

**CRIME AND
MISCONDUCT
COMMISSION**



QUEENSLAND

CRIME AND MISCONDUCT COMMISSION

TRANSCRIPT OF PUBLIC INVESTIGATIVE HEARING

CONDUCTED AT THE CMC, LEVEL 2, NORTH TOWER, 515 ST PAUL'S

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TERRACE, FORTITUDE VALLEY, WITH RESPECT TO

FILE: OPERATION TESCO

HEARING NO: 06/2009

**DAY 44 – MONDAY, 20 SEPTEMBER 2010
(DURATION: 201 MINUTES)**

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LEGEND

PO Presiding Officer – MARTIN MOYNIHAN, CHAIRPERSON

CA Counsel Assisting – JOHN ALLEN

30 **INST Instructing – SUZANNE HARBIDGE and KATE McKENNARIERY**

HRO Hearing Room Orderly – MEL LETONDEUR

W Witness – MARTIN BRUCE DIMOND

LR Legal Representatives - ALAN MacSPORRAN SC, with him MICHAEL NICHOLSON, instructed by KATE BRADLEY; MARTIN BURNS SC, with him CHRIS WATTERS, instructed by DANIEL CREEVY; TIM CARMODY SC, with him TROY SCHMIDT, instructed by CALVIN GNECH

THE HEARING RESUMED AT 1.05 PM

PRESIDING OFFICER: Yes, Mr Allen?

MR ALLEN: Chairman, I call Martin Bruce Dimond and ask that he be sworn. I can indicate that Senior Sergeant Dimond would prefer not to be filmed and that wish is being respected.

10 PRESIDING OFFICER: Thank you.

MARTIN BRUCE DIMOND, SWORN

MR ALLEN: Is your full name Martin Bruce Dimond?

THE WITNESS: Yes.

MR ALLEN: You have received an attendance notice to give evidence in this public hearing.

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THE WITNESS: Yes, I did.

MR ALLEN: Do you recognise this as being a copy of the attendance notice that you have received?

THE WITNESS: Yes, it is.

MR ALLEN: Chairman, I tender that copy of the attendance notice along with the oath of service.

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PRESIDING OFFICER: It is Exhibit 115.

ADMITTED AND MARKED "EXHIBIT 115"

MR ALLEN: You are a senior sergeant of police in the Queensland Police Service?

THE WITNESS: Yes, I am.

40 MR ALLEN: And you hold the position currently of officer-in-charge of the Surfers Paradise Police Station?

THE WITNESS: Yes, I do.

MR ALLEN: You have signed a statement today for the purpose of assisting the CMC with respect to any information you can give to further its inquiries.

THE WITNESS: Yes, I have.

MR ALLEN: Do you recognise this as being the original of that statement?

THE WITNESS: Yes, I do.

MR ALLEN: And are the contents of that statement true and correct to the best of your knowledge and belief?

THE WITNESS: Yes.

10 MR ALLEN: Could I tender that statement and annexures, Mr Chairman.

PRESIDING OFFICER: 116.

ADMITTED AND MARKED "EXHIBIT 116"

PRESIDING OFFICER: Both the statement and the annexures.

MR ALLEN: Thank you. You have a copy of that statement in front of you?

20 THE WITNESS: Yes, I do.

MR ALLEN: For your own reference.

THE WITNESS: Yes.

MR ALLEN: And in paragraph 2 do you set out a summary of your service history in the Queensland Police Service?

30 THE WITNESS: Yes, that's right.

MR ALLEN: Having commenced as a constable in 1980 and having served as senior sergeant since 2008.

THE WITNESS: Senior sergeant since 2004. I was operations coordinator at Surfers Paradise from 2004 until 2008 and I was senior sergeant officer-in-charge from 2008 until now.

40 MR ALLEN: Thank you. Now, could I take you to page 2? In paragraph 7 of your statement you set out the principal responsibilities of the officer-in-charge of the Surfers Paradise Police Station as set out in a position description.

THE WITNESS: Yes.

MR ALLEN: You go on in paragraph 9 to talk about what your position involves.

THE WITNESS: Yes, I do, very briefly.

MR ALLEN: And in paragraph 10, to set out the allocated strength and actual strength for deployment of officers in Surfers Paradise.

THE WITNESS: Yes. And those figures are constantly changing in their actual strength.

MR ALLEN: All right. So in paragraph 11 you say that the actual current operation strength at Surfers Paradise is 98 sworn officers, four station client service officers and six civilian staff.

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THE WITNESS: Well, the allocated strength is 126 officers but there are currently actually only 98 sworn officers -- operational officers available for deployment due to 33 other officers who are stationed there but they are either on long-term sick leave, maternity leave, secondment to other areas or rehabilitation plans and they are not operationally deployable.

MR ALLEN: Okay, so the total allocated strength of 126 sworn officers decreases to 98 sworn officers because of those reasons.

20 THE WITNESS: That's correct, yes.

MR ALLEN: And then at any given time there is a further 12 to 14 per cent of all staff on recreation leave.

THE WITNESS: Yes, that's including embargo periods. There are periods throughout the year including schoolies, the racing carnival and New Years Eve where we have all police available. There are no police on leave.

30 MR ALLEN: Outside those periods you are left with a number of officers actually available for operational deployment down to 85 officers.

THE WITNESS: That's correct, on average.

MR ALLEN: All right. Now, the station's organisational structure is something you touch upon in paragraph 12 of the statement.

THE WITNESS: Yes.

40 MR ALLEN: You, obviously, are the senior sergeant officer-in-charge.

THE WITNESS: Yes.

MR ALLEN: Do I understand that you answer to an inspector?

THE WITNESS: I do. There is one inspector responsible almost solely for Surfers Paradise station and Surfers Paradise division, who also has responsibility for a -- the LEAPS unit which consists of two officers.

MR ALLEN: Is that a licencing unit?

THE WITNESS: Yeah, that's a liquor enforcement unit.

MR ALLEN: Is that Inspector Haslam at this point?

THE WITNESS: That's correct.

MR ALLEN: All right. Has there been any recent organisational changes with respect to inspectors?

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THE WITNESS: The Commissioner has announced publicly that he intends upgrading the officer-in-charge position at Surfers Paradise to inspector rank, so my position effectively being upgraded to inspector.

MR ALLEN: I see, all right. So do you understand whether that will involve an additional inspector to Inspector Haslam or merely some type of reallocation of his and your role.

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THE WITNESS: That hasn't been clarified yet. I have sought clarification on that and neither the union nor senior officers in the region are yet able to enlighten me on that.

MR ALLEN: I see, okay. So there haven't actually been any changes to the organisational structure as yet?

THE WITNESS: Not that I am aware of.

MR ALLEN: Okay. Now, you have actually produced -- and you refer to in paragraph 13 -- an organisational structure.

30

THE WITNESS: Yes.

MR ALLEN: And does it indicate that there is a senior sergeant operations coordinator who answers to yourself?

THE WITNESS: That's correct, yes.

MR ALLEN: As well as an administration officer and an officer-in-charge of the property section?

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W: The administration officer -- oh, there is a civilian administration officer, AO3, there is a sergeant in charge of the property section, and subject to availability we do deploy one sergeant to assist in my role, admin sergeant.

MR ALLEN: Oh, I see.

THE WITNESS: That's usually someone on rehab or subject to availability.

MR ALLEN: Okay. So in relation to the structure of operational police, who

answers to yourself as the senior sergeant officer-in-charge of the station?

THE WITNESS: Well, all the staff do indirectly but directly on a daily basis the senior sergeant operations coordinator answers to me, the shift supervisor answers directly to me, and I take a hands on approach to management so I have regular dealings with all staff on the rostered shift. I am involved in shift briefings, operational briefings, and so on.

10 MR ALLEN: If I can trace the structure, though, from the ground up, the uniformed constable on the beat, who is he supervised by?

THE WITNESS: They're -- the structure of the station, they work in teams and their immediate supervisor is their sergeant team leader.

MR ALLEN: Okay. And then that sergeant answers to you?

20 THE WITNESS: Answers to me but also answers to the senior sergeant operations coordinator in relation to operational matters. So if there is, for example, an liquor enforcement operation planned the operations coordinator may brief the team leader who will brief their staff. Then at ground level, there are further levels of supervision. They may be deployed in smaller operational teams of, for example, four officers where a senior constable may be in charge of particular taskings that they are deployed to undertake.

MR ALLEN: Right. If police officers carrying out general duties in Surfers Paradise area, for example, answering to public order matters, dealing with allegations of assault outside nightclubs, will they generally be in a team?

30 THE WITNESS: They will generally be in a beat team, usually four officers.

MR ALLEN: And that will include generally, what, three constables and a sergeant?

40 THE WITNESS: No, sometimes there is a sergeant. There usually is a sergeant, particularly on Friday, Saturday nights, there are sergeants out there in the field on one or two of the teams, but there will be other teams without a sergeant on the team, but for example if there was a major disturbance outside a nightclub, the disturbance would be broadcast over the police radio, if there was a sergeant available, that sergeant would also respond in support of the other team.

MR ALLEN: Okay. Do those sergeants answer to yourself or to the senior sergeant operations coordinator with respect to the operational duties?

THE WITNESS: Well, on the -- for example, on night shifts they are often answerable during periods when either myself or the operations coordinator are not working, then they are answerable to other levels of supervision within the Gold Coast district which would be the district duty officers and the regional duty officers.

MR ALLEN: And which rank are those officers?

THE WITNESS: District duty officers are at the rank of senior sergeant. There is only one of those on duty at any given time on the Gold Coast, and regional duty officers are the rank of an inspector, and there is only one of those on duty in any given time covering the entire south eastern region. So there will be a number of situations on nightshift where the sergeant designated shift supervisor is the person in charge.

