

██████████  
23 JUL 2019

**PRIVATE AND CONFIDENTIAL  
POST SEPARATION DISCIPLINARY DECLARATION**

██████████  
██████████  
██████████

By email to: ██████████

Dear ██████████

I refer to my letter dated ██████████ in which I found the allegations against you substantiated, namely that on:

1. That on 28 January 2018 and 4 February 2018 you, without authority, accessed information from the Integrated Offender Management System regarding Offender ██████████.
2. That you failed to declare a conflict of interest, namely your association with Offender ██████████.

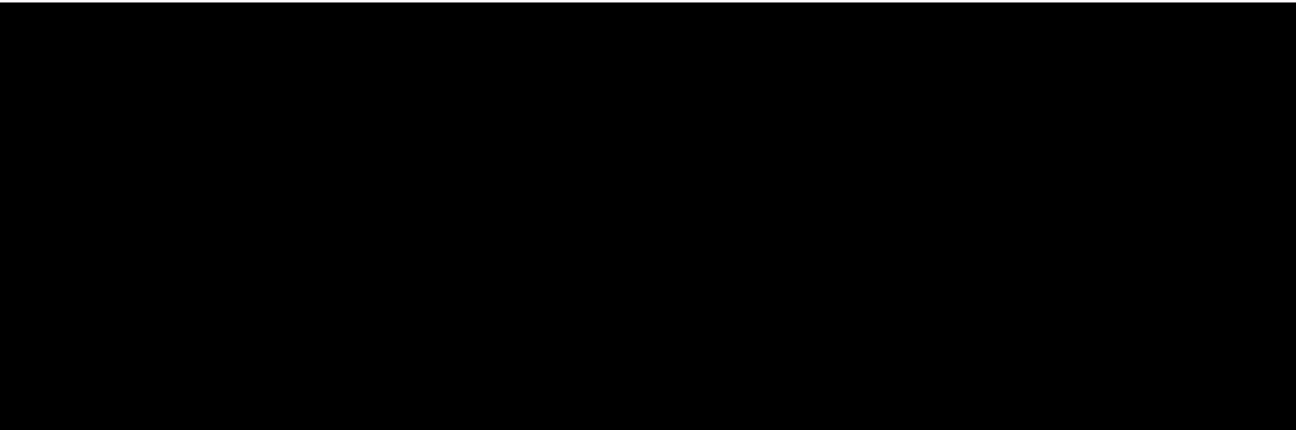
On the basis of my findings in relation to the allegations, I determined that:

- In respect to Allegation 1, pursuant to s 187(1)(b) of the *Public Service Act 2008* (the Act), you are guilty of misconduct, that is inappropriate or improper conduct in an official capacity within the meaning of s 187(4)(a).
- In respect of Allegation 2, pursuant to section 187(1)(f)(ii) of the Act you are liable for disciplinary action because you have contravened, without reasonable excuse, a standard of conduct applying to you, namely, Clause 1.2 and 3.1 of the Code of Conduct for the Queensland Public Service.

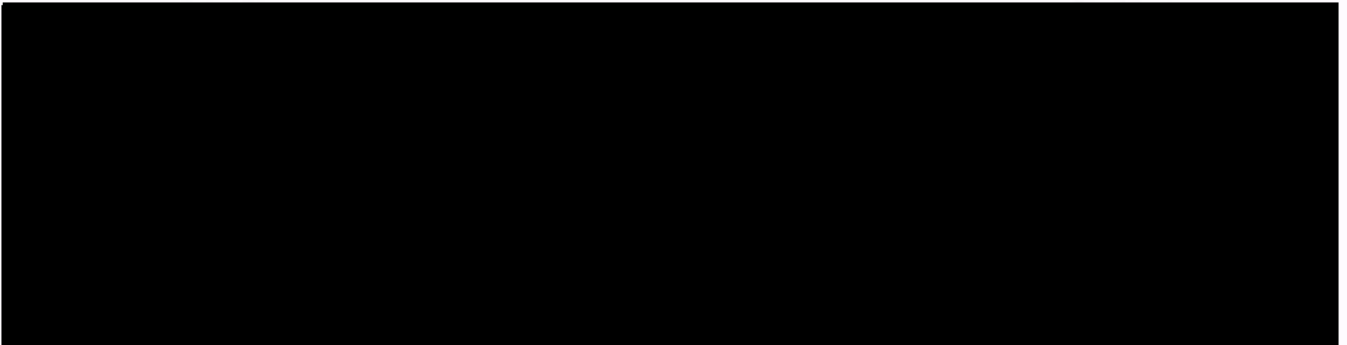


Office of the  
**Deputy Commissioner  
Community Corrections &  
Specialist Operations**

