



**Crime and Corruption
Commission**

QUEENSLAND

CRIME AND CORRUPTION COMMISSION

MAKING ALLEGATIONS OF CORRUPT CONDUCT PUBLIC: IS IT IN THE PUBLIC INTEREST?

TRANSCRIPT OF PUBLIC FORUM

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Panel members:

Mr Alan MacSporran QC
Mr Marshall Irwin
Mr Richard Bingham
Dr Rebecca Denning

CCC Chairperson and Panel Chair
CCC Ordinary Commissioner
Queensland Integrity Commissioner
CCC Director, Policy and Research

Speakers:

Mr Lex Wotton
Mr Sam Watson

Mr MacSporran QC Okay, we're ready to go. I think Mr WOTTON, you're next. Do you want to come up on to the table? Would you like your support person to come with you? Thank you. Can I ask you to just give your full name for the record?

Mr Wotton Lex Patrick WOTTON.

Mr MacSporran QC Thank you, and your support person?

Mr Watson Samuel William WATSON.

Mr MacSporran QC Thank you, thank you for coming. Now, Mr WOTTON, we have seen your submission and read your submission. Would you like to make an opening statement to summarise any issues you want to raise?

Mr Wotton Well, more or less it's not that I really want to talk on this actual particular submission, but I want to talk about my own personal experience, I suppose. Since I've understood that this Commission, since it was set up I think my understanding it was set up through the Fitzgerald Inquiry at the time. Yeah. Oh, look, I'm sorry about that, but that's – and I thought at that time that this Commission would be a good thing and would be open and transparent things when it comes to accountability towards the wider public and since then I've never actually seen any good come out of it. I don't know, that's my own personal experience and from what I've witnessed over the years.

And so on a personal note, as you probably are aware or the people here today, that back in 2004 there was a death in custody on Palm Island and at that time I think days leading up to – there was a riot then within a week of leading up to what happened there with the riots and stuff. I actually called on the Crime and Corruption Commission then, I think it was the CJC – not CJC, CMC, it was particularly named then. And I asked when would they be involved in what's happening surrounding that particular death. And because I understood it was the, what is it, the Royal Commission into Aboriginal Deaths in Custody and I thought that this body was the body that would investigate because I knew they would investigate some of the stuff when it comes to the political stuff that was happening within this particular State.

So I raised the issues at the time with the police there and then and they told us that the police were involved and things would be fully investigated. And not knowing that they got involved from day one and there was some re-enactments done and the CMC was involved at that time with some re-enactments with one of the witnesses to the particular death itself. And the funny thing is this officer was involved in the re-enactment and he watched senior police officers on the ground talking to this particular witness and talking about what happened. But also the person at the centre of the investigation, the officer involved in the so-called death was also present.

And then you probably are aware that it ended up this officer in the end was deemed to be not guilty of any offence with this particular death. And then it rolled on and on and there's a lot of police involvement in the State. They stood over the State. They held a gun to this State's head and said, you know, we're not going to perform any duties, you know, within this State because of how this particular officer – and actually he was in court yesterday for some incidents that happened in the Gold Coast. And I actually went down there yesterday to just show him my presence at the Court.

But anyway, yeah, the ineffectiveness I see of this particular body is not – it isn't helpful. I actually brought a case sometime earlier this year about what happened at home where I was – by the local council at the time last year, before the State election – council election, local elections, raised an issue about, you know, council members asking me to take on a position, a highly paid position and not run for council and stuff. And then I brought this thing and there wasn't too much evidence that I could produce. And then I was told we'll investigate it. And sometime later they got back to me and said, you know, first of all they questioned the people who were supposed to be at the centre of this so-called bribe or whatever you want to call it. And then it was left at that. So I haven't still been notified to what extent have they investigated, you know, other than just a few phone calls.

And I believe recently they've been – the Crime and Corruption were on the Island some months ago and, you know, you don't notify community that you're in their community. You go through the leaders. The leaders, but they don't notify the community that there is a particular body in the community and why they're there, you know

what I mean, to look at a few things I suppose. But it'd be good because Palm Island is pretty political in its own sense, when you go back to – yeah, Palm has history of standing up for itself. And what happened with myself and I actually was jailed for so-called riot on the Island. I did some time in prison for that. But that's all past me now. But the level of corruption around from – well I call it corruption because that's what it was. A lot of political interference with what happened at Palm and I think at that particular time I was even classed as a political prisoner but the mainstream media don't want to hear that stuff.