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MR ALLEN: All right. Is it the case that, as you have mentioned in paragraph 16 of your statement, that there are six operational teams?

THE WITNESS: Yes.

MR ALLEN: Each having about 17 officers?

THE WITNESS: That's correct.

20 MR ALLEN: And you have set out the ranks of those, the majority of which are constables.

THE WITNESS: That's correct, yes.

MR ALLEN: In relation to the vehicles available to the station, you mention in paragraph 17 that there is a total of nine vehicles.

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THE WITNESS: Yes, if I could correct that, that should be -- that should be eight vehicles. The two marked sedans, one is the general patrol crew, the second marked sedan that's usually deployed for traffic duties. There may be a second patrol crew during major events. There are four drunks vans and a larger brawler van that's -- it is based at Surfers Paradise but it is deployable throughout the district to major events and may be requested for deployment anywhere within the south eastern region.

MR ALLEN: Okay. In relation to the two marked sedans, one of those is generally devoted to traffic duties, is it?

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THE WITNESS: Yes.

MR ALLEN: And the other is available for other operational duties?

THE WITNESS: The primary marked sedan is referred to as 230, the call sign, they are deployed as a patrol crew covering the Surfers Paradise division but they -- they -- they are deployed by the police communications centre at Broadbeach, Gold Coast police communications centre, and they may be deployed -- and they are answerable to the communications coordinator at Broadbeach -- and they may be deployed to -- in response to calls for service from anywhere within the Gold Coast district, although generally they should

be in Surfers Paradise.

MR ALLEN: Okay.

THE WITNESS: There's a priority policing project on the Gold Coast and, for example, even though the Gold Coast vehicle may be effectively deployed in Surfers Paradise, if there is a more urgent job at Broadbeach or further a field, they will respond to that, or they will be deployed to that job.

10 MR ALLEN: We might have to come back to that, but you mention and deal with in paragraph 19 and following of your statement some particular aspects of Surfers Paradise division which influence the nature of policing there, and in particular at paragraph 20 you refer to the large number of licensed premises, including 25 licensed clubs, almost all contained within the small geographical area of Orchid Avenue and Cavill Avenue.

THE WITNESS: Yes, that's correct.

MR ALLEN: Of course, there is a high turnover of visitors.
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THE WITNESS: Yes.

MR ALLEN: Including interstate and overseas visitors.

THE WITNESS: That's correct.

MR ALLEN: And you say that that factor along with high levels of intoxication creates unique policing challenges.

30 THE WITNESS: Yes, it does.

MR ALLEN: And you go on to deal with those in some further detail in paragraph 21.

THE WITNESS: Yes, that's right.

MR ALLEN: Could I ask you to look at a small piece of video footage and I am going to ask you when it finishes if you recognise the area that's being shown and ask you about some of the events we see.
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VIDEO PLAYED

MR ALLEN: Can I suggest that that's some closed circuit TV footage which shows various areas outside the establishment My Bar in Cavill Avenue.

THE WITNESS: Yes. There is my Bar and -- Shooters are upstairs, My Bar is downstairs. It is in The Mark Apartment complex.

MR ALLEN: Okay. So there seems to be quite a crowd of generally young

people in the area shown?

THE WITNESS: Yes.

MR ALLEN: Are they actually on licensed premises?

THE WITNESS: No, that area there on the steps outside the licensed premises is either public property -- private property that's owned by The Mark, it falls within their boundary, and then out on the footpath there is Council land.

MR ALLEN: Okay.

THE WITNESS: It is all a public place.

MR ALLEN: All right. Would one expect that a large proportion of those persons are affected by alcohol?

THE WITNESS: Yes.

MR ALLEN: And some of the events we seem to see was that there was, can I suggest, some type of violence between persons which led to police intervention?

THE WITNESS: Yes, that's what it depicted.

MR ALLEN: At some stage there is a number of police officers who were apprehending and restraining people in the middle of a very large crowd of people?

THE WITNESS: Yes, and that's typical of the environment that the police at Surfers Paradise would work in every Friday and Saturday night, even more so during major events.

MR ALLEN: So that's not unusual?

THE WITNESS: No.

MR ALLEN: Okay. So when we're talking about having to deal with violence associated with nightclubs, for example, in Surfers Paradise, we're not just talking about acts happening on a dance floor --

THE WITNESS: No, we're --

MR ALLEN: -- in licensed premises?

THE WITNESS: No, we're not. Most of the incidents that occur inside the nightclubs are at least initially dealt with by security and either resolved or persons evicted and so on. We have an inter-venue radio project on the Gold

10 Coast and Surfers Paradise police have formed a partnership with the licensed venues and the Gold Coast City Council camera network and the Chill Out Zone which is a drug diversion centre there, so there is communication, for example, if there is an altercation inside a nightclub, the nightclub will generally broadcast a situation and details of the people or offenders who may have been evicted, and then the Gold Coast City Council camera network will then follow those people on the camera and notify police so that we can then intervene if we need to or keep an eye on them, follow them, whether they get into a taxi and go home or if they attempt to gain entry to another licensed premises, police may take action to prevent that and depending on the circumstance, either take enforcement action or give them move on directions.

MR ALLEN: Okay. So you mentioned the Gold Coast City Council camera office.

THE WITNESS: Yes.

20 MR ALLEN: Would that be the source of footage such as the type we've looked at?

THE WITNESS: Yes, in all likelihood. There are other cameras there, all the licensed premises are required -- the licensed premises that trade after 3, 5 am, they have requirements to have cameras outside their entrances as well. The Mark establishment has some CCTV cameras. So there are various places that we can obtain footage from but predominantly it is from the Gold Coast City Council camera network.

MR ALLEN: You mentioned the Chill Out Zone?

30 THE WITNESS: Yes.

MR ALLEN: Towards the end of the footage we looked at, a uniformed police officer approaches some people who are on a small balcony right at the end of the footage after walking down the street. Do you know if that was the Chill Out Zone?

40 THE WITNESS: I would have to have a look again but the Chill Out Zone is situated opposite that location where we saw Mickey's Bar & Grill and directly opposite The Mark is where the chill out -- across the other side of the road is where The Chill Out van -- it's a small caravan type setup with a small step, steps going up to it.

MR ALLEN: I see. Okay. The inter-venue radio project, how does that actually work? Who is on the network?

THE WITNESS: The police don't have the -- we don't monitor the radio channel, it was established by the licensed venues association -- Surfers Paradise licensed venues association in partnership with the police. The police were the driving force behind it, particularly Superintendent Keogh.

And the operator of the Chill Out Zone, Angela Driscoll, she was the driving force behind it as well. And a number of the licensed clubs who are involved in -- or a member of the licensed venues association have become involved and to date I believe almost all the venues are involved and they all have a radio that's on a common channel so they can communicate with each other and that's monitored by the camera room. So there is one step of removal away from the police. We don't monitor the channel but the camera office will ring our duty sergeant and advise us if there is an incident and relay the information. And that's -- and then we have monitors inside our station, so if there is an incident that's come to our attention through the radio network, we can then monitor it. The duty sergeant can monitor it or the shift supervisor, and then from there, from the station they can develop an appropriate response and deploy a beat crew to that incident.

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MR ALLEN: Sorry, what type of monitoring can be done by the duty sergeant in the station?

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THE WITNESS: We have a television monitors that we can view the -- we can see what the camera office is seeing.

MR ALLEN: So you can see what's being seen in the Gold Coast City Council camera office?

THE WITNESS: Yes.

MR ALLEN: All right. And what's the means of communication from that office to the police of incidents discerned from the inter-venue radio project?

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THE WITNESS: By phone.

MR ALLEN: So they pick up the phone and say, "Look, we've heard on the inter-venue radio that there is something happening at a particular nightclub"?

THE WITNESS: That's correct.

MR ALLEN: And was it the case that there was a decision made by the nightclubs or by the police not to have that network shared by police?

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THE WITNESS: It was -- it was a decision made by the committee, the police only formed one part of the committee and there were concerns for -- a number of concerns about the police monitoring it. For one, the duty sergeant shift supervisor at Surfers Paradise on a Friday, Saturday night is extremely busy and not always in a position to monitor a radio throughout an entire shift. They will be deployed to the charge area, there might be problems with prisoners. There are a number of issues that the duty sergeant has to attend to, so they can't physically monitor that channel all the time. Whereas the camera office, there is -- they have staff up there from 1 till 3 in number, up to three camera operators up there on a Friday/Saturday night and they can listen to that radio and they can communicate and they can give it their full attention.

MR ALLEN: Okay. Was there any consideration given to having the police who are actually patrolling on that network in real time?

THE WITNESS: I don't believe there was any real consideration given to that but there would be problems with that in the fact that the police in Surfers Paradise already have to monitor two channels because of the workload and the busy radio communication just in the Surfers Paradise division in dealing with incidents in relation to nightclubs. We generally work on a dedicated
10 channel, so we're on channel 18 within the --

MR ALLEN: Who is on channel 18?

THE WITNESS: Just Surfers Paradise police during busy periods. The reason for that is so that our radio chatter doesn't tie up the Gold Coast district radio communications channel. They operate on one channel for the entire Gold Coast.

MR ALLEN: So that's the other channel?
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THE WITNESS: That's the other channel.

MR ALLEN: That Surfers Paradise officers will be monitoring?

THE WITNESS: That's right. For example, on a beat team, the beat officers will probably all be on the channel 18 which is the Surfers Paradise channel, apart from one member of their team maybe on -- who should be on the Gold Coast radio channel, so that they can then communicate effectively if there was a wider district response required, for example. For example, if our
30 police are overwhelmed by a potential riot situation then they can call directly through to the police communication centre Gold Coast, call for additional back up and then police units throughout the Gold Coast could respond.