**Queensland  
Corrective Services**

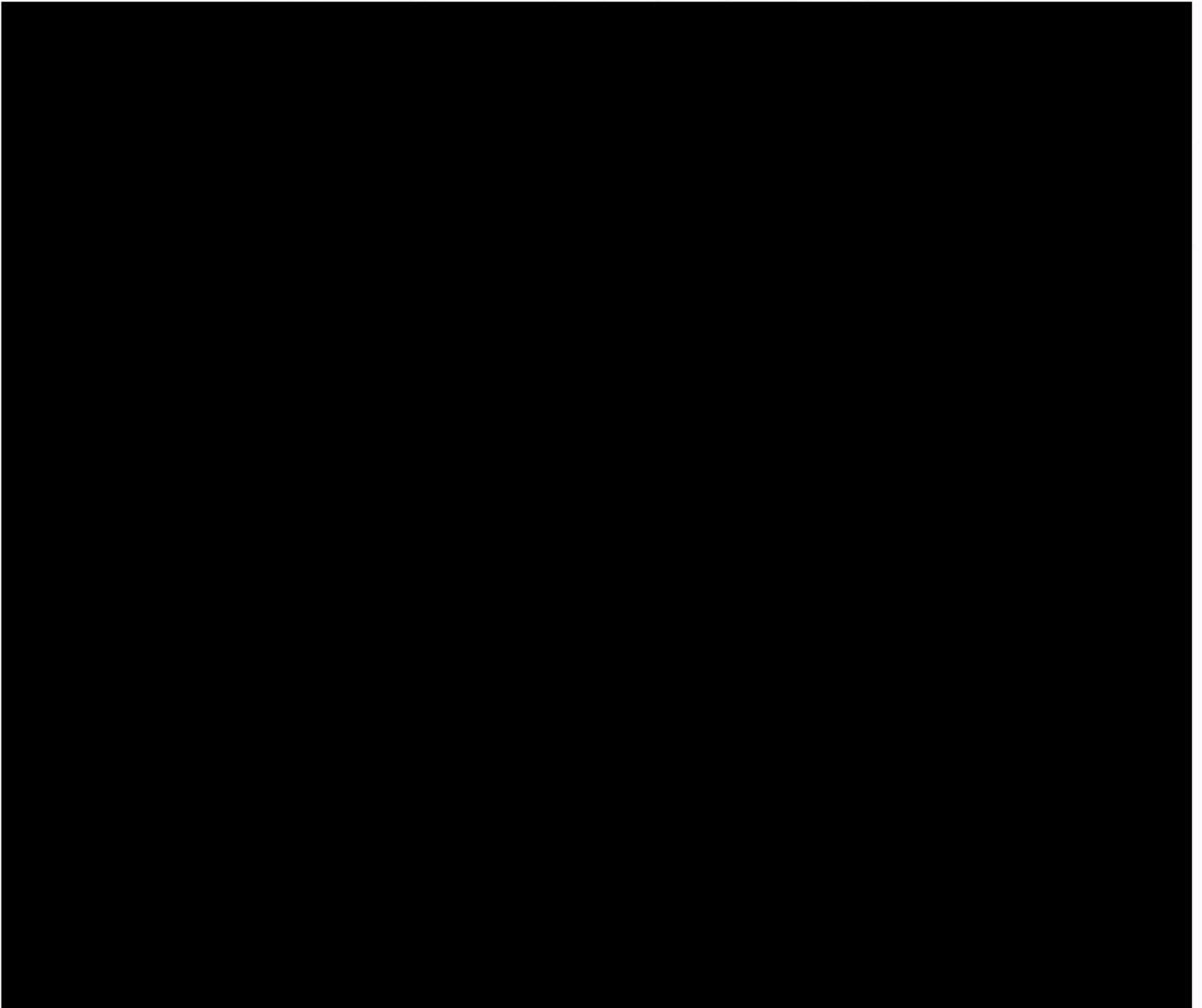


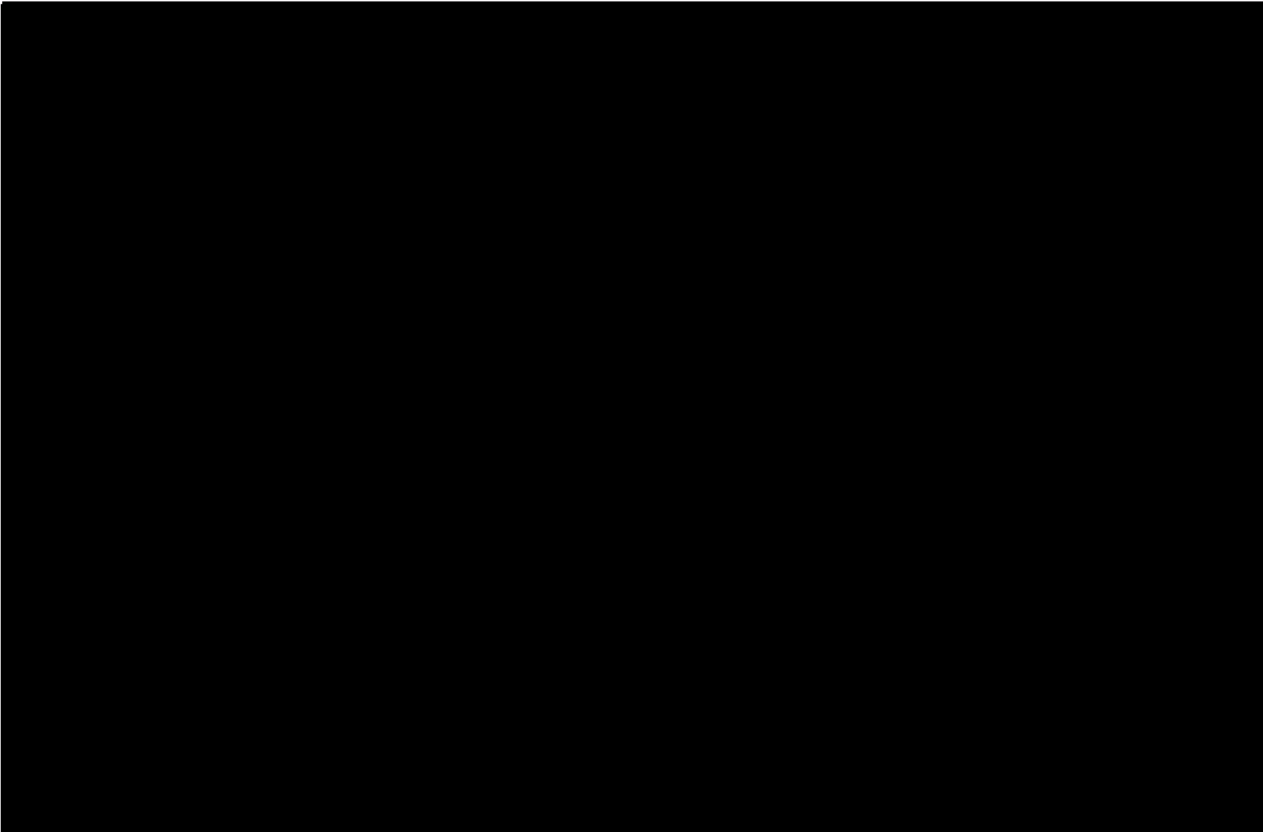
**Post separation disciplinary declaration**



Section 188A(7) of the Act provides that in disciplining a former public service employee, the previous chief executive may make a disciplinary declaration and may not take any other action.

However, in accordance with section 188A(8) of the Act, a disciplinary declaration may only be made if the disciplinary action that would have been taken against you, if your employment had not ended, would have been the termination of your employment or the reduction of your classification level.



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- I note your acknowledgement that you knew your conduct in accessing Offender [REDACTED]' IOMS recorded without authority was wrong. While you say you were not making clear decisions at the time you improperly accessed IOMS, I am satisfied that all times you knew your conduct was inappropriate and contrary to the requirements imposed on departmental employees.
  - It is also of significant concern that despite knowing that your conduct in accessing Offender [REDACTED]' IOMS records was wrong, you did so on two occasions. Your conduct (of accessing, without authority, the IOMS records of Offender [REDACTED] for your own personal purposes) directly calls into question your ability to make ethical decisions, which are fundamental to any employment relationship. Had you continued to be employed by the Department, I would have had significant doubts about your ability to make sound decisions or behave appropriately in the future. I consider the only reasonable means of managing the risk created by your poor judgment would have been to remove your access to IOMS by a reduction in classification.

Accordingly I have determined to make the following disciplinary declaration:

- I declare that my disciplinary findings against you (as set out in my letter to you dated [REDACTED] [REDACTED] [REDACTED] are as follows:
  - Allegation 1 is substantiated, namely that on 28 January 2018 and 4 February 2018 you, without authority, accessed information from the Integrated Offender Management System regarding Offender [REDACTED] [REDACTED]. On the basis of my findings in relation to Allegation 1, I find that pursuant to section 187(1)(b) of the Act you are guilty of misconduct, that is inappropriate or improper conduct in an official capacity within the meaning of s 187(4)(a).

- Allegation 2 is substantiated, namely that you failed to declare a conflict of interest, namely your association with Offender [REDACTED]. On the basis of my findings in relation to Allegation 2, I find that pursuant to section 187(1)(f)(ii) of the Act you are liable for disciplinary action because you have contravened, without reasonable excuse, a standard of conduct applying to you, namely, Clause 1.2 and 3.1 of the Code of Conduct for the Queensland Public Service.

- The disciplinary action that would have been taken against you, if your employment had not ended, would have been the reduction in classification from AO3 to AO2.