Look, if you don't mind, Sam can elaborate on a bit more as a support person because he was on the ground here when a lot of things were happening at the time. Going back to this particular issue with myself and then his involvement and how – I think it went to the Crime and Corruption – it dragged on for some years with the Queensland Police and stuff, where I ended up taking a law suit against the State and that. But with the Police Officers and I think they were given administrative duties and stuff like that. And in the end they just got a rap over the knuckle and at one stage, even pretty early in the stage, they were all given bravery awards, for what I don't know. But, yeah, you know, managerial guidance. But just as the bloke in the lawful trial, a lot of that stuff was raised and officers were asked what sort of guidance you were given and they couldn't even explain it because really there was nothing, as far as I'm concerned. So, yeah, see if Sam want's to elaborate, I suppose.

Mr Watson

Thanks very much, Lex. And thanks to the Panel for receiving our submission this morning. Firstly, I'd acknowledge the fact that we're gathered on sacred lands of Aboriginal people and we pay our respect to the owners, custodians of the country on which we're gathered, also pay our respects to those people who have lost loved ones in recent years through interaction with the so-called law and justice agencies of the State.

What Lex says is correct. There are a large range of issues that are still alive from the death in custody of our brother, Mulrunji DOOMADGEE on November 19th 2004. There were three separate inquests and then there was a criminal trial, featuring criminal charges against Senior Sergeant Chris HURLEY in 2007. There are other legal matters as well. But at the heart of all this there's a range of issues where the legal system failed the

deceased person, Mulrunji, his family, the community of Palm Island. And we look back on the fact that this is now the 25th anniversary of the handing down of the recommendations and reports of the Aboriginal Deaths in Custody back in 1991. So it's twenty-five years. We look at the events of November 19th 2004 through the prism of those 339 recommendations and we know that there were a series of actions put into place taken by police persons on that day that were completely breached the letter and the intent of those recommendations. And yet this is at a time when the Queensland State Government had signed up fully to implement those recommendations. So we have grave concerns there.

I know that your current inquiry is dealing with the processes of receiving information and the way in which this information is acted upon and whether or not the complainants of [unintelligible] was going to be revealed. But we as Aboriginal and Torres Strait Islander people across the State of Queensland we have concerns that there are a range of matters that are still alive from 2004 that should be the subject of a broad commission of inquiry to look at exactly what happened on that day and what happened from that point. Particularly look at the three separate inquests, the criminal charges in which Senior Sergeant Chris HURLEY was charged, the debate about where the trial should take place, whether it be Townsville or Brisbane, etcetera, a range of issues. And there are matters before the courts that have been instigated by certain persons on Palm Island.

So within the wording of your charter of inquiry at the moment we believe that that should be broadened. It should be a broad inquiry conducted by the Commission into those issues that impacted on our families on Palm Island in 2004 and are still alive today. So up to what point will you be receiving written submissions on this current issue?

Mr MacSporran QC

Mr WATSON, we think that it's fair to allow everyone who wants to make a further submission to do so, but we'd like to have that done reasonably quickly because we'd like to get onto processing it all and ultimately producing a report which we can give to Government. So what we were thinking of is having all further submissions that might be made out received in about the next fourteen days. And bearing in mind our discussion paper started back in June, we're having this now and these two days and then another fourteen days, will give

us time to try and get out our report as soon as we can. So probably fourteen days from today.

Mr Watson

Okay, we can meet that deadline.

Mr MacSporran QC

You can meet that. That would be good.

Mr Watson

Because we would like the inquiry to hear from our mob and see that these issues, even though it's now, you know, what, twelve years, that these issues are still very important to us.

Mr MacSporran QC

Yes, we understand. We're more than happy to, as I say, receive those submissions. So feel free to give those to us, as long as you can do it, if you could, please, within the next 14 days.

Mr Watson

And that information will be on the Commission's website?

Mr MacSporran QC

Yes. We will look at it and providing it's appropriate we'll publish it as we've done Mr WOTTON's submission earlier. Yes.

Mr Watson

Yes. Thank you.

Mr MacSporran QC

Okay. Well thanks very much for coming. And you've come from Townsville, have you, Mr WOTTON?

Mr Wotton

Palm Island.

Mr MacSporran QC

Palm Island. Yes, okay, so safe trip back and thanks for coming. Thank you, Mr WATSON.

Mr Watson

Thanks very much.

Mr Wotton

Thank you very much. Thank you.

END OF SPEAKER