



**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-19-1209**

**OPERATION IMPALA  
HEARING NO: 19/0006**

20 **DAY 7 - TUESDAY 19 NOVEMBER 2019  
(DURATION: 55MINS)**

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

**LEGEND**

30 **PO Presiding Officer – ALAN MACSPORRAN QC  
CA Counsel Assisting – JULIE FOTHERINGHAM  
HRO Hearing Room Orderly – FALLON SMITH  
W Witness – RENEE EAVES  
LR Legal Representative – N/A**

HRO All rise. This hearing has now resumed.

PO Thank you.

CA Chair, I call Ms Renee EAVES.

PO Ms EAVES, you prefer to take an oath or affirmation?

10 W An oath, please, Chair.

PO An oath. Thank you.

HRO Please place the Bible in your right hand and repeat after me, please. The evidence which I shall give.

W The evidence which I shall give.

HRO In these proceedings.

20 W In these proceedings.

HRO Shall be the truth.

W Shall be the truth.

HRO The whole truth.

W The whole truth.

30 HRO And nothing but the truth.

W And nothing but the truth.

HRO So help me God.

W So help me God.

CA Good morning, Ms EAVES.

40 W Good morning.

CA You were provided with an attendance notice for today?

W Yes, I was.

CA Yes. May Ms EAVES be shown a copy of the attendance notice. Is that the notice?

W Yes, it is.

CA I tender that document.

PO Exhibit 130.

ADMITTED AND MARKED EXHIBIT 130.

10 CA Now, Ms EAVES you are a social justice advocate with a focus on aged care, domestic violence, police misconduct, the right to information and privacy?

W That's correct.

CA And you're also a counsellor.

W Yes, that's correct.

20 CA And you were, when the United Nations Special Rapporteur came to Australia, you were a person invited to be a voice for the people?

W Thank you, yes.

CA And you were a nominee for the Human Rights Award in 2017, and the winner of The Best Short Film in the Humanitarian Division in 2015? And lastly, you are a civil liberties spokesperson.

W Thank you, yes.

30 CA You have provided a submission for the purposes of Operation Impala?

W I have.

CA Yes, may Ms EAVES be shown a copy of her submission.

W Thank you.

CA Is that your submission?

40 W Yes, it is.

CA I tender that document.

PO Exhibit 131

ADMITTED AND MARKED EXHIBIT 131.

CA Ms EAVES, would you like to make an opening statement?

## OFFICIAL

Copy 1 of 1

W I would. Thank you for your invitation to attend today and give evidence in relation to data misuse. I have prepared this opening statement. If it would so assist the inquiry, in case of any time concerns, it goes for just a little over 5 minutes, if that is helpful.

CA That is fine, yes.

10 W My name is Renee EAVES. I am an author and an advocate where I have recently penned my experience about a number of legal matters in relation to the Queensland Police Service over the past 10 years or so into a book.

I am here today to answer questions to assist the inquiry and also to serve as a voice for some people. I know many of which are feeling broken, frustrated and who have not been afforded the luxury of a platform to share their own experience. Even though I understand we may not touch on individual cases here today, it is those individuals that are at the heart of everything I say. So I do hope they feel somewhat heard here.

20 Not a popular thing speaking out about police. It goes against what we learn as children, that they're the people we can trust, the ones that we can turn to that have the highest of integrity. And for many this is true, but the issues are arising from the response to the ones that don't do the right thing.

I heard the Police Service strategy yesterday, "Our people matter". And of course they do. But I take the view that all people matter. And I'd invite them to really sit with that.

30 I understand this inquiry has heard from a number of persons in relation to the use or misuse of data by Queensland Police Service. The inquiry has heard from the new Queensland Police Commissioner, Ethical Standards Command, and the Police Union, to name a few on this topic.

40 I have observed a lot of focus on the people who may use or misuse the systems that are currently in place and what might be done to monitor, detect, audit or respond to that use. I know that's a conversation that obviously needed to take place, however, at the heart of that misuse are real people, real people whose lives are affected, and there has been very little focus yet on the ripple effect of that misuse, which includes the complaints process, how the victims of such misuse seek any remedy, what that looks like and how long it takes. Because once that information is known it can't be undone. And there's no way to know just how far it spread.

I know there's been much discussion around the offence of hacking under 408E, and this was something that was raised with the new Police Commissioner when she was giving evidence yesterday. However, to make a complaint about an officer committing that offence, if you wanted to be armed with evidence that is, one has to navigate their way through the right to information unit and obtain

copies of accesses to their QPRIME file, or they have to rely on police to be transparent about their own misconduct.

I personally did obtain a copy of my own file back in 2016, but I understand those applications are now being refused to anyone else making an application for that same information.

10 So, instead of accepting that misuse of this database has been an epidemic for some time, and making changes to it, the response has simply been to stop getting -- giving, rather, the evidence that it is being misused. That's not a solution to data misuse. That is simply covering it up.

The Commissioner herself gave evidence that the misuse has been trending down since down 2016. That's the exact same year they stopped giving people access to their own information. So the real question is: is misuse getting less? Or is misuse continuing, but not being found out?

20 We've heard many times now there is no manual auditing being done, and it's one thing to have an outdated system that's not auditable, but it's a very different story to have a system that you can audit but you deliberately fail to do so.

I know people have been complaining about police investigating police since before since the Fitzgerald Inquiry, but this is more than that. It is the deliberate and calculated mishandling of privacy complaints that have led people around and around in a circle, with nowhere to turn, after the damage has been done. The damage caused by the offensive computer hacking cannot be understated. And I say discipline should not be the remedy.

30 Mr LEAVERS of the Police Union gave evidence yesterday that it's not black and white and that discretion should be used. I was quite surprised. Mr LEAVERS would want to leave the discretion quite frankly in the hands of the QPS. Of all people, Mr LEAVERS would surely know the many pitfalls of doing that. He used the example that people might be curious about where the Chair might live and added that access would definitely be inappropriate. He also gave the example of how a constable might access Mr MACSPORRAN's details while he was, say, driving. That was a great example.

40 And just to expand on that example by Mr LEAVERS, I'm being streamed live right now. If I were to right down the Chairman's address and hold it up, what no doubt would occur next - sorry if that woke you up Mr MACSPORRAN more than a coffee. I wouldn't do it. But if that did happen, if that happened, what would occur next would be that the government would accommodate the Chair in the way that they might send him to The Hilton for a few weeks with adequate security and then they would bear the cost to relocate him for his safety and his well-being.

But, to the rest of the world, not existing within the walls of this tower, put simply, their fate looks somewhat different, particularly victims of DV that are

practically sitting ducks with no protection whatsoever under the current system. When it happened to a victim of DV that has been referred to over and over again at this inquiry, she moved her family, twice in fact, I've been heavily involved in supporting that victim, and might I just say while I expect the new Commissioner has only been on deck for a few months and this didn't happen on her watch, what is stopping her at looking at anyone involved in the handling of that matter? Because I have repeatedly raised concerns from the outset about how it was being handled. Everybody, every single person, has the right to feel safe and secure in their home, no matter who they are.

10

CA Just remember, Ms EAVES, that the open bit, the public hearing, is for any case studies that are de-identified and so we need to be careful not to provide any references that could possibly lead to there being identification. So there are options for closed hearings if you wanted to pursue an avenue where you wanted to discuss a case study in a more open forum. But it's certainly not here for us to put any threads together to try to understand who you're talking about. So I think where you're going now is going a little bit too near to de-identifying and we need to keep that – to identify and we need to keep it de-identified-

20 W -And I hear what you say.

CA Yes.

W And the reason that I raised that particular case is that I was aware you used that as an example and put to a number of witnesses. So I was just responding to evidence that was previously given throughout this inquiry with regard to that matter.

30 PO Yes, I think Ms EAVES there's no harm in what you're saying. I think Counsel Assisting is just being a bit cautious to make sure you don't go any further to identify the complainant in that matter.

W I understand, Chair, and I'll be very mindful of that. Thank you.

PO Thank you.

CA Thank you.

40 W To this day there has been more money spent on fighting a victim that had her details disclosed. They simply could have reimbursed her for the cost of relocating accompanied by apology. Even after police themselves have admitted to bungling that matter, and the multiple investigations of that matter, they are still fighting her. How is that expenditure in the public interest? I have no idea how anyone who would think opposing a victim for years in QCAT, or the courts for that matter, is in the public interest. And it's happening right now as we speak. And, quite frankly, it's a disgrace.

There must be strong guidelines when the database is misused it has to be a criminal investigation. Because if it leaves room for the discretion of officers to be investigated or not, it's going to be misused due to police officers making decisions about their own colleagues. When officers fail to adequately respond to these serious offences, by failing to investigate them properly, they themselves should be subject to a criminal investigation for obstruction of justice.

10 I would urge the Commission, and everybody for that matter, not to assume that this is some sort of rookie cop problem that needs senior guidance. The cream does not always float to the top. So let's take a cloth to the smokescreen if we could please. I'm aware of a case, obviously not mentioning any names, where a case was featured in the media and, following that story in the media, five or more commissioned officers made access to that person's file. So let's not be so quick to use lower ranking police who were at the frontline, doing a very difficult job, as scapegoats. It happens at every level. It would appear to me it's just the lower hanging fruit that is being picked off right now.

20 So the question is: do you need new policies or legislation to fix all of this? You've got the Information Privacy Act; the Privacy Principles; you have 408E for hacking the PPRA to talk about the obligation of officers to report; the CCC to oversight the ESC to investigate the QPS; but in truth in reality what you actually have is an Ikea bookshelf in a box. All the pieces are there. They're already there, but if you can't put them together, it is not a bookshelf. Happy to answer any questions.

CA Thank you, Ms EAVES, for that opening statement. Now, just turning to your submission.

30 W Yes.

CA Would you like to explain, in summary, the effects of your personal experiences in relation to misuse of your personal information by the police?

W Absolutely. When you say "the effects" do you mean financial, emotional, physical.

CA Everything that you have experienced, yes.

40 W Okay, just to take you briefly through that story. So I had suspicions that after appearing in the media on a number of occasions on behalf of victims, various victims, that raised issues with the way Queensland Police do business, including police that I was supporting, I believed that there were a number of persons that I was highlighting that I were – I was concerned they knew where I lived. And there had been people in my garage on a number of occasions. So a friend of mine, a police officer at the time, suggested that I make a Right to Information application to get access to see just how many people had been accessing my details so that we could narrow down who might be making a

guest appearance in my garage. And it was my intention to put up videos and catch these persons out.

10 So I applied for a copy of my file and I was quite surprised to receive that file to know that there had been some 1,400 entries into my name. So, upon receiving that information, the first – my kneejerk reaction was that I'm going to put cameras up and I'm going to catch these persons. And my friend that was an officer at the time said to me, "So you put a video up and you catch these people. What are you going to do with the video?" I said, "That's a good question." And he said to me, "Because I had a video too" of police engaging in criminal behaviour and it didn't help him any.

So I made the decision after that conversation that I would need to relocate immediately. It was an extremely stressful time. As you can see from my original submission, you will note the background where I say that I was stalked by an officer for a number of years.

CA Yes.

20 W I took civil action against that officer. I was successful in that action. From that incident alone, I was hypervigilant. But to then learn that there were some hundreds of officers that perhaps may be, I don't know, may be adverse to things that I was saying in the media at the time, left me feeling open for attack. And there was nowhere to turn to. I went to the – all the traditional, down the traditional avenues that one does. I went to the Attorney-General, the CCC, I got bounced between the Minister for Women, the Police Minister, I went around what we know to be the magical roundabout where it ends up nowhere. I felt extremely helpless-

30 CA Yes.

W -stressed, frustrated, triggered. And, as a result, the only option I had at that time was to pack my things and move and move cities. So the impact on my privacy being breached simply cannot be understated.

CA And you assist other victims of misuse of information. And what sort of impacts have they experienced by way of any financial or emotional impacts and anything else?

40 W Yes, for sure. I've supported a number of victims in regard to this issue particularly. One that comes to mind was an officer who's – he was a serving officer. His QPRIME file had been accessed. They detected more than 47, I think, to be exact. 47 – it's more than 40 in any case. In that scenario only three were interviewed. And one of those persons that were being interviewed over the potential unlawful access had the audacity to drive to this person's house, to his home address, and suggest that he might go along with the story that he was just accessing this person's details to do a welfare check. Another story that comes to mind, without identifying, of course-



CA Yes.

W -the particulars, was a victim that came to me after a police officer had accessed and disclosed her private details being where she was staying to her former partner. In the initial stages it was not our intention to go to the media. We went to the CCC who referred us to the ESC. I sat in on – and I'm trying to go into detail without-

10 CA Yes.

W -overstepping the mark here. When the ESC interviewed this victim, I raised concerns with the officers that were interviewing her, "Are you investigating this officer for a criminal offence or to charge him in the discipline arena?" And they said, "Perhaps both." There is evidence of this. This meeting was recorded. And I said, "My concerns are that you might interview this officer and he may spill everything in the discipline interview and you can't go and take that information and use it in the criminal arena. And I'm concerned if there is – if – if – essentially what I'm saying is that I'm concerned if – that this is deliberately being botched.

CA Well the evidence in these proceedings has been that – well, it's known that the Commission prefer the criminal aspect to be first investigated.

W Yes.

CA And then disciplinary. And when the police, several members of the police service have given evidence that also has come across that they're following that avenue currently.

30

W Yes, currently. But in the case that we're referring to, I did not understand why these same two officers would be investigating the same officer for both disciplinary and criminal, knowing full well that it would become infected and the criminal charges may then fall over as a result of the way that was handled.

My point is that I raised this at the outset and it was ignored. And then at a later date that was the very argument, I believe, that officer's lawyer raised essentially was that the matter had been infected from the beginning.

40

The roundabout that this victim has been on just beggar's belief because once she began to make complaints, she was aware that there were certain notes and information being placed on her file. And what concerns me is when there are – there is information on somebody's file, it's not necessarily true, it is untested. So not only do we have the issue of information being accessed that should not be, but there is every chance that information may not even be accurate. So the information being passed on could very well be incorrect.

So when she was trying to get assistance with other members in the police service with regard to her issue, she believed there were certain things written on her file that were making it increasingly hard to get support from other officers. I know this victim relocated two times to keep her family safe. She has to look over her shoulder every single day. There is not a day that goes by where she does not feel completely exposed and vulnerable. And like I said earlier, still to this day, to this day, the Government are fighting her over her trying to be reimbursed for moving.

10 CA Okay.

W So that is the response.

CA So just going back to impacts. So there's the emotional psychological.

W Yes.

CA And then the financial when there's a need to relocate.

20 W That's correct.

CA And running – flowing on from the emotional psychological; if there's any children to be looked after that would be harder to do.

W It's much harder because in many cases often the persons have to relocate cities, which means relocating schools. The cost to your mental, financial, physical, spiritual, your social support, it's enormous. It is wide-reaching. And like I say it can't be understated.

30 CA And just sort of summarising what you were saying about notes on files and the like, there's also the aspect that the victim is less likely to seek assistance from that agency – well, the one you're talking about is Queensland Police Service, but we've got seven agencies here – in the future if they need assistance?

W Absolutely. And I know in one of the cases the victim has been led astray and on a number of occasions – I'm just going to use the word, there's no other way to say it – but lied to by some police. And she feels the need to record all of her interactions with police just to prove what is occurring. And that in itself raises problems. Because you can understand if you had a note on your file that says,  
40 “This person records police”, for example, the next time you're pulled over maybe just for something innocent, a roadside breath testing, and there's a note on your file that says, "This person records police", straight away it makes that exchange uncomfortable. It sends a message that that person may not be of trusting of police, or has had prior issues, and things can snowball very easily from that point.

CA And just going back to the Right to Information and you said the – I can't remember the exact words you said – but that there is no longer – public aren't

any longer able to access their QPRIME records under the Right to Information Act.

W That's correct.

CA So I'll just show you section 803 of the Police Powers and Responsibilities Act 2000 Queensland.

W Yes.

10

CA We'll have a little look at that. I tender that document.

PO Exhibit 132.

ADMITTED AND MARKED EXHIBIT 132

20

CA So in here it's talking about protection of methodologies for the police. So there's protection unless disclosure is necessary and there's three things there: the fair trial; to find out the scope of law enforcement investigation; and the public interest. The public interest is the factor there. And then also another factor there under (2)(a) is the need not to prejudice an investigation or contravention of the law. So there's some protections put in there for the police so that basically they can do their job, protect the community. It is a balancing act.

W Of course.

30

CA And the public interest involves a balancing act. So there's a decision that sort of explains that a little bit better, and also sort of succinctly summarises the – you said I believe 1,400 accesses to your file?

W That's correct.

CA Yes. So I'll just show-

PO I think Ms EAVES said – used the word “entries” not access.

40

CA Entries. Entries. I'll just show you, and no doubt you're familiar with it, a copy of the Queensland Civil and Administrative Tribunal decision where you are the applicant and the Queensland Police Service are the respondent. And it was a decision delivered on 19 June 2018 in Brisbane. We'll walk through that document, so just an easy explanation. I tender that document.

PO Exhibit 133.

ADMITTED AND MARKED EXHIBIT 133

CA So you weren't represented there.

- W Was this in relation to disclosure or is this the original application for the breach of privacy matter?
- CA This is in relation to disclosure, the right to information in response to you wanting unredacted copies of the-
- W Okay, so I did have a copy originally, but we wanted to apply for some further information into that.
- 10 CA Yes. It was redacted and you wanted the-
- W Partly. Part redacted it was.
- CA Yes. So just going through here on page 5, it mentions section 803 of the PPRA, Police Powers and Responsibilities Act, and there-
- W In section 22?
- 20 CA Yes, paragraph 22, that's where the section 803 comes in. And then if we just go to the page 8, at paragraph 34, where it's discussed that the activity report, they call it-
- W Yes.
- CA -that you were provided for the QPRIME entries was extensively redacted.
- W Correct.
- 30 CA Yes. And at paragraph 35, just under there, there was an affidavit provided, it's mentioned, for these proceedings.
- W Oh yes.
- CA That deposes to the activity report, including incorrect information relating to, for example, data relating to your entire unit complex.
- W Yes.
- 40 CA And motor vehicle registration details at the time when you were not the owner.
- W Yes.
- CA And other, it says false positive information.
- W Yes, I see that and that's very interesting. Yes.
- CA And it just then goes to you said hundreds of officers' access.

W That's correct.

CA And at paragraph 40, the SCHMIDT affidavit deposes to the fact that there were 215 officers and there was an investigation which led to there being two officers who were found to have not been authorised.

10 W Yes, it was a very interesting outcome, given that I was not as the complainant or the victim of this misuse. I was not even interviewed by Ms SCHMIDT. And I do not agree with the figures that are part of this statement.

CA The SCHMIDT affidavit reduced that 1,400, you say, figure down to about 500; is that correct?

W It wasn't 500, it – officers are you talking or accesses?

CA Well, entries. Yes, accesses.

20 W You're referring to the 1400 entries?

CA Yes.

W And you say they've been reduced to 500?

CA By SCHMIDT.

W By SCHMIDT.

30 CA Yes.

W So we really should be looking into SCHMIDT, shouldn't we.

CA Well you saw SCHMIDT's affidavit, didn't you, for these proceedings?

W For these proceedings?

CA Yes.

40 W Absolutely.

CA Yes. And that's what SCHMIDT was saying, 500.

W She did say that. She said a lot of things that I don't agree with.

CA Okay. So just moving on.

W Sorry, could I just expand on that?

CA Yes.

W That investigation that was done, and this goes to the heart of why we may not be getting to the bottom of who is misusing, who, when, where, why, what. I became aware, it's in my submission to this inquiry.

CA Yes.

10 W An officer made contact with me who was concerned with the way that investigation was carried out. I understand that persons of interest were emailed questions and they sought advice from their superiors on how to answer. Now, my question is, if this QPRIME system works the way it should and you enter a reason as to why you're searching a person, if that investigator, Ms SCHMIDT, went back to officer such-and-such and said why did you access Ms EAVES on date blah blah blah. He would say, let me go into my records. She reported her wallet stolen, so I searched on the file and that is why I made an entry. The reasons that came back to me for this, what I call gross misuse, were that the persons interviewed, if you could call it interviewed, sent an email, were either  
20 deceased, they forgot or they retired. So I don't know if one could reasonably call that an investigation.

CA The period of access was rather dated, wasn't it.

W It was.

CA At the time of the investigation, it had gone over 10 years, was it?

30 W Yes, correct. Correct, but there were not any reasons given. So if this QPRIME system has the ability and there is the ability, and I believe there is, to be able to enter a reason for access, each individual access, why is it the case that all these officers that were interviewed could not go back and look at the reasons that were given for that access? Because – and you've referred to-

CA Well, we're going to hear from some IT, information technology, soon from the police, but there's an entry to QPRIME, the reason is given is one, and then it's access at large, and several searches on different records can be given in summary.

40 W Yes, but you've referred throughout this inquiry to section 408E computer hacking, offences for computer hacking. There's no reason that, for example, if an officer is retired why they would not be pursued for that offence.

CA We can't go into the intricacies of the investigation. I was just summarising it so we can have a bit of clarity.

W I understand.

CA And just sort of moving onto the public interest side of things.

W I do understand that, but the public interest side of things-

CA For the request for access do the QPRIME material you said that basically there had been, ever since a prohibition, but the public still have the same avenues you had under the Right to Information Act, it's just every time there is a public interest with a view to having regard to section 803 of the Police Powers and Responsibilities Act is weighed up each time a request is made. There hasn't been a change in the procedure.

10

W I would respectfully disagree to that. Well, yes, there hasn't been a change in the procedure, but the change has been that they are no longer releasing people's own information to them. Once I made the issue of data misuse public through the media in 2016, from that moment on, that's when they stopped giving people access to their own information. And you talked a moment ago about the concern - did you mention around the methodologies?

CA Yes.

20

W I know of a case at the moment where an officer was training people on QPRIME and on various police methodologies and they are probably more across these methodologies and the ins and out of QPRIME than anyone, and their application for their file has also been denied. So they could not refer to section 803 where it talks about protection of methodologies and yet that person's right to information application has been declined on that basis. So if they don't use 803 they'll use something else. The fact of the matter is they don't want people to have their own information because we know why.

30

PO Ms EAVES I suppose also just to complete that scenario, whenever you make an RTI application and you are denied you have a right to appeal or take that further to seek redress through the courts, don't you?

W That's a very good point, Chair, and I'm glad you raised that. Because in the case it's de-identified of *SJN v QPS*, she applied for her QPRIME file some 38 months ago. It's been through the QCAT process. It's been to appeal. There are a number of things that occurred through that process that have been commented, mentioned in the media with regard to the meetings, if you would, between the QPS and the OIC that did not include the applicant in the case. She has now taken that matter to the Court of Appeal.

40

So now we have a scenario where it's not in the spirit of the right to information legislation. We're supposed to get this information, it's our own information, in a timely manner. And I respect that there are certain people that will need parts to their file redacted, particularly if they were under surveillance or, you know, participating in criminal activity. I understand that. However, it is very unlikely, given this person works for government, that that is the case. And yet the appeals process has been going on. It is actually, pardon me, 39 months now, and she still does not have access to that information.

So when you talk about the appeals process, and just to give one more example, I lodged my privacy case in QCAT in 2016. I have six lawyers on my behalf. Very competent lawyers, Senior Counsel, and it's 2019 and we are still arguing over disclosure. So I relocated some four years ago and I am no closer to finalising my matter than I was back in 2016 when I bought the action forward.

10 PO So this case that we're now talking about was handed down, this decision was handed down on 19<sup>th</sup> of June last year. The decision itself indicates that the result was that your counsel and counsel for the QPS were to confer to see whether they could narrow the issues in dispute. And I don't know, has anything happened since then? Has that gone on appeal or in abeyance?

W Is this in relation to the appeal over the refusal to give further information?

PO Mmm.

W So that's now going to be heard in 2020.

20 PO Right. Okay.

W So from where I sit the only way that a person can bring action is under the Information Privacy Act. From memory, I refer in my matter Information Privacy Principle 4, 9, 10 and 11. The only place you can bring that action is through QCAT. It is the so-called people's court where it's supposed to be a timely way to resolve disputes in a way that's effective and user-friendly, low cost. And you know, for the everyday person to go in there and be heard. Now, I'm in there with six or seven lawyers on my team four years later. So it just doesn't appear very user friendly to me. What hope does anybody else have.  
30 And I know the victim that we have just spoken about that had her private details released by a police officer, is in the exact same position.

CA And do you think the remedies currently available to people affected by the misuse of their private and confidential information that they're sufficient?

W The remedies are absolutely not sufficient because, in QCAT for start, it's capped at \$100,000. As I just mentioned, the process is timely, it's complicated. I've had a very big legal team assisting me on my matter, and quite frankly I've still found the process completely overwhelming. In the case of the victim of  
40 DV, she chose to represent herself throughout the matter. It's been gruelling. It's been absolutely gruelling. And as I said earlier, instead of an apology and instead of simply reimbursing this victim for what it cost her to relocate her family on two occasions, for some reason unbeknownst to me or somebody else, the government are choosing now to continue to fight her. And I understand the new police Commissioner has only been here for three or four months, I respect that, and this issue did not happen on her watch. I accept that. However, I'd like to see what the new Police Commissioner is doing about what previously occurred with this matter so that we can put an end to it.



CA Any other comments about possible remedies that you would like to see for victims of misuse of information?

10 W Absolutely. Well, because there's been - some people have been disciplined through the, you know, administratively. Other people have been charged with the offence of computer hacking. So I know for that victim that we speak of earlier on when this occurred, I spoke to Victims of Crime and their view was that there hadn't been a crime, no-one had been charged. So it's very difficult to seek compensation, even a small amount from Victims of Crime. It's a very long delay and a long application process. Somebody that feels as if their immediate security is going to be compromised, to be putting in applications and waiting for approvals and getting relocated three, six or a year later is not sufficient. And once a woman or a victim is perhaps even killed as a result of those details being accessed and released it's too late.

CA And could you just expand on the Victims of Crime and the Victim Assist Queensland aspect that you just talked about as a remedy?

20 W Yes. I understood we phoned up at the beginning of when this occurred and we were told different things by different people. But no matter who we spoke to, they were of the view that it was going to be very difficult to receive any compensation until the matter had gone through the court process. Now, as we know, the officer in that case is appealing the sentence that was handed down.

CA Well, we might not just get into the details there.

W Okay, no problem.

30 CA So any other information about the definition of victims of crime.

W Pardon me, the reason I was raising that just that it was going to extend now her ability to-

CA Well that - yes. So nothing else about Victims Assist in Queensland?

W Well, if there was something definite put in place-

40 CA What's your suggestion?

W Yes, an oversight committee where you could go to and you could lodge, "I'm concerned for my safety. This is my situation. I believe my privacy's been breached." And there was a knee-jerk reaction to that in the way of relocating that person immediately, or assisting them with security, or compensating them so that they had the means to be able to move to a safe place. It's the delays in that assistance that leaves, particularly in my view, women in a very vulnerable position, and it's that window where nothing is getting done and everybody's caught up in the red tape that the worst occurs.

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Copy 1 of 1

CA Okay, that's a very helpful suggestion for the future. I haven't got any further questions for Ms EAVES. Thank you very much for your time.

PO Thank you. Mr SCHMIDT.

10 LR I don't have any questions, Chair. But just for the sake of the record and at the risk of giving evidence from the bar table, could we just have the SCHMIDT that's been referred in the evidence is no relation of mine and nothing to do with me. I only raise that because obviously it's an uncommon name.

PO I understand. Thank you.

LR Yes, thank you.

PO I think, Ms EAVES, you referred to Ms SCHMIDT didn't you?

W I did, yes.

20 PO And no relation to Mr SCHMIDT.

LR I know the detective in question. I can assure the Chair that it's not the case.

W Not that I'm aware of.

LR No, not at all.

W I mean they do say in the QPS everyone is a cousin, but maybe you're not.

30 LR And that is the case, I do have relatives in the QPS, but not this detective.

PO Thank you. Okay. Ms EAVES thank you very much for coming. You've been very helpful. You're now excused.

W Thank you so much.

PO You can stay if you wish, but you're excused.

40 END OF SESSION