MR ALLEN: Okay. That perhaps leads me to the next topic. I think we can see at least four uniformed police involved in that situation shown on the video. There is a marked police vehicle seen at one point nearby. Would that be one of the vehicles you refer to as a brawler van in your statement?

THE WITNESS: It appeared to be one of the vans, one of the drunks vans to
40 me.

MR ALLEN: Okay. Drunks van.

THE WITNESS: They're Toyota Hilux vans.

MR ALLEN: All right. So let's say there were four uniformed police involved in that situation and it's a nightshift, how many other police would be on the ground from Surfers Paradise station at that point?

THE WITNESS: Well, it depends whether it is a major event. It would depend whether it is a Friday/Saturday night. On a typical Friday or Saturday night we have two teams rostered on nightshift which is on our present staffing -- we generally achieve 25 to 30 officers in total rostered on Surfers Paradise station on a Friday/Saturday night. Of those, let's take 30 for round figures, there is two -- two of those officers will be in the car crew that I mentioned performing district functions. There will be an officer on the counter at Surfers Paradise station, another officer on the counter at Ferny Avenue. There will be someone, generally the shift supervisor or the senior constable who may be delegated to staff the duty sergeant's office where the cameras and radios are monitored, and there will be at least two police in the charge area, at the back of the station assisting with prisoner processing and data entry, and so on. So on average there is 15 to 20 police on a Friday/Saturday night out on the street actually performing beat duties.

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MR ALLEN: Okay. Now, it seems that at times then if those events we looked at on the video are fairly typical, that police officers are faced with situations where violence against them is a real potential?

20 THE WITNESS: It is a potential and it is a reality.

MR ALLEN: So what sort of physical requirements are needed for an officer who is going to effectively deal with those situations?

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THE WITNESS: Well, we have a fairly extensive operational skills training procedure. All police are trained. Mandatory requirements are minimum of two days' training per year, and in addition to that they have the training in their accoutrements. They have access to Tasers, capsicum spray, handcuffs and firearms. And the training emphasises deescalating, so there is verbal communication skills and deescalating potentially volatile situations, and so on. So there is a number of tactics that the police use.

MR ALLEN: And in that situation we saw at least at one instant there is a bit of crowd movement as they see a civilian is down on the ground, and one might think that there is potential at any time for the crowd to turn on the police who are in their midst. What happens then? Where do you get the back up from if you are that crew?

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THE WITNESS: Well, as you could see by that -- I would -- by looking at that footage and the way the cameras are moving around and the police are there, there would be communication between the radio operator, Gold Coast City Council -- sorry, camera operator and our duty sergeant back at the station and they would be looking at that footage and they would be calling for back up, they would be deploying additional resources in response to that incident.

MR ALLEN: Okay, well --

THE WITNESS: It appeared clear there was potential for that to get out of

hand.

MR ALLEN: Those additional resources will they be some other of the 15 to 20 Surfers Paradise Police Station officers or can they come from elsewhere?

10 THE WITNESS: In the first instance if there was another beat team available, they would be deployed. If not, then a request can be made for additional resources from throughout the district. We have a tactical response team working Friday/Saturday nights who can be deployed anywhere throughout the Gold Coast. There is usually six to eight officers working in that. They may be deployed to Coolangatta or Surfers Paradise, wherever they are needed. There is the district duty officer, the regional duty officer that I mentioned before, and, of course, if necessary cars can be called from throughout the district if the situation becomes more urgent.

MR ALLEN: Okay. Which districts are they?

20 THE WITNESS: Sorry, through our other divisions, so the Broadbeach crew, the Southport crew, Nerang. They can come from throughout the Gold Coast.

MR ALLEN: I see. Obviously managing those sorts of situations that we saw on the video and trying to manage not only public health and safety but the health and safety of your officers is something which would have occupied your mind on many occasions?

THE WITNESS: Yes, it does. It forms a large part of my job.

30 MR ALLEN: Are you able to suggest any improvements that might be made or some particular resources that might be directed towards improving the situation?

THE WITNESS: Well, I think the problem -- the problem that we have in Surfers Paradise is the ability to deploy the numbers that we need during the peak periods. During major events such as schoolies, the racing carnival, and so on, we're able to get sufficient additional resources because they are deployed from throughout the State to Surfers Paradise. So we can have on -- for example on a Saturday night during schoolies there might be 120 police on the beat.

40 MR ALLEN: So how many extra police than normal have come from outside the division for that major event?

THE WITNESS: Well, it varies depending on the days and the operations, but our beat numbers on the ground increase from 15 to 20 police on the beat on, say, a Saturday night to an average, say, 120 police on the beat. But there are a lot more additional -- that's just on one shift. So obviously because major events require large number of resources during the day as well as night, the total number of additional officers deployed -- I don't have the exact figures but I would estimate perhaps 200, 2 to 300 additional police are deployed to

Surfers Paradise and the Gold Coast district during those major events.

MR ALLEN: In your experience is that additional deployment during those major events effective in addressing the associated problems with those events?

THE WITNESS: Yes, it is. It is very effective and without doubt the high visibility of police on the street reduces the incidence of alcohol related crime and violence.

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MR ALLEN: In your experience, is the difference between the policing needs between those major events and the normal times of the year reflected in the difference of resources that are available during the major events and other times?

THE WITNESS: In my own personal view, it is not proportionate. I believe we require more police on the street in those off -- so-called off periods outside the major events; we need larger numbers of police and higher proportion of supervisors on the street and deployable to the beat every Friday and Saturday night of the year, and particularly major -- long weekends included.

20

MR ALLEN: Uh-huh. Something approaching the same numbers as with the major events or is there some figure in between that you feel would address those occasions such as Fridays and Saturdays and long weekends?

THE WITNESS: Well, in my view -- and I have had some brief discussions with the Commissioner about it -- that in my view it would be a desirable to be able to deploy a total of 60 police officers to Surfers Paradise on a Friday, Saturday night as opposed to the current 30 -- 25 to 30 that we can deploy.

30

MR ALLEN: All right. So, really, at least a doubling of the operational police available in Surfers Paradise?

THE WITNESS: Well, the operational policing numbers there now are 126. If we had 126 operational police, in my view we would only need to -- it would be desirable to increase that number to 180 police in total and 180 operational police, and that would enable us to have six teams of -- six teams of 30 police, and with two teams working on a Friday/Saturday night under our current structure we could deploy up to 60 police on a Friday/Saturday night which in my view would enable us to provide a very effective policing response to Surfers Paradise.

40

MR ALLEN: You mentioned that part of that would have to be an effective increase in the number of supervisors, and are you referring to sergeants there?

THE WITNESS: I am referring to sergeants because our current staffing numbers only permit usually two sergeants on nightshift on a -- say, a Sunday night through to Thursday night, and when we have two teams on, there is up

to four sergeants on duty on, say, a Saturday night, four sergeants. One of those generally occupies a role of the shift supervisor, and the shift supervisor's duty sergeant office where the communications and camera monitoring rooms are. Another sergeant is deployed to the prisoner processing area in the role of custody manager to ensure compliance with custody procedures, and that only leaves two sergeants to be out on the street on a very busy Saturday night, and, you know, to take command of incidents down the street, and in my view that's insufficient.

10 MR ALLEN: And it doesn't enable any, I suppose, supervision on the beat of constables by a superior officer?

THE WITNESS: Well, it is limited supervision but it is certainly not constant supervision on the street by -- because -- for example, if there is one major crime committed in Surfers Paradise, whether a stabbing, or a glassing, or an incident like that, another sergeant could be tied up on that job for several hours, so that effectively leaves at least -- that often leaves the remaining of the beat teams to respond to other incidents without effective supervision.

20 MR ALLEN: In paragraph 28 of your statement you say this: "A robust performance management process has been implemented in Surfers Paradise that enables management and supervisors to monitor the actual work output of teams and individual officers over a range of performance indicators."

THE WITNESS: Yes.

MR ALLEN: "These performance indicators include operational results, such as the number of arrests, criminal charges, street checks, traffic infringement notices, liquor incident reports, liquor infringement notices and intelligence
30 submissions."

THE WITNESS: Yes.

MR ALLEN: You have produced a document called a "Station work performance evaluation"?

THE WITNESS: Yes.

40 MR ALLEN: Does it assist in demonstrating how that process actually is implemented?

THE WITNESS: Yes. This document is produced by our station intelligence officers, and to break down the work performance, in terms of operational work performance for each team, so it enables me in my position as officer in charge and inspector and the operations coordinator to compare the various teams and their levels of work performance. As you can see there, the team on the document, if you look at the team comparative document, which is the top page, it identifies the teams that are performing at the lowest in certain areas and identifies the teams that are performing highest in particular areas, and

then I use that document to assist me in one-on-one meetings that I hold with team leaders to discuss work performance issues and identify any problems that there may be within the teams if their work performance has dropped off or if they are not working to expected levels. It also serves to motivate the teams, in that they know there's a comparison in their work output between the teams.

10 The other documents are more specific and they itemise individual officers' work performances, the arrests they have made and so on. Those documents are more for the information of the team leaders, because the team structure enables the team leader to achieve and address all their divisional goals by utilising officers that are -- some officers are more suited to some types of work than others. While one officer might have a low level or an apparently low level of work performance in one area, they may excel in another area. There are some police officers that are more traffic orientated than others, there are some officers that are very good at data entry and support, in the support area. As a team -- as an officer in charge, I'm interested in the overall work performance, but there's recognition there of ...

20 MR ALLEN: The main criteria we see on the first page for the comparative team analysis, which occurs over a period of about six weeks, are basically seven criteria: Criminal arrests, total arrests, total charges. What's "Occ total"?

THE WITNESS: Occurrences total.

MR ALLEN: What does that mean?

