

Our reference: [REDACTED]



Queensland
Government

**PRIVATE AND CONFIDENTIAL
POST SEPARATION DISCIPLINARY DECLARATION**

1 October 2019

[REDACTED]

By email to: [REDACTED]

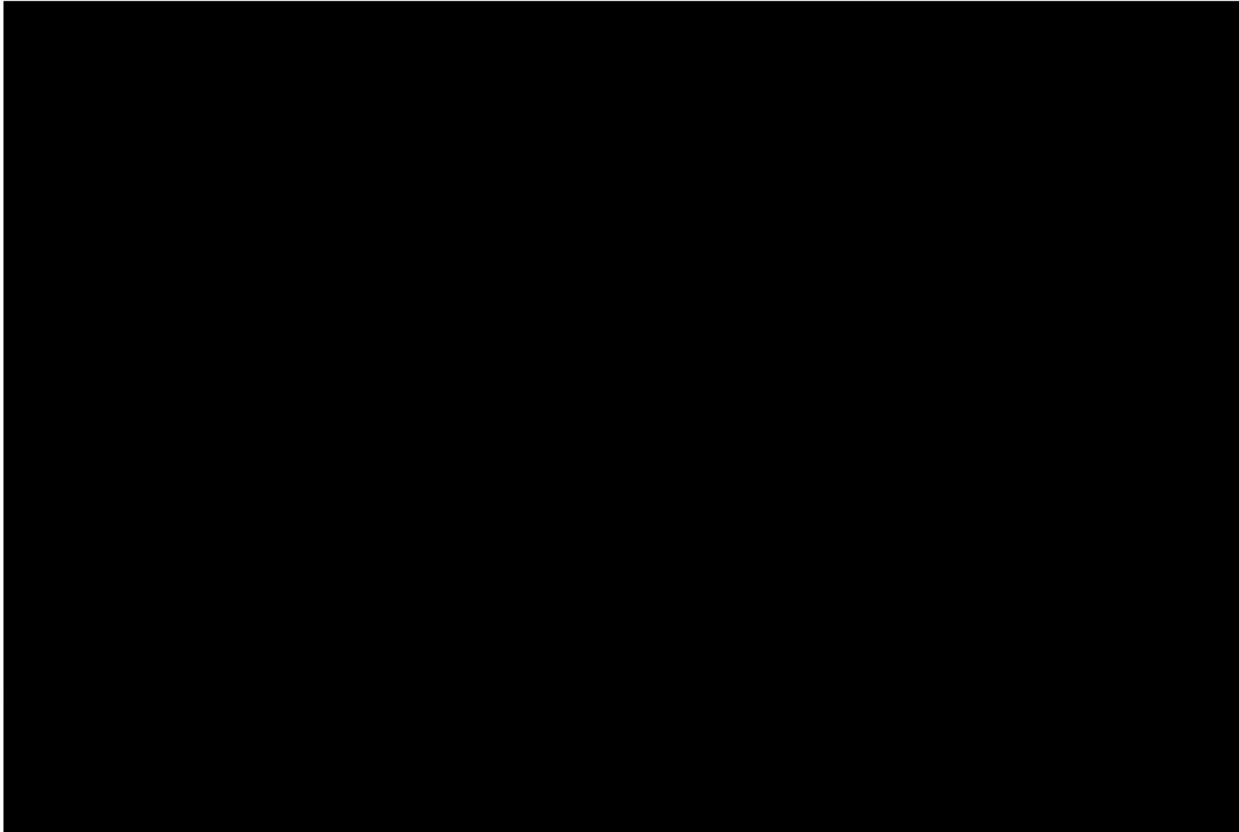
Office of the
**Deputy Commissioner
Community Corrections &
Specialist Operations**

**Queensland
Corrective Services**

Dear [REDACTED]

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

1. That at the [REDACTED] [REDACTED] [REDACTED] [REDACTED] between November 2018 and January 2019, you failed to disclose the existence of a relationship with the Offender [REDACTED].
2. That at the [REDACTED] [REDACTED] [REDACTED] on 8 November 2018 and 10 December 2018, you, without authority, accessed the Integrated Offender Management System (IOMS) records of the Offender [REDACTED], outside the requirements of your official duties.



[REDACTED]

Post separation disciplinary declaration

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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 s 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.

