

Our Reference: j [REDACTED]



Queensland
Government

**PRIVATE AND CONFIDENTIAL
DECISION ON DISCIPLINARY FINDING AND DISCIPLINARY ACTION**

Office of the
**Deputy Commissioner
Custodial Operations**

26 JUN 2019

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

**Queensland
Corrective Services**

By email to: [REDACTED]

Dear [REDACTED]

I refer to my letter dated [REDACTED], in which I found the allegation against you substantiated, namely:

1. That between 26 November 2012 and 23 November 2017, without authority, you accessed information from the Integrated Offender Management System (IOMS) regarding Prisoner [REDACTED]

[REDACTED]

In relation to Allegation 1, I note the following from your response:

- You submit that you commenced employment with Queensland Corrective Services (QCS) in or about [REDACTED] 2008.
- You state that you are currently employed as the [REDACTED]
[REDACTED]

[REDACTED]

- You state that in the period between November 2012 and November 2017, and only in this period, did you access the information from the Integrated Offender Management System (IOMS) regarding your son and no other person.
- You admit that, on or about [REDACTED] [REDACTED], you were charged with one count of 'Use Restricted Computer Without Consent' under s 408E(1) of the *Criminal Code Act 1899* (Qld). You also admit that on [REDACTED] you pleaded guilty to your criminal charge and that the [REDACTED] Magistrates Court ordered that no conviction to be recorded; that you enter into a Good Behaviour Bond for a period of eight months; and that you pay a \$400.00 fine.

[REDACTED]

Your overall work record

- during your employment with QCS, namely 11 years, you state that you have been a trustworthy and hardworking employee;

- [REDACTED]

- [REDACTED]

- [REDACTED]

Explanation and/or extenuating circumstances

- you state that the circumstances were that of a concerned and worried mother that cared for her son, and that you were trying to retain your own sanity by 'knowing' your son's whereabouts and behaviour;

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

To that end, I consider your conduct to be sufficiently serious to amount to misconduct within the meaning of s 187(4)(a) of the PS Act. In particular:

- you committed a criminal offence in the course of your employment, namely accessing Prisoner [REDACTED] IOMS records without authority, for which you were charged, convicted and fined;

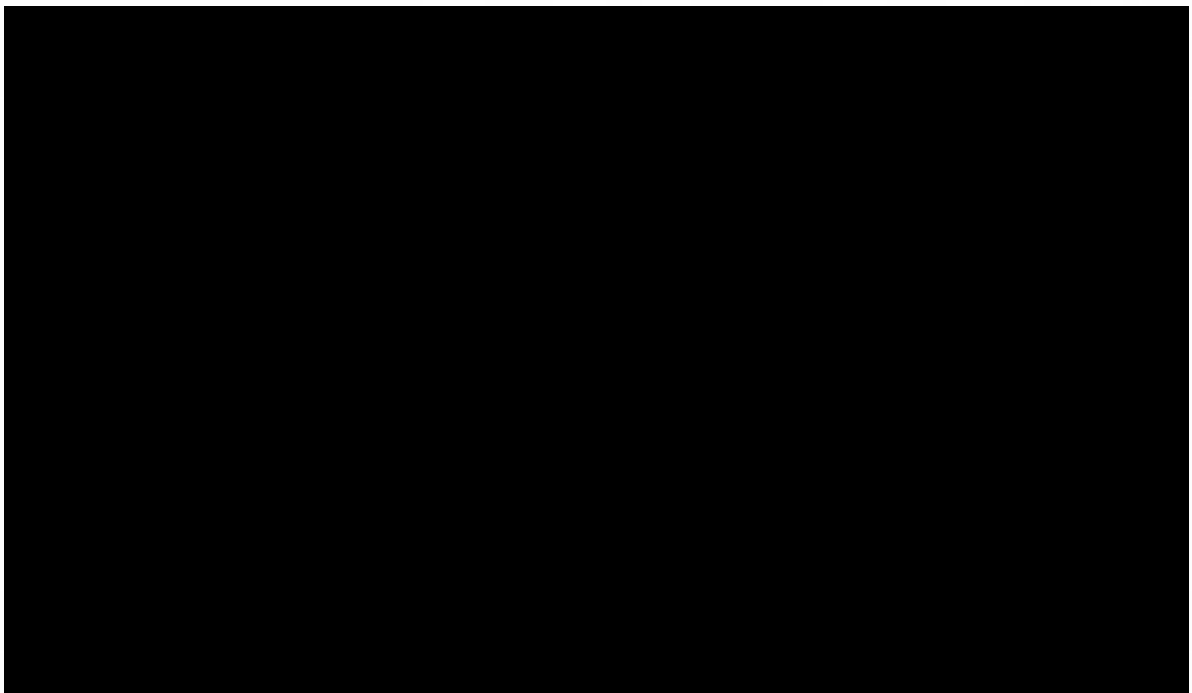
- you engaged in this conduct repeatedly over a period of five years. That is, you accessed Prisoner ████████ IOMS records without authority on 62 occasions from 26 November 2012 to 23 November 2017;
- you used your position within QCS to access confidential information on IOMS without proper authority and for your own personal benefit, namely to obtain information of your son's whereabouts and behaviour;
- by accessing Prisoner ████████ IOMS records without authority, you have engaged in a serious breach of his privacy. All prisoners have the right to have their confidential and personal information kept private. Even though Prisoner ████████ is your son, you were not entitled to access his confidential IOMS records for personal reasons, namely to satisfy your curiosity regarding his whereabouts and behaviour; and
- for these reasons, I consider that your conduct was highly inappropriate and improper and was a significant departure from the standards and requirements expected of a QCS employee.

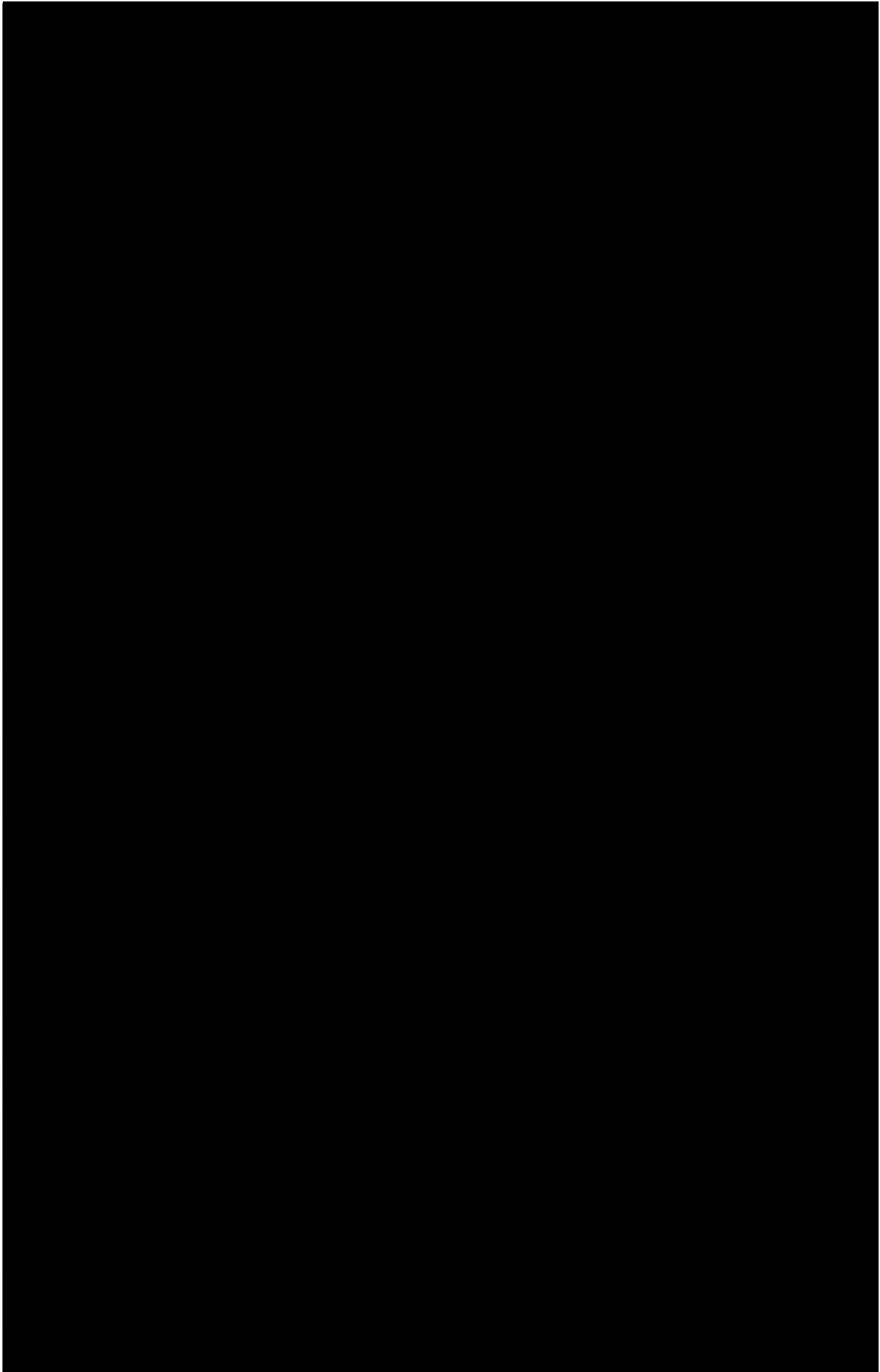
Accordingly, on the basis of my findings in relation to Allegation 1, I have determined that pursuant to section 187(1)(b) of the PS Act, you are guilty of misconduct, that is inappropriate and improper conduct within the meaning of section 187(4)(a) of the PS Act.

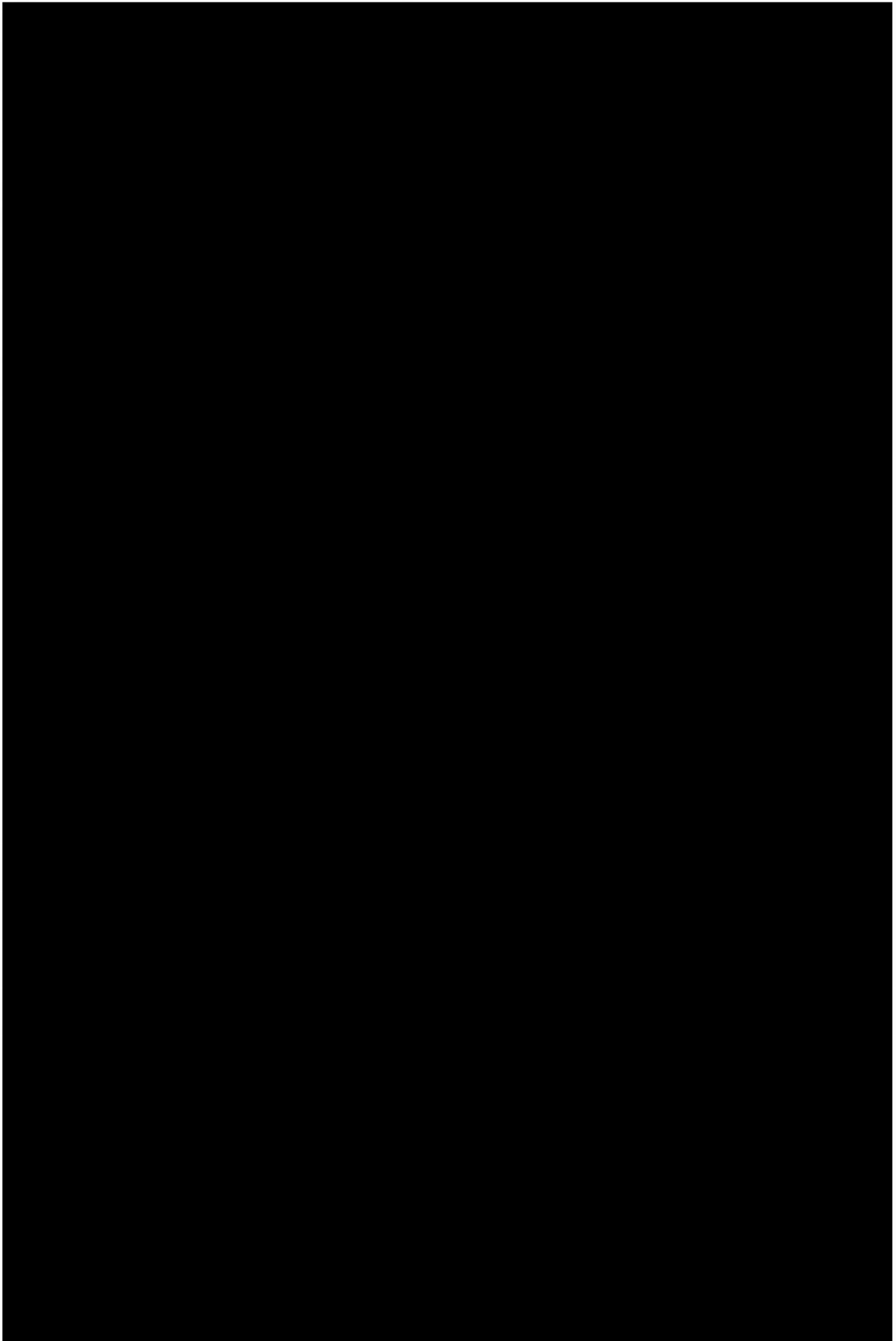
I now turn to my determination regarding the disciplinary action.

Decision on disciplinary action

I have considered very carefully the submissions you make with respect to the proposed disciplinary action. However, there is nothing in the submissions made by you that lead me to consider that the imposition of a disciplinary action of termination of employment is not a reasonable and just outcome.





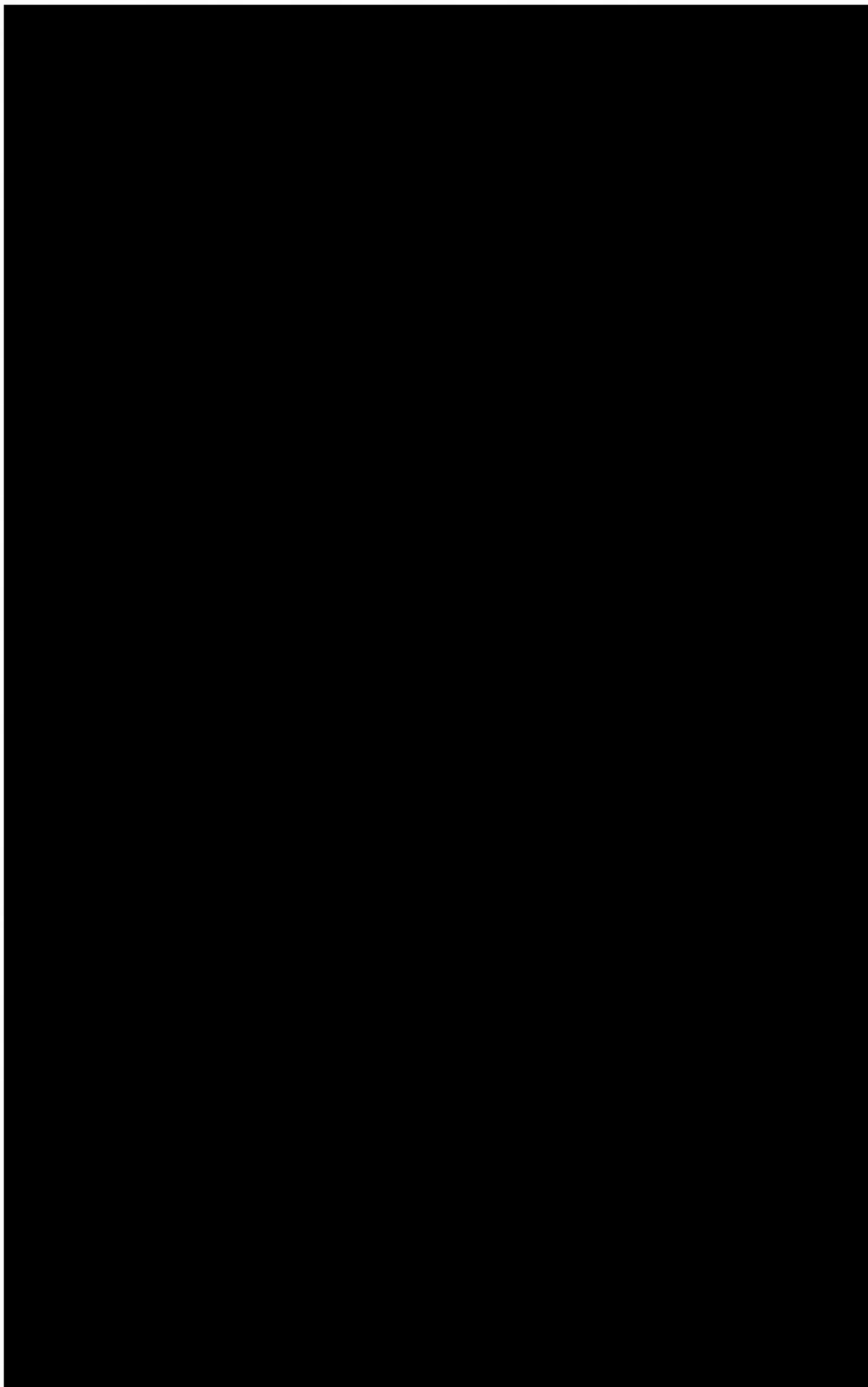


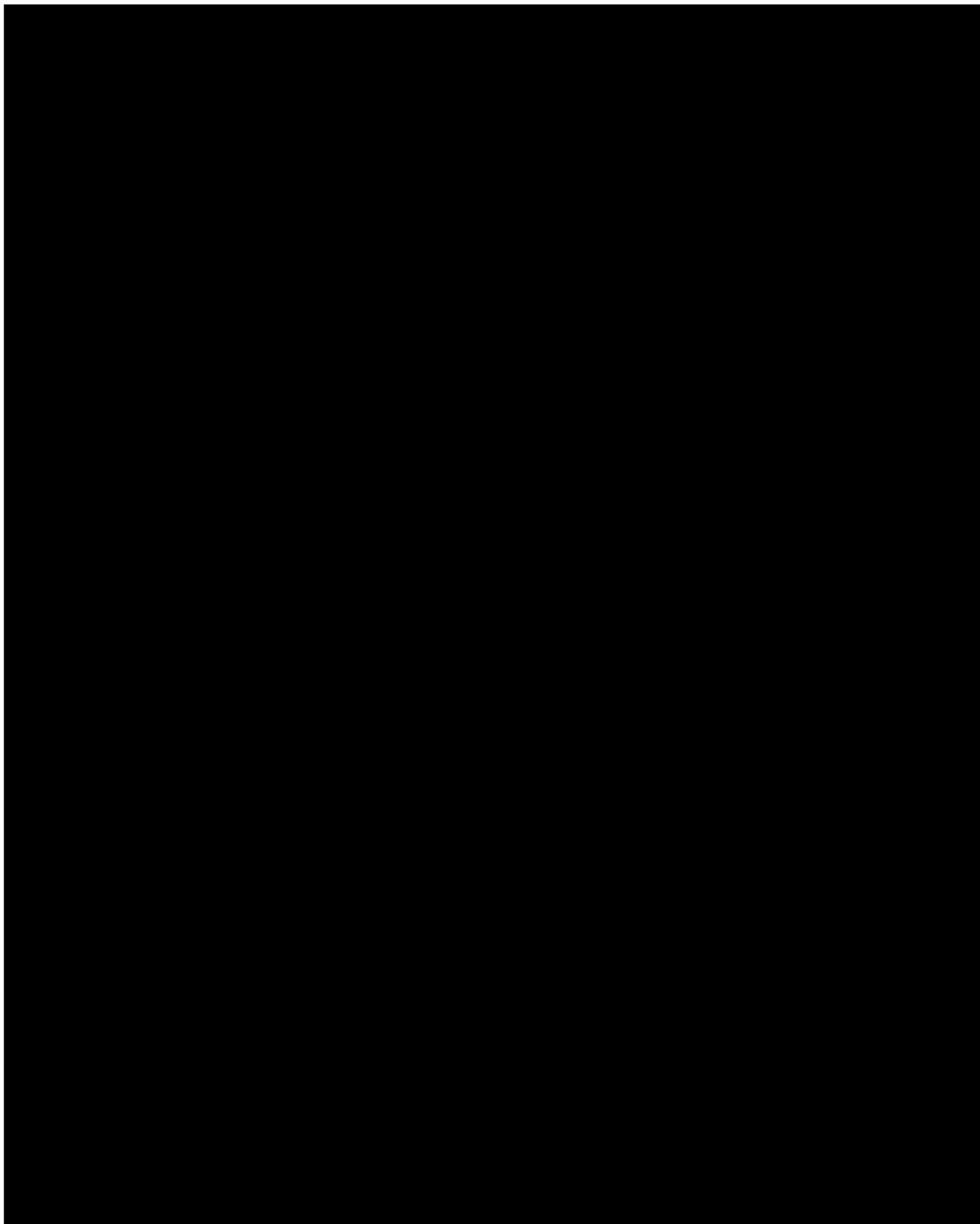
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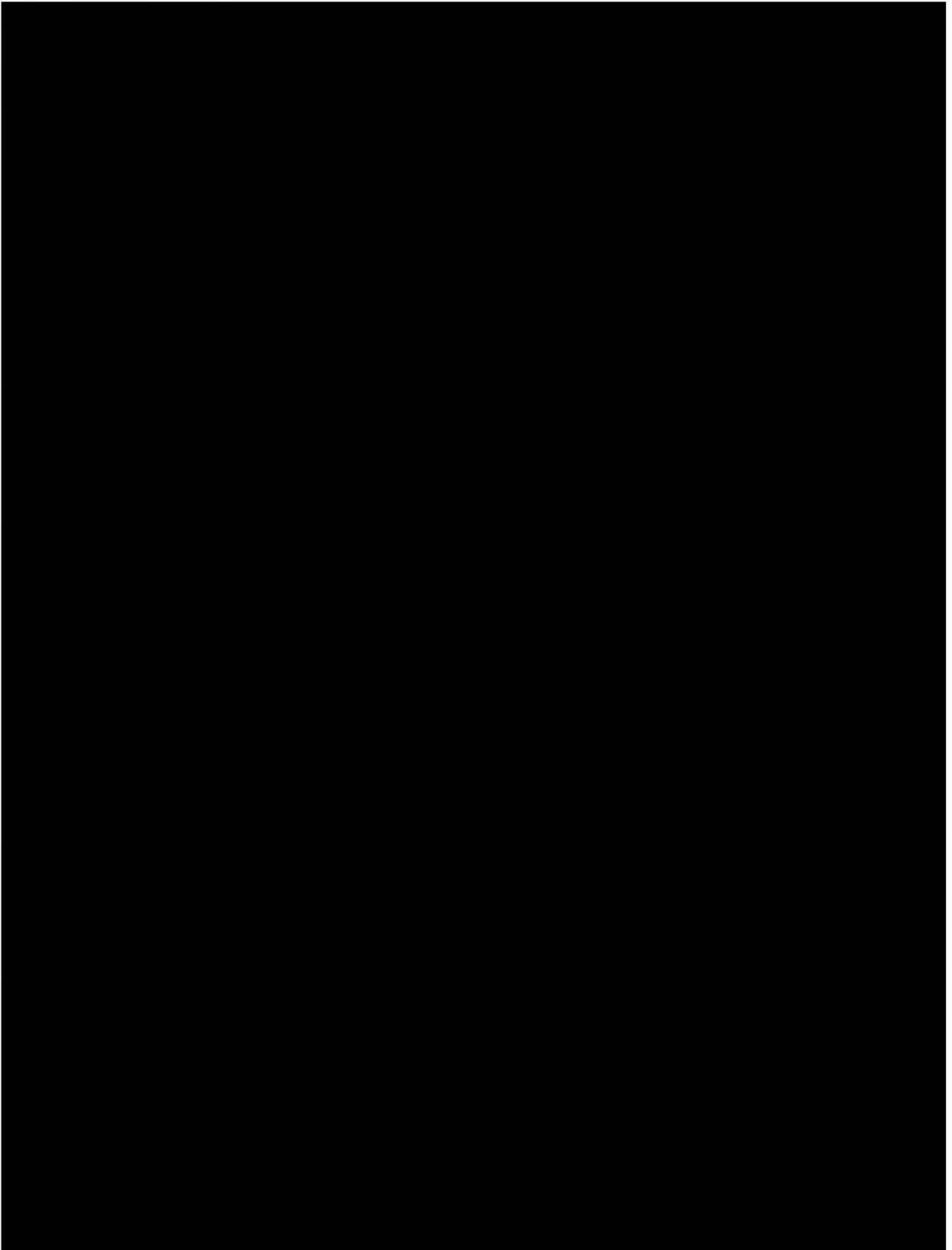
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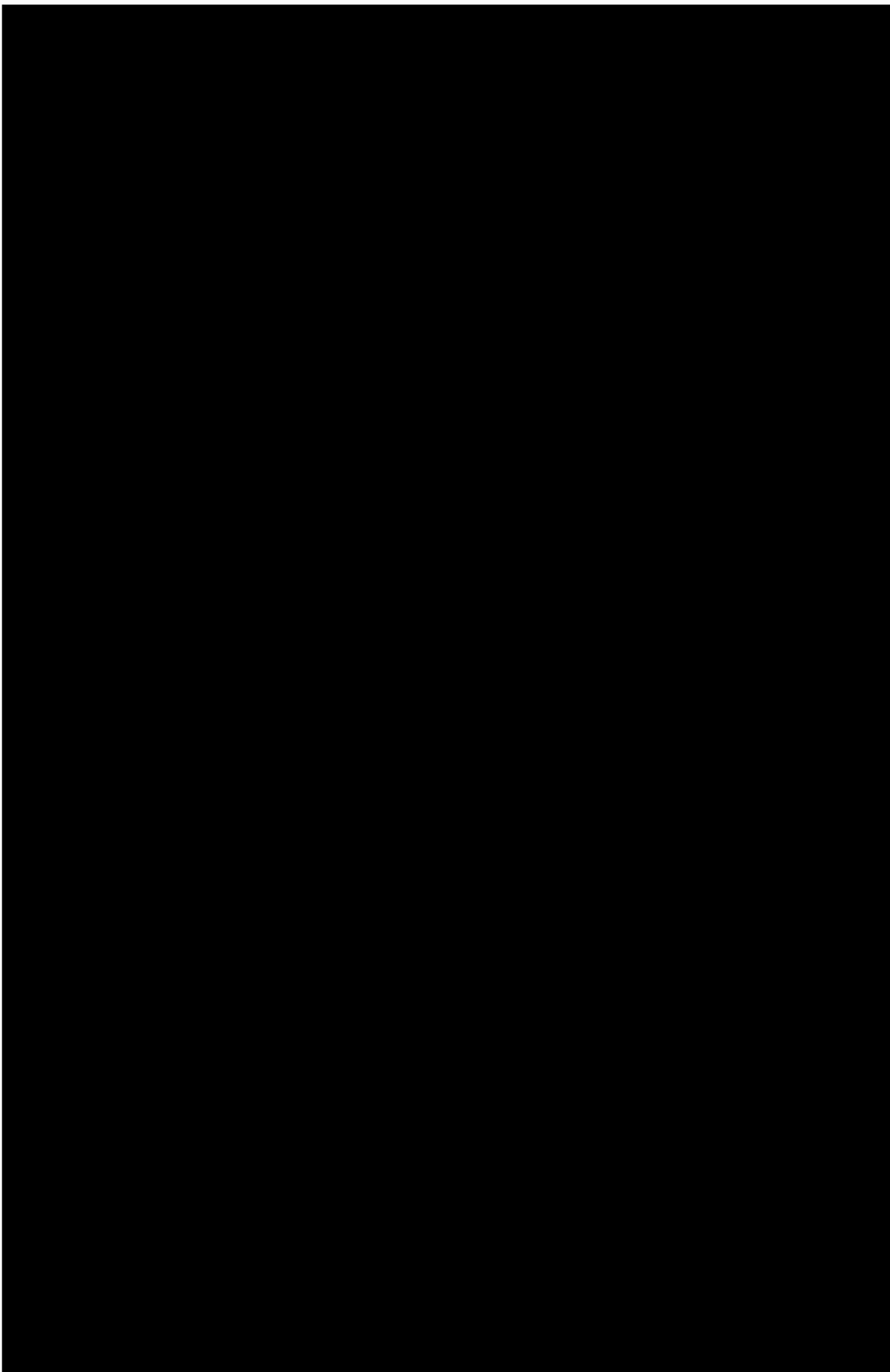
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CCC EXHIBIT

[REDACTED]

[REDACTED]

Accordingly, I have determined to take the disciplinary action of termination of your employment effective immediately from the date of receipt of this letter. You will be paid an amount in lieu of notice, together with any outstanding leave accruals, in accordance with your industrial entitlements.

[REDACTED]