30 THE WITNESS: This information is taken from QPRIME, and that just means the total number of occurrences they have entered. That also includes reported crime, so reports they have taken over the counter and entered the crime report on the system, or found property entered on the system. So that's just a general ...

MR ALLEN: There are street checks?

THE WITNESS: Yes.

MR ALLEN: Liquor. What do the figures for liquor indicate?

40 THE WITNESS: That would be liquor infringement notices and liquor -- they are linked through QPRIME to liquor intelligence reports.

MR ALLEN: An example of which --

THE WITNESS: An example of which would be an infringement notice issued to someone on the street for consuming alcohol.

MR ALLEN: TIM would be traffic infringement notices?

THE WITNESS: That's correct.

MR ALLEN: Would that include illegally parked vehicles?

THE WITNESS: That includes all traffic infringement notices issued. At a more micro level, sometimes in discussions or in discussion I hold with the team leaders, those more micro issues will be raised as to the number of parking infringement notices, as opposed to life endangering offences, which is our focus.

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MR ALLEN: How do these criteria, these performance indicators, actually give a guide as to the actual work output of teams and individuals officers?

THE WITNESS: Well, it's only part of the process. We also look at the operations calendar, the number of operations that -- the operations coordinator looks at the number of operations that the team leaders are planning and executing themselves, the number of -- for example, drug raids, there's intelligence reports submitted. There's a range of other factors. But this document was just produced to use as a tool, I suppose, in discussions with individual officers by the team leaders. For example, the team leader of one team may have concerns about a certain officer, they will identify transient work performances which can sometimes indicate other factors. For example, if the particular officer's work performance has dropped way down, it may be an indication of low morale, it may be personal problems at home, other issues. Another issue we look at is absenteeism. All these factors can assist in painting the picture of the overall morale of the station and the overall morale of individual teams in comparison to other teams.

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MR ALLEN: Is the risk of using criteria such as these that there's a bit of a kill sheet mentality, and that officers feel that they have to tick these boxes?

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THE WITNESS: Well, the -- no, there aren't any quotas, but there's ...

MR ALLEN: But there's a competition, isn't there, because they are ranked on whether they are the lowest or the second or the highest?

THE WITNESS: Well, that's -- as I say, that can -- I look at the overall team performance, rather than the individual performance of each officer, because the team leaders are in a better position, and during discussions they will inform me if there are particular issues with a particular officer. But a lot of our operations, particularly liquor enforcement operations, there's an expectation that the officers will issue liquor infringement notices rather than give warnings and tip-outs, because proactive actions in that regard are more effective than repeated warnings. For example, if one team over a six-week period has only issued one liquor infringement notice for the entire team, I would have concerns and I would be raising that issue with the team leader, because it is apparent that there are certainly opportunities every weekend to issue liquor infringement notices for that type of offence. Those types of offences form part of our early intervention strategy and to prevent more

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serious alcohol-related crime later in the night, there's an expectation that people committing relatively minor liquor offences or public order offences, action will be taken against them.

MR ALLEN: Criteria is such as the number of criminal arrests or total arrests or total charges laid after arrests, they are not influenced by the success of any charges laid?

10 THE WITNESS: No, not in terms of this report, no. Those failed prosecutions form part of another process. Failed prosecutions are reported through the police prosecutions call, back to the failed prosecutions committee, and those reports come back to me and I'll address those issues with individual officers and their team leaders.

MR ALLEN: Street checks is one of the criteria. There's been recent publicity -- for example, an article in the Courier-Mail on 4 September this year -- wherein some police officers have expressed the view that there's some pressure to fill quotas of street checks, to the extent that persons are being street checked who, one would think, present no valid reason for such. They
20 give the example of a 73 and 76-year-old women getting street checks, simply to boost figures. Is that an issue you have heard voiced in your district?

THE WITNESS: It's not a -- it's certainly not the message that's been given to the troops during briefings. During our shift briefings and taskings, operational taskings, our staff are instructed to obtain quality street checks, and that means targeting -- they are intelligence targeted operations, where the patrol crews target areas where break and enter offences are being committed, where cars are being stolen. The purpose of the street checks is to identify
30 potential suspects in those areas, suspect vehicles, and their details are recorded in the form of a street check, and then there is further enhancement of that information. They will look at those people where the criminal histories are, and through that process a number of offenders are identified.

MR ALLEN: The process, is it a police officer on the street actually writing something in their notebook?

THE WITNESS: Yes, either writing it in a notebook or on a preformatted form and going back to the station and entering it on to QPRIME.

40 MR ALLEN: It then gets entered into QPRIME?

THE WITNESS: That's correct.

MR ALLEN: Is it then processed for intelligence value in some way?

THE WITNESS: Yes, our station intelligence officers then go into each individual street check and they will look into the person's criminal history. Sometimes if the street check has been done in a hurry or the crew has been called away for some reason, they will identify wanted persons, sometimes

more detailed checks will indicate that they are wanted interstate, and they may be prison releasees, the people that therefore require further attention by police.

MR ALLEN: Who is the station intel officer, generally speaking?

THE WITNESS: We have -- they are not full-time positions, they are taken from -- they are members of our staff who are on the teams who have attended intelligence training courses and they have a higher level of access to the QPRIME system that enables them to conduct analysis and so on.

MR ALLEN: How often do they carry out duties as the intelligence officer?

THE WITNESS: We generally have a station intelligence officer, at least one or two working every day. During the week, because we have a rotational block roster, we attempt to have intelligence officers trained on each team, so that during the week the team that is on day shift, an officer from that team will be in the intel office, performing station intelligence office duties, and in that way you don't detract from the numbers on the beat on Friday and Saturday night. And we do have staff, part-time staff and staff on rehab work in that area too, who are not able to be deployed on to the beat.

MR ALLEN: At paragraph 40 of your statement you are dealing with the immediate inline supervision of constables, and you confirm, as you have mentioned in your evidence, that a shift supervisor of the rank of sergeant is rostered on every shift. You say that one of his or her duties is briefing all officers at the commencement of their shift?

THE WITNESS: Yes, that's right.

MR ALLEN: You refer to what those shift briefings cover. Is there any record made of the briefing?

THE WITNESS: There's a read-out, what we refer to as a read-out, it's just a manila folder that the intelligence staff put crime alerts in, information about wanted persons, information about crime trends. There might be -- there will be documents in there where I've sent out station-wide emails about areas of concern, such as code of dress and appearance, for example, any of those types of issues, HR issues that need to be brought to the attention of staff at the beginning of their shift. That information is contained in the folder. But the verbal shift briefings are given and not recorded.

MR ALLEN: In that folder are there a number of different documents from those various sources or is it collated into some type of briefing document?

THE WITNESS: The intelligence reports produced by our station intelligence officers are collated into a briefing document in the form of an intelligence alert. There will be other documents, there may be a copy of policy, such as recent blue light policy that was put out by the Commissioner, that document

would be there. The documents are read out to the staff at the beginning of their shift, to bring to their attention either new policy, crime trends and so on.

MR ALLEN: Are the documents in that folder then kept as a record of what was the subject of the briefing?

THE WITNESS: No, they are updated, so sometimes they will remain there for a period of time, until such time as they are removed.

10 MR ALLEN: Is there any process of debriefing at the end of a shift?

THE WITNESS: There are -- there's no formal process of debriefing, simply because on a number of occasions crews are still tied up in jobs, they don't always necessarily finish at the end of their rostered shift. But there is a debriefing process following critical incidents, a more formalised process involved in that, and there's follow-up often on the next shift or subsequent shifts in relation to debriefing of particular incidents. There will be debriefings after -- in a form, after planned operations, whether that be a traffic operation or a liquor enforcement operation. There's a process of
20 collating all the statistics, and the shift supervisor would be talking to all the staff involved and obtaining the statistics and so on, and any issues then are raised.

MR ALLEN: In paragraph 41 you deal with field command and supervision of officers, in a way that you have already mentioned in your evidence. In the second sentence you say, "In the case of car crew, supervision is the responsibility of the senior officer of the crew." I think you have said that, depending upon the nature of the tasks that have been assigned either by police communications or by the station, there might be a difference in who
30 that senior officer of the crew is reporting to?

THE WITNESS: That's correct. If they are the -- as I have referred to them before, the 2.30 car crew, they book on at the station, but then the remainder of their shift they are deployed by the police communications centre, they are not deployed to jobs by the shift supervisor.

MR ALLEN: When you say the police communications centre, they are based where?

40 THE WITNESS: They are based at Broadbeach.

MR ALLEN: Is there any way that the supervising officer in Surfers Paradise can keep track of where that vehicle is?

THE WITNESS: They have a radio monitor, that can monitor the police radio, and they will hear what jobs they are being called to. The crews, if they go to a job where they require advice or assistance, they can seek advice and assistance, either directly through the police communications centre, if they require back-up. If they require, for example, operational advice or legal

advice, they may well ring their shift supervisor to obtain that advice or if the job is in Surfers Paradise they may well ring the shift supervisor to get assistance of another beat crew or a van at the job they are responding to.

MR ALLEN: You deal with this in paragraphs 57 and 59 of your statement, and you say in paragraph 58: "There can be some problems when the police communications centre directs jobs rather than to the 2.30 car to other beat crews." What's the problem there?

10 THE WITNESS: Well, I comment on that in response to a request from the Commission. There are occasions where police communications centre have deployed a beat crew to jobs on Chevron Island or surrounding areas, and that takes the beat crews away from the Surfers Paradise nightclub precinct. On occasions that's justifiable for urgent jobs, domestic violence and so on, but it does take away the ability of the shift supervisor to deploy beat crews and know where they are throughout the shift. A better way to approach that would be for the police communications centre to always ring the shift supervisor before deploying beat crews to other jobs, and that does sometimes occur as well.

20 MR ALLEN: Would it be the case that at the start of a shift there are plans put in place as to what that beat crew will be doing, and then it turns out that they are not doing that because they are tasked by police communications with some other job?

THE WITNESS: That's correct, that can happen.

30 MR ALLEN: In those circumstances, as you have said, their supervisor really -- firstly, can't know and, secondly, can't control where they are and what they are doing?

THE WITNESS: That's correct. That's not a major problem. It's an issue that raises its head from time to time.

MR ALLEN: In a number of the paragraphs of your statement -- for example, paragraphs 42, 44, 45, 46 -- you are talking about what is expected of supervisors, and it seems that there's a lot expected of supervisors.

40 THE WITNESS: Yes. Again, those paragraphs were put in response to a requests for that information from the Commission.

MR ALLEN: How do you assess whether those expectations are being met, whether the supervisors are actually performing those tasks? For example, providing leadership, supervision and management, taking action with respect to breaches of discipline and misconduct?

THE WITNESS: With respect to minor breaches of discipline, it's apparent if the shift supervisors aren't taking action if police are walking around unshaven or not wearing their name tags or not wearing their police caps out on the

street. If it's apparent that the shift supervisors are not taking action with regard to minor matters then they are they are called upon to explain. We have meetings. During the meetings I have with the team sergeants and also the senior sergeant operations coordinator and inspector, we constantly monitor the conduct and professional conduct and behaviour of the officers, and those issues are discussed with the shift supervisor and they are communicated to them that they are expected to step up to the mark and enforce the expected standards.

10 MR ALLEN: Is there some type of formal process of your appraisal of their performance, such that the degree to which they effectively supervise informs the appraisal of their performance and impacts upon their promotional prospects?

THE WITNESS: No, there's no formal reporting processing in that regard but there is a formal process of meetings where those issues are discussed and addressed with a view to improvement.

20 MR ALLEN: Should there be a formal process whereby the effectiveness of their supervision of junior officers plays a part in the appraisal of their overall work performance?

THE WITNESS: The Queensland Police Service as a whole has the PPA process, performance planning and appraisal process, whereby supervisors do appraise the work performance and outcomes of staff under their control. So there is opportunity during that process to comment on the effectiveness of leadership and supervision and support of QPS policy and so on.

30 MR ALLEN: Are there specific criteria, though, directed towards the effectiveness of their supervision of junior officers in that PPA process?

THE WITNESS: The PPA process is flexible, in that the supervisors have a formal meeting with the -- this is across the service -- the general process is that the supervisor will have a meeting with their PPA subordinate and agree on a set of objectives, so if supervision and leadership in a certain area is seen as a concern then that could be addressed during that process.

40 MR ALLEN: You yourself in your statement refer to the fact that you have completed a number of Queensland Police Service internal courses, including the management development program.

THE WITNESS: Yes.

MR ALLEN: Do you have any comment on how useful the management development program is in assisting officers with respect to supervision when they are in supervisory positions?

THE WITNESS: Well, it's very effective in terms of supervising and command at major incidents and incidents on the street. The incident

command course, which forms part of the management development program for inspector level is very effective in that regard. The major focus of the management development program at both sergeant and senior sergeant level is focused on leadership and management principles.

MR ALLEN: Does it provide appropriate scenario-based training for officers in real-life situations?

10 THE WITNESS: Yes, certainly the incident command course does. It's largely scenario based and does provide good examples of commanding teams, supervising teams, providing leadership in response to a wide range of major incidents.

MR ALLEN: What about general supervisory matters, does it prepare a sergeant to be able to manage a new role as a sergeant, to effectively supervise their constables?

20 THE WITNESS: Well, the incident command course is delivered to senior sergeants, so in that regard, no, it doesn't. Sergeants are not delivered that course. But the management development program for sergeants, when I did it over 10 years ago, certainly didn't address scenario-based supervisory situations, from my recollection.

MR ALLEN: You say in paragraph 52 of your statement that the practice of blue light taxis is discouraged. You mentioned a little while ago in your evidence that there was a recent direction of the Commissioner with respect to blue light taxis that would have formed part of the briefing of officers commencing a shift?

30 THE WITNESS: Yes.

MR ALLEN: What was that direction and when did you first hear of it?

40 THE WITNESS: That direction came out about two or three weeks ago. It was in the form of a letter under the hand of the Commissioner, and it was fairly broad in content, but it did involve the implementation of a recording process and from recollection an approvals process for the provision of utilising police vehicles for the transport of off-duty police. In terms of blue light taxis, I'm not sure exactly -- my understanding of this inquiry is referring to police vehicles being used to transport police officers to or from licensed premises, but that document referred to any -- to inappropriate use of police vehicles in general.

MR ALLEN: When you say in your statement at paragraph 52 that the practice is discouraged, was it in any way discouraged before this letter from the Commissioner a few weeks ago?

THE WITNESS: Well, it's certainly been discouraged for a number of years at Surfers Paradise because, Surfers Paradise being a nightclub precinct,

large -- well, not large numbers, but numbers of off-duty police from throughout the district and other areas do come into Surfers Paradise and consume alcohol, and from time to time on Friday and Saturday night officers have requested a police vehicle to take them home. And on most occasions, on those busy nights when I've worked, they have been refused, they have been advised to seek an alternative means to get home, take a taxi or ring a friend.

10 MR ALLEN: You say "on most occasions". You are aware of occasions when they haven't been refused?

THE WITNESS: There have been occasions when police, off-duty police, have been particularly intoxicated. For example, I recall one incident when Inspector Haslam actually asked a crew to take an officer home because of their level of intoxication. There were concerns regarding his welfare, if he was sent back out on to the street.

20 MR ALLEN: So are those the sort of genuine welfare concerns that you referred to in the next sentence of paragraph 52?

THE WITNESS: No, that's an example of a welfare concern. But there are a lot of other welfare issues where police are sometimes afforded a so-called blue light taxi, such as an officer who has been injured on duty or off duty, and they have been transported to hospital or from hospital or they have been transported home as a result of an injury, that type of welfare issue.

MR ALLEN: Any other welfare issues that would justify transporting a police officer home from licensed premises?

30 THE WITNESS: Well, I would consider any situation where an off-duty police officer has become involved or been recognised as a police officer and become involved in a potential violent situation with an offender who may be threatening them, if an officer came to the station under those circumstances, for example being recognised by members of an OMCG in a club, if they were concerned for their safety and asked for a lift home, that may be a justifiable situation, in my view.

40 MR ALLEN: You haven't heard the view expressed that it's better that an officer get a blue light taxi ride rather than drink-drive?

THE WITNESS: I've heard that said, but I don't, obviously, while I agree with that sentiment, I don't think that's an excuse for a blue light taxi personally, unless again there were exceptional circumstances. But in general I don't think police are any different than any other member of the community and they should make arrangements prior to going out to ensure that they have transport home without having to drink-drive.

MR ALLEN: In paragraph 44 of your statement you talk about the expectation that supervisors will provide managerial guidance for minor

breaches of discipline. Are there any difficulties with the extent to which supervisors who take reasonable management action are supported in taking that action, in your experience?

10 THE WITNESS: In my experience, they are well supported when they take that action. They are supported not only by their supervisors and management, they are generally supported by their colleagues of the person who has been given the managerial guidance, because the police in general, the vast majority, 95 per cent of them, also have a high expectation of police behaviour and conduct and they expect their peers who come to work unshaven or not wearing name tags, they expect them to be called to account by the supervisor.

MR ALLEN: So you don't see a perception or indeed certainly not a reality that supervisors at senior constable or sergeant level will not have such decisions supported higher up the chain of command?

THE WITNESS: No, definitely not. Quite the opposite.

20 MR ALLEN: Is there a --

THE WITNESS: If I could just clarify that, unless there was an overreaction, unless the supervisor had overreacted to an issue that in my view didn't constitute any breach of discipline and the supervisor has overreacted, then they may not be supported, but that would be communicated to them.

MR ALLEN: I suppose you wouldn't class that as reasonable management action in that scenario?

30 THE WITNESS: That's right, yes.

MR ALLEN: Is there any risk management plan for professional conduct and anti-corruption?

THE WITNESS: Anti-corruption and professional conduct is -- forms part of our station risk management plan.

40 MR ALLEN: How are those issues addressed by the station risk management plan?

THE WITNESS: It's a broad document that just summarises the expectations of the service in terms of policy, to the inspector, for the various management and supervisory levels to monitor and ensure compliance with the code of conduct, the code of dress and appearance, and professional conduct in general.

MR ALLEN: If we go to the nitty-gritty of that, you say in your statement at paragraph 45: "Supervisors are expected to monitor the welfare of their officers, give support, identify issues up the chain if necessary." At paragraph

46: "Take action to address any concerns relating to on or off-duty conduct." Who is the person responsible for having some continuity of responsibility for a junior officer's conduct? Does it change from shift to shift or is there someone who has some continuity in that role?

THE WITNESS: There's a -- because of the team structure, all of our officers work with the same supervisors all the time, unless there are court commitments or whatever. But generally they work with the same team leader and team sergeant every shift, so it's their responsibility.

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MR ALLEN: Is that the same thing always, a team leader and a team sergeant?

THE WITNESS: Well, there are two sergeants. With our current staffing, we have two sergeants on each team. The senior officer generally is the team leader and it is their responsibility to identify those types of issues through their one-on-one meetings, through engaging their subordinates. And I've found that they do do that and they do report any concerns to me in my role as officer in charge, and then I will determine, depending on the level of breach of discipline or misconduct, the course of action and the reporting procedure to follow.

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MR ALLEN: You say that's going to be the same supervisor for the officer in that particular team?

THE WITNESS: Yes.

MR ALLEN: Is it common to have officers rotating through the supervisory position or acting up at times in the supervisory position?

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THE WITNESS: Yes, that happens from time to time, they take leave, yes.

MR ALLEN: So is there any continuity of that supervision, the one-on-one of junior officers?

THE WITNESS: There's continuity in terms that there are two sergeants on the team, so it would be a rare situation where both sergeants were away at the same time and they had a different supervisor. At the same time, they are briefed, if there's a new team leader taking over a team, then they will be briefed on the issues within the team and so on.

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MR ALLEN: Do the people who are out in the car crews fit into the team structure as well?

THE WITNESS: Yes, they do, they are taken from the team.

MR ALLEN: Whilst carrying out the vehicular duties, they are not answering to that supervisor; is that right?

THE WITNESS: They are not answering directly to that supervisor during that shift but they are in the -- they start duty at the station, they are briefed by their team leader, their shift supervisor. The team supervisor often allocates the two officers to go into that car crew, and then for the remainder of the shift they come under the police communications deployment, but they will return back to Surfers Paradise. Any other issues that arise during the shift, such as workplace injuries, any HR issues that might arise, they are then reported back to the shift supervisor, they are not reported to the police communications centre.

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MR ALLEN: You mentioned earlier when you were talking about the need for more members of police on certain occasions in Surfers Paradise, the need to have an appropriate number of sergeants in that?

THE WITNESS: Yes.

MR ALLEN: Indeed, I think that echoes something you said in an interview with the CMC, where you said that you would like to see a high level of supervision on the street, ideally a sergeant or a senior constable on every beat team?

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THE WITNESS: Yes.

MR ALLEN: You mentioned that you don't have the ability to do that mostly, as most shifts only have one or two sergeants on, and that one is the supervisor who is often restricted to the station. Can you explain why that is?

THE WITNESS: Most of our shifts, particularly night shifts through the week, or every night shift through the week, Sunday through to Wednesday, there's only one team rostered on night shift. On that team there will be two sergeants, then there will be the other 17 or 18 staff. With that composition of sergeants and constables and senior constables, there's no ability to put usually any more than one sergeant out on the streets to supervise all the beat teams. The problem there is that if a sergeant becomes involved in other issues, such as a departmental traffic accident, for example, or a major traffic crash or any major incident that requires a sergeant to take command of the incident, then the beat crews are without adequate supervision at all.

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MR ALLEN: What about the sergeant who is in the chair at the station, are they able to exercise any effective supervision of the constables who are out on the street?

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THE WITNESS: Only to a degree, because there's a fairly high priority given to management of the custody area, so there's -- if there are only two sergeants on, we can't put a sergeant in the custody area and a sergeant in the duty sergeant's office and then have no sergeant on the street. Generally, on the quiet nights, when there are not many arrests, there will be one sergeant at the station performing the role of shift supervisor and custody manager and the other sergeant will generally be out on the street.

MR ALLEN: Is there some type of shortage of sergeants in the rank mix overall, or are you really only talking about the need for more in your particular area?

THE WITNESS: Well, I think we have -- we have a lot more sergeants than we did when I first came to Surfers. Ten years ago we had about four sergeants, now we have about 16, so it has moved in the right direction, but in my view we still need more sergeants.

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MR ALLEN: Before we leave the issue of supervision, are you aware of any steps or developments that are being taken by the QPS to improve the effectiveness or accountability of supervising officers?

THE WITNESS: In the south-eastern region there's been a number of workshops conducted that have specifically addressed leadership and ethics and professionalism. They are one-day workshops, I believe. They have only recently been implemented.

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MR ALLEN: Have you got any other issues with respect to supervision that you feel should be raised, or any suggestions for improvements from your own experience?

THE WITNESS: No, I don't think so, no.

MR ALLEN: You have mentioned or dealt with the issue of improper associations in your statement at paragraphs 61 and 62.

THE WITNESS: Yes.

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MR ALLEN: You say: "The organisational and reporting structure at Surfers Paradise supports the early identification of associations between police and criminals." Are you saying there that that's because junior officers generally have a team leader working with them?

THE WITNESS: Yes. The teams have -- the teams are fairly close knit, they work with the same sergeants all the time. They generally socialise to some extent off duty, particularly after their week of night shift, and the team leaders are generally aware of any arising issues or concerns regarding their subordinates.

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MR ALLEN: So you see the fact of a team leader, such as a sergeant, socialising with the other members of the team as increasing the effectiveness of supervision?

THE WITNESS: Well, I believe there's a need for the team sergeants to maintain a professional distance from their teams, but at the same time they need to be supportive of their team, they need to be aware of what's happening in their team, they need to have some input in the types of social activities

they undertake. For example, in the past some team leaders have had family days at Wet 'n' Wild and that type of events, which I think are very positive, they build positive values.

MR ALLEN: But if you have got a sergeant who is regularly drinking with constables off duty and nightclubs and receiving free drinks along with them, that wouldn't be conducive to increasing the effectiveness of supervision or supporting the earlier identification of inappropriate associations, would it?

10 THE WITNESS: Well, I am not aware of sergeants socialising regularly with members of their teams in nightclubs but I am aware that it has occurred, in my experience, after send-offs or after Christmas parties where the teams or the team leaders and a group may go to a nightclub under those circumstances. If -- but, as you say, I don't see that conduct in itself assisting in regard to improper associations.

MR ALLEN: So where would the fallback be if that was happening? How would you, as the senior sergeant, become aware that that was happening on the part of a sergeant and his team?

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THE WITNESS: If there were concerns about a sergeant's behaviour or conduct off duty in Surfers Paradise, it would be apparent to our staff because other sergeants, other team members, other officers working at the station would become aware of it, or members of the LEAPs unit who work regularly in Surfers Paradise, or members of the liquor licensing division. I believe those issues would be -- could be identified through that process.

MR ALLEN: Do you work many night shifts yourself?

30 THE WITNESS: Not in my role as officer-in-charge I don't, but going back four years when I was senior sergeant operations coordinator, I worked on average every second weekend or three weekends out of five. The operations senior sergeant there now, he works three weekends out of five, so he works Friday, Saturday nights. We have an inspector of police working every Friday, Saturday night in Surfers Paradise now, and often there are two inspectors working. Our own Inspector Haslam works a number of weekends in Surfers Paradise as well.

40 MR ALLEN: What about on a week night? Does any senior officer take a walk through any particular nightclub to see which police officers are drinking there off duty?

THE WITNESS: Not that I am aware that they have been specifically doing that, but we do have regional duty officers, there's one inspector, who is a regional duty officer looking after the south eastern region and I know they have been deployed at the request of the Assistant Commissioner or the Chief Superintendent to visit Surfers Paradise on night shifts and -- and also undertake patrols of the nightclub area.

MR ALLEN: When was that?

THE WITNESS: Well, I recall that from when I was relieving regional duty officer, that that was one of my tasks. I only relieved there for 18 months so I don't know what their regular taskings are but we do see them on a regular basis visiting Surfers Paradise. Most night shifts a regional duty officer does visit Surfers Paradise.

10 PRESIDING OFFICER: Senior Sergeant, while we're on that point, what does the district duty officer do by comparison with what the regional duty officer does? How do they fit together?

THE WITNESS: They perform very similar roles. The district duty officers are senior sergeants and they will generally provide the first response and take command -- initial command of incidents. If the incident escalates into a major incident requiring a higher level of authority pursuant to the Public Safety and Preservation Act or declaration of emergency, that type of higher level incident, then the regional duty officer will take command as the incident commander and coordinate a higher level response that may include specialist
20 units from outside the region, such as the SERT, special emergency response team, and so on. And they -- the regional duty officer reports directly to the chief superintendent, whereas the district duty officers report to the district officer, superintendent.

PRESIDING OFFICER: And in supervision, how do they dovetail or not -- general supervision duties?

THE WITNESS: In general supervision they both -- again they perform very similar roles, they both have routine tasks they perform, such as visiting
30 watchhouses and inspecting the prisoners. Because of the sheer workload and the size and the policing demands in the south eastern region, they don't generally overlap. The regional duty officer may attend the more major incident or coordinate a response to multiple incidents where the district duty officer would respond to individual incidents.

PRESIDING OFFICER: Thanks. Yes, Mr Allen?

MR ALLEN: Do you know which particular nightclubs in Surfers Paradise are favoured by police officers in your station when they are socialising
40 outside working hours?

THE WITNESS: Well, since Tesco begun, obviously there has been a lot of discussion about these types of issues and even historically, to my knowledge the police have avoided one particular nightclub that's frequented by OMCG members and they tend to frequent the nightclubs where they don't want OMCG members in their clubs and are very cooperative with police with regard to excluding OMCG members from their premises.

MR ALLEN: Or those clubs that pay OMCGs not to let their members come

in.

THE WITNESS: Well, I wasn't aware of that occurring until I read that in the paper in response to this inquiry.

MR ALLEN: But -- I don't need you to name them or even recall the names but are there a few particular clubs that are favoured by officers from your station when they socialise outside working hours?

10 THE WITNESS: Yes, I say there are clubs that they are more likely to visit than others.

MR ALLEN: Well, are there on-duty officers tasked with visiting those clubs to see who is there and whether they are behaving themselves?

THE WITNESS: No, they are not. There hasn't been -- well, prior to Tesco, at least, it hasn't been raised or identified as an issue. I must say that the district duty officers and regional duty officers and our own staff complete running logs that I look at in my role -- and I know that our senior officers
20 look at in their roles every morning -- and if there has been an incident at a nightclub involving an off-duty police officer, it is given a high level of attention and further investigations are conducted. The officers themselves are spoken to, CCTV footage is obtained and the matter is investigated to identify whether or not there has been any inappropriate conduct by the police officer.

MR ALLEN: In paragraph 62 of your statement you say that over the years some police officers have been identified apparently forming relationships with nightclub management and security and that you've held meetings with the officers concerned and their immediate supervisors.
30

THE WITNESS: Yes, I refer there to -- I refer there to situations more when I was on the road, when I was operations coordinator where police are overly friendly to security staff in an overt manner, it -- in my view it gives a poor public perception of police and potential conflicts of interest because police obviously have to investigate complaints against security and club managers and overt friendly behaviour, I think, should be discouraged.

MR ALLEN: I see. So you are referring to incidents there where, for instance, a police officer on duty in uniform is showing overt acts of
40 friendliness to a bouncer in front of a nightclub, something like that?

THE WITNESS: That's correct, such as inappropriate behaviour that I've seen in the past, some of the young police -- well, they engage in, you know, the modern types of hand shakes or high fives or that type of behaviour.

MR ALLEN: I see.

THE WITNESS: Although I have seen it on rare occasions, that's the type of behaviour that I will step in.

MR ALLEN: Okay. And you have, what, spoken to officers in that situation and given them advice as to public perception, conflicts of interest, matters such as that?

THE WITNESS: I have told them it is a bad look and don't do it, yes.

MR ALLEN: And how has that advice been received?

10 THE WITNESS: They took it on board, from recollection. That's going back, as I say, three or four years ago, both -- there were two officers that come to mind and neither of those are at Surfers Paradise any more.

MR ALLEN: You say in your statement that you reported identified -- or you report identified issues to your supervising inspector. Has that included reporting these matters?

20 THE WITNESS: Yes, although it is going -- as I say, again, two or three years it goes back, but I report almost every issue that comes to my attention to the inspector. The inspector at the time would have been a different inspector. I can't recall specifically reporting those situations but I am certain I would have.

MR ALLEN: And when you refer in paragraph 62 to this issue about relationships between nightclub management, security and police officers, that wasn't based upon any knowledge you had of off-duty behaviour of police officers?

30 THE WITNESS: No.

MR ALLEN: In paragraph 63 you say that potential risks associated with that issue are discussed with new officers during orientation.

40 THE WITNESS: Absolutely, and that's -- I referred there to the orientation booklet, and that's part of the process, particularly in new first year constables and officers being appointed to Surfers Paradise. I particularly address those issues and I advise them. It's become more of an apparent issue and problem since Tesco, and the advice that I give to those officers now is don't consume alcohol at nightclubs in Surfers Paradise, certainly not routinely. Avoid the nightclubs -- Surfers Paradise nightclubs and maintain professional standards at all times. And they take that on board.

MR ALLEN: In an interview with the CMC on 2 September this year you said that your advice to junior officers if they were in a situation at a party with friends and that they observed drugs being used would be to submit an Intel report. You wouldn't expect them to investigate the matter because of a potential conflict of interest but you would expect them to report it.

THE WITNESS: Well, that was a hypothetical scenario put to me. That

situation hasn't arisen where a police officer has put that to me but there would be an expectation from me, based on my values, that if off-duty police are aware of illegal criminal behaviour, then it should be reported.

MR ALLEN: Would you give any other information or advice to an officer who spoke of that situation?

10 THE WITNESS: I would offer them -- depending on the circumstances and the closeness of the officer with the people concerned, they may require welfare support. There would be potential welfare issues there, particularly if they were relatives or particularly close friends.

MR ALLEN: Is there any policy about reportable relationships that you are aware of in the Queensland Police Service if an officer does have concerns about a family member, relative or other friend such that they feel they need to declare matters?

20 THE WITNESS: Not that I am aware of off the top of my head. But if that situation arose or was brought to my attention, as the officer-in-charge I would seek advice and find out.

MR ALLEN: So apart from the numbers of visitors, the numbers of people drunk on the streets, are there any other aspects peculiar to the Gold Coast which present particular challenges to policing?

30 THE WITNESS: The biggest challenge is probably the transient nature of the people we have to police because we have -- we have cheap airfares, we're routinely groups of suspected ethnic gangs and so on will fly up on cheap airfares from Sydney, they will book into quite an expensive hotel often, come with plenty of money and cause trouble in the clubs and some of them are identified by tattoos as members of gangs from interstate and that type of behaviour is difficult to police because they can be here one day and gone the next. Difficult to identify them, difficult to follow up. It is a much more difficult environment to police than, for example, a country town where the police can know their offenders, they can know -- they have a system of community partnerships where they can address ongoing problems, but in Surfers Paradise every weekend is different. We're policing a different group every weekend and there is the problems with OMCG members, frequently interstate OMCG members where we have very little intelligence holdings or
40 very short notice. So there are those types of -- a lot of issues in policing that. It makes it a very stressful environment for the police to work in and when -- I found that when police are working under such a stressful intensive workplace environment, every day and then in some situations where they're going home to a stressful environment at home, that's when the problems arise because they are not -- there is no opportunity for them to get a break from the stress that they are dealing with and that's when these other issues come in, behavioural issues and problems with nightclubs and off-duty behaviour.

PRESIDING OFFICER: Do you have any view about how long a policeman

should be left in that environment or should they be rotated away from that regularly? Do you have any views about that?

10 THE WITNESS: Well, I have seen -- I have heard from interstate police that they have a system in Sydney where police rotate into Kings Cross for a six-month stint. For example, a group of police from one station in the suburbs will all come in together from the same station and work in Kings Cross for six months or three months, and then go back. And from the reports I have got, that system works very well, because then they -- they are not exposed continuously over a number of years to the high levels of stress. So in my view, it is not just a matter of policing numbers, it is a matter of the organisational structure. It needs to change so that police can be deployed to difficult environments such as Surfers Paradise for shorter periods of time but then in terms of job satisfaction, that they can return to some -- to another area. I think there are benefits in that model that they have apparently used in New South Wales.

20 PRESIDING OFFICER: There seem to be, in some of the hearings, that if you join the police force in Surfers Paradise where you grew up, for example, and you went into nightclubs and you kept on running into mates and so on who are on the jobs, then that can be a cause of stress and tension?

THE WITNESS: Yes, I would agree with that, although I haven't seen it personally as a major problem. I believe as a result of Tesco it has been identified as a problem in relation to one officer. I am not sure that it is widespread.

30 MR ALLEN: Are there any impediments in the Queensland Police Service to that type of deployment on mass of officers from outside a district for a limited period?

THE WITNESS: Well, I wouldn't say impediments but there are industrial provisions. There would need to be consultation with the union, there would need to be industrial agreements for that to occur, I believe.

40 MR ALLEN: If I could ask you some questions about gifts and benefits -- and you have dealt with that in paragraph 64 and following of your statement. You say that service policy with respect to soliciting or accepting gifts or benefits unless authorised was reinforced at local area in terms of briefings and meetings. What sort of briefings and meetings is that discussed at? It is the second sentence of paragraph 67 of your statement.

THE WITNESS: My paragraph wording -- numbers are different than yours but --

MR ALLEN: Oh, sorry, I am using the draft that we received yesterday rather than the one that was received this afternoon. Paragraph 72. Do you see the second sentence there?

THE WITNESS: Yes. I say in general the offering of gifts or benefits to police in official capacity is relatively rare, although police officers do from time to time receive cards, thank you cards with a gift card or a scratchy in it, or on other occasions members of the community have come to the station with a carton of wine or something at Christmas as a thank you. Those types of gifts, the service policy -- and this is reinforced at sergeants' meetings and so on, particularly in response when those situations have arisen, that in the first instance the gift or benefit should be politely refused. There is some circumstances where, particularly if it was sent by mail or whatever, it is of a relatively nominal value, then there is policy in place for the officer to make application to retain that gift and that report then goes up to the Assistant Commissioner for consideration and sometimes it is approved for a relatively minor gift and recorded in the gifts register.

MR ALLEN: What about gifts which are basically directed to the police station generally?

THE WITNESS: Well, that's the same -- the same thing, such as a carton of wine, I believe, was given to the station a couple of years ago, a report was submitted. I can't recall whether I submitted the report or someone else, and it was -- it was ordered in order not to offend the giver of the gift, the wine was actually donated to the -- from my recollection the RSL women's auxiliary.

MR ALLEN: Who was the donor, an individual or an organisation?

THE WITNESS: An individual community member who had endured a lot of problems with hoons and disorderly behaviour on the outskirts of the CBD area and in response to his complaint a police operation was conducted and resolved the issue.

MR ALLEN: Are gifts received from organisations at times, such as sporting clubs or --

THE WITNESS: I can't recall any instances of that but it would be -- as officer-in-charge I would deal with those types of issues just in accordance with policy, as we do. As I say, they would generally be politely refused in the first instance.

MR ALLEN: And is there some type of register that's kept of gifts?

THE WITNESS: There is a gifts register kept at the regional level. I believe since researching this issue in response to this inquiry, there is provision for a gifts register to be maintained at regional, district and divisional level. As a result of that, we have implemented a gifts register at Surfers Paradise station but in any event any gifts have to be reported up the chain of command to the Assistant Commissioner and they are recorded on a gifts register at that level.

MR ALLEN: And when was the gifts register at Surfers Paradise station instituted?

THE WITNESS: Well, just in the last week. There has been one previously. I was informed there was one previously but it was unable to be located.

MR ALLEN: Okay. You say in your statement that there is no requirement pursuant to policy as you understand it, to report customary hospitality or benefits of nominal value that officers may receive such as discounted meals. What are you referring to there when you refer to "customary hospitality"?

10 THE WITNESS: Well, in terms of the policy, that's contained in the code of conduct. Customary hospitality would refer to being offered a coffee, tea. I know from the days when I was on the road as a car crew, it was quite common for victims of crime to offer police coffee or soft drinks and I don't -- and that falls within that area of customary hospitality.

MR ALLEN: I see, okay. So it doesn't extend to free drinks at licensed establishments, obviously --

THE WITNESS: Well --

20

MR ALLEN: -- whilst off duty; you are referring to things on duty there.

THE WITNESS: Well, that policy refers to police officers within their official capacity --

MR ALLEN: Right.

THE WITNESS: -- may accept customary hospitality. Obviously in a private capacity, police can accept gifts and benefits if it is not in connection with their position as a police officer.

30

MR ALLEN: All right. Well, we will come back to that but you also mention there that police in their official capacity then as you understand it can accept benefits of nominal value, such as discounted meals?

THE WITNESS: Well, that's correct. It has been acceptable as long as I have been in the Queensland Police Service, both before and after the Fitzgerald Inquiry, for police to accept half price McDonald's or to accept half price coffee.

40

MR ALLEN: From?

THE WITNESS: From businesses.

MR ALLEN: Right. In addition to McDonald's?

THE WITNESS: Yes.

MR ALLEN: Right, okay. Is there a particular McDonald's on the Gold

Coast that supplies free meals to officers?

THE WITNESS: Not that I am aware of, no.

MR ALLEN: So when you talk about benefits of nominal value such as half price McDonald's, you don't draw any limit as to the frequency or regularity of that?

10 THE WITNESS: No, but it has been my -- been my experience that the police on night work are the ones that most frequently avail themselves of the McDonald's, simply because the lack of availability of meals at 3 am in the morning.

MR ALLEN: Yes. What about benefits of nominal value apart from them; how do you draw the line of what's nominal and therefore acceptable and what's not?

20 THE WITNESS: Well, the only examples that come to mind are half price or discounted meals and non-alcoholic beverages.

MR ALLEN: Okay. And there is, as you say in that paragraph, no requirement to report those receipts of discounted meals?

THE WITNESS: No.

30 MR ALLEN: Now, in paragraph 79 of your statement you say: "The acceptance of gifts or benefits exceeding nominal value or customary hospitality where there is a conflict of interest has the potential to undermine public confidence in the police service. A conflict of interest would include any situation where the person offering the gift or benefit expects a favour in return."

THE WITNESS: Yes.

MR ALLEN: You see that as being clearly inappropriate.

THE WITNESS: Yes, I do.

40 MR ALLEN: But you don't see that public perception would perhaps impact on the appropriateness of police receiving free or half price McDonald's, for example?

THE WITNESS: No, and I have asked -- to gauge public opinion on that I have asked a large number of people in the general community their opinions on that and I haven't -- the feedback that I get is that they are not -- members of the community are not concerned about that.

MR ALLEN: And how does the policy assist the police officer applying it to himself or herself determine where there may be a conflict of interest?

THE WITNESS: Well, I don't think -- I don't believe the policy defines that. That, in my view, would come down to the person's own judgment and their own values. It is difficult to -- I would think it would be difficult to define clear policy in regards to that.

MR ALLEN: Right. So it is really -- it is basically an honour system; it is up to the officer to determine themselves whether it should be reported.

10 THE WITNESS: Well, they have what we call a self test, so they can apply in assisting them to make a sound ethical decision, the self test referred to there in my statement. They should ask themselves would their decision withstand scrutiny from the public, the media and the community. Would it ensure compliance with the legislative policy, would their decision be fair to all persons.

MR ALLEN: Yes.

THE WITNESS: And so on.

20

MR ALLEN: Paragraph 83 you say, "It is inappropriate for Surfers Paradise police ..." -- should that read?

THE WITNESS: Yes.

MR ALLEN: " ... to accept free hospitality exceeding nominal value from nightclubs whilst on duty or in their official capacity as a police officer."

THE WITNESS: That's my view, yes.

30

MR ALLEN: So whilst on duty they shouldn't be accepting free hospitality of any substantial value from nightclubs?

THE WITNESS: No, although I will clarify that. We do have meetings with nightclubs and -- in our official capacity and are occasionally offered coffee, and so on, customary hospitality.

MR ALLEN: You say, "It is also inappropriate and a breach of discipline for an officer to ask for free hospitality or benefits in their capacity as a police officer."

40

THE WITNESS: That's correct, and that's the guiding -- that's the first point in the policy, that police officers must not solicit gifts or benefits --

MR ALLEN: Yes.

THE WITNESS: -- without approval. For example, they may be conducting fundraising for the police citizens youth club, and so on. In that regard they require the approval of the Assistant Commissioner before soliciting gifts or

benefits.

MR ALLEN: So, as you say in the next paragraph, a police officer shouldn't flash their badge to gain free entry whilst off duty to a nightclub.

THE WITNESS: That's correct.

MR ALLEN: Or try and solicit a free drink.

10 THE WITNESS: Correct.

MR ALLEN: All right. Well, how different is it that police officers who are well-known because of their duties as police officers to management and staff of nightclubs receive free drinks?

THE WITNESS: Well, the difference is that the nightclubs -- almost all, if not all the nightclubs conduct extensive promotional arrangements where they provide free alcoholic drinks to general members of the community, particularly to people -- members of the general community who frequent
20 nightclubs. They will frequently give -- well, they give free entry to almost all people before a certain time, say 9 o'clock at night. Locals know how to work the system, they will go before 9, get a stamp on their hand and come back later so they don't pay entry. There is countless numbers of birds and promo people in Surfers Paradise that hand out vouchers for free entry and sometimes VIP entry type thing, which from my understanding involves a degree of provision of free alcohol. I've -- from my knowledge of the liquor industry in Surfers Paradise, I am aware that the clubs do provide drink cards to regular customers, both off-duty police and members of the general community. For
30 example, a hen's night or a bucks party or someone's birthday, they will promote their club by providing patrons with a certain number of free drinks.

MR ALLEN: The Commission's heard evidence of police officers regularly receiving benefits from certain nightclubs of drink cards in denominations up to \$100 at a time.

THE WITNESS: I have heard that, yes.

MR ALLEN: But you say that's not a matter of concern because members of
40 the public get that as well.

THE WITNESS: Well, it would depend to the extent. If -- if the -- as I say in my statement, if the extent of the free hospitality or benefits the police are receiving is roughly consistent with what members of the general community are receiving, then I wouldn't see conflicts of interest involved there.

MR ALLEN: Okay, but you would see that if, in fact, the nightclubs were deliberately making a choice to provide benefits to off-duty police to a larger extent than they might give to an ordinary member of the public?

THE WITNESS: Well, I think it would require further investigation to ascertain why the nightclubs were doing that, if in fact they were, and --

MR ALLEN: Why would it matter, their motive, if they were in fact choosing to provide a greater level of hospitality, free benefits to police rather than other members of the public?

10 THE WITNESS: Well, it would matter in terms of the -- determining whether it is a conflict of interest to police officers. The nightclubs may -- if they were doing it because they expected favours or because they asked for favours or because they were given favours, then clearly it would be a much more serious situation in my mind than if they were doing it because they liked a police presence in their nightclub to deter OMCG members, or whether they were doing it to a particular -- in response to -- a police response to a certain incident, they were doing it as a thank you. While it still may be unacceptable, the degree of seriousness, I think, would be quite different.

20 MR ALLEN: So you would look at the actual motives of the nightclub rather than just public perceptions of police officers getting free drinks because they are police officers?

THE WITNESS: Well, as I say, I believe that issue is something that would require further investigation, further examination. I don't -- personally, I am not aware of any public concern about that. It has never been raised to me as a matter of public concern. I believe it would be a matter of public concern if there was a conflict of interest involved.

MR ALLEN: Paragraph 116 --

30 THE WITNESS: Can I just clarify that to say that I am talking pre-Tesco here because since Operation Tesco our Assistant Commissioner in particular has gone to great lengths to discourage police from accepting any sort -- any free drinks from any of the nightclubs, from going to the nightclubs and he has also held meetings with the club managers and -- and owners of nightclubs asking them not to provide free drinks or free entry to police and -- but having said that, there has been no change in policy.

40 MR ALLEN: Do you see a difference between a police officer receiving the benefit of a \$100 drink card as compared to receiving a \$100 bill?

THE WITNESS: Totally different. Totally different situation because a police officer -- an off-duty police officer or member of the public going into a nightclub, for example, in a group, say a group of -- I could give an example of a recent hen's party I was aware of, and the provision of a \$100 drink card to them or a group of people, whether they be off-duty police officers or anyone else, the price of alcoholic beverages in nightclubs may give them one or two free drinks each. Now, if those people are staying there for a number of hours in the club, that is a promotional exercise on behalf of the club to encourage those people staying. So I don't see that necessarily as being --

being inappropriate in itself.

MR ALLEN: I suppose it becomes a matter of degree then as to how many people are sharing the drink card, what the denomination is.

THE WITNESS: That's right.

10 MR ALLEN: In paragraph 115 of your statement, you say, "In your experience officers who report or take action against other police officers or members of the QPS are strongly supported by their colleagues, supervisors and management." How is an officer where he reports misconduct supported at the station level.

THE WITNESS: Well, they are supported by their team in the first instance, they are supported by their team leader, they're offered welfare support through the Police Service employee assistance scheme, and then --

MR ALLEN: Is that proactive or only if they voice concerns?

20 THE WITNESS: No, it is proactive. I could give an example of a fairly recent example of an off-duty police officer who was arrested drink-driving with quite a high alcohol content. The police officers were offered support right from the morning of that arrest, they were offered -- they came with their team leader to my office where I offered them further support, and advice concerning assistance from peer support officers and human services officers within the Police Service and they were very strongly supported by team members and by management in the actions they took.

30 MR ALLEN: Paragraph 116, you say, "There are some difficulties maintaining strict confidentiality with respect to misconduct complaints."

THE WITNESS: Yes, there is. And that's -- that's a result of the process. The current process -- if there is a complaint made against a police officer at Surfers Paradise, for