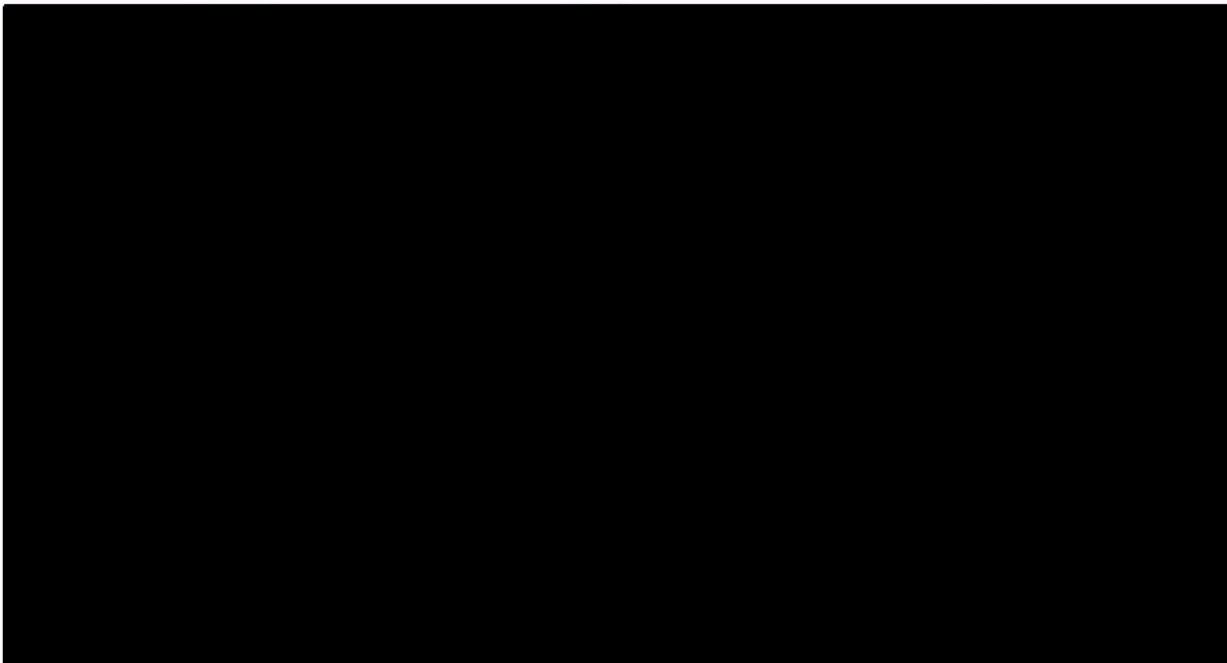
In reaching my decision on the proposed disciplinary declaration I have had regard to the following:

- You have not raised any objection to the proposed disciplinary declaration. You appear to accept that the proposed reduction of your classification level from PO2/2 [REDACTED] to AO3/1 [REDACTED] [REDACTED] (had your employment not ended) was a reasonable and appropriate outcome.
- [REDACTED]

- Further, given your length of service and position as a [REDACTED], I consider you were aware, or ought to have been aware, that information held by QCS about offenders was highly confidential and should only be accessed for work related purposes.
- To your credit, you did not claim that you were not aware of your obligations to report conflicts of interest or to only use IOMS for official purposes.
- I found that you failed to disclose a personal relationship with an offender who was [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- Further, and more significantly, you accessed the offender's IOMS record. On your own evidence you did this "out of curiosity". I am satisfied that you were 'curious' about the offender's IOMS record because of your previous personal relationship with [REDACTED].
- Your conduct in accessing the offender's IOMS record was highly inappropriate. It is exactly the type of misconduct that the obligation to declare all actual, potential or perceived conflicts of interest is intended to prevent.
- I appreciate you did not have any previous discipline history during your employment with QCS. I also appreciate that you have shown appropriate remorse about your conduct and made admissions about your conduct at an early stage in this matter. Had you not made such admissions or expressed such remorse, I may have considered the termination of your employment to be a more appropriate disciplinary action in the circumstances.
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Accordingly I have determined to make the following disciplinary declaration:

[REDACTED]



- The disciplinary action that would have been taken against you, if your employment had not ended, would have been the reduction of your classification level from PO2/2 [REDACTED] to AO3/1 [REDACTED] [REDACTED]

A record of this action will be retained on a separate confidential disciplinary file. Your personnel file will only contain the outcome of the disciplinary declaration and notation that a disciplinary file exists.

You may appeal my decision by lodging an appeal with the Appeals Officer care of the Queensland Industrial Relations Commission within 21 days of your receipt of this letter.

If no appeal is received, the above disciplinary declaration will be implemented after the 21 day period, or, if you advise earlier that you do not intend to appeal, the disciplinary declaration will be implemented at the earlier time.

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