace, because it is a much sought-after drug.

CA I well understand the desirability that you place on flexibility within a centre to develop its own methods.

W Right.

CA But really it's a question of, are those methods documented anywhere and does anyone review them for their adequacy?

W Okay. Could I just take a moment?

10 CA Sure.

W That's a very important question. I don't think I'm going to be able to satisfy with a comprehensive answer, Mr RICE, to be honest.

CA Okay.

W Yes.

20 CA One thing we haven't really touched on is private providers.

W Yes.

CA Can I just ask you how you see the role of Statewide Operations intersecting with services provided by private providers?

W Yes. Okay. In relation to Arthur Gorrie and the parent company, GEO, and SQCC and Serco, those general managers - if I could talk to the general manager - for the most part are treated exactly the same by me as the public general managers. They are involved in the same Movis, the same OLGs; they get the same presentations.

30

W I am a little bit sensitive to financial information that I may preclude them from. I may ask them at times to step out of the OLG if we have to talk about certain aspects that are sort of in-house, for want of another word, but overall the relationship is very much akin to the relationship that I have with the general managers of the public sites. There are some differences because I don't have - they don't have a particular reporting relationship to me as such. It is managed through the contract management unit.

40

W I've been involved with those reviews when they come in quarterly or as required for performance updates and quarterly reports and things, so there is a little bit of difference, yes.

CA Are you an attendee at the quarterly meetings?

W I have been at them. I haven't been to one in this current tenure, but I have been at them before.

50

CA Would that in the past have fallen into the realm of the Deputy Commissioner, to be present at those?

W I imagine it would have, because I couldn't imagine what other role I would have been serving at the time.

Could I make just one further point, and I'm going back a step, Mr RICE, if I may?

The centres all have a local drug strategy, a drug working group, to capture some of the information site specific. That would feed into ultimately a strategic document that Bruce WELK will have lead of. I know that is in the future; I understand that.

- 10 CA So far as drugs are concerned?
- W Drugs, contraband introduction. It will be quite broad, and it needs to be quite broad. This is a moving feast. I know that's a gap, I acknowledge that, but it's a gap we're looking to fill.
- CA Okay.
- W Thank you.
- 20 CA What about the contract management unit, insofar as they monitor compliance with the terms of the contract? Let's say, hypothetically, a defect is identified, is that reported back to Statewide Operations, do you have any involvement?
- W It would be an exception rather than the rule, Mr RICE, but I have had conversations initiated by the contract management unit, not by me, where they have come across, through their monitoring, a situation at one of the privates, some deficit, some gap, or a position offered by the privates, and then they've come to me, more likely in my substantive role, just to test the operational validity of that. That sort of thing has occurred.
- 30 CA To whom, as a matter of course, does the contract management unit report?
- W The contract management unit, from my understanding of the structure, reports up to John FORSTER and then to the Commissioner.
- CA What if the defect is something that involves a breach of a practice direction, which is your responsibility? One example has been referred to in evidence where a private centre, at least at one time, was using routine rear handcuffing of certain prisoners, when that was in breach of a practice direction. How would the matter of that breach be dealt with and the situation rectified? Let's say that was identified by the contract management unit by some means-
- 40 W Sure.
- CA -and they have the responsibility to report to Mr FORSTER, you tell us, and yet the subject area is actually yours, so how would that situation be resolved?
- 50 W I don't have an issue with that separation, or where they may or may not overlap or align myself, I understand that and follow that quite clearly. So if that was the case as you've described, where there was a practice like you've described, that would be known to the contract management unit. Those would be those sorts of exceptions that the contract management unit may inform me, I imagine they would, or the position, I should say.

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For awareness, that would be a bit of a sense check, too. For me: let's check this everywhere. Let's make sure we have this right. Let's make sure it's not confined just to here, just to be sure. I think I remember that incident referred to. Yes, that's all I could offer on that point, Mr RICE.

CA That's all I have. Thanks, Mr SHADDOCK.

W Thank you for the opportunity, Mr RICE.

10 PO Ms CLOHESSY?

PC I don't have any questions. Thank you, Commissioner.

PO You are excused, Mr SHADDOCK. Thank you for coming.

W Thank you for the opportunity.

CA Commissioner, I will ask you to adjourn until 10 tomorrow.

20 PO Certainly, I'll do that.

END OF SESSION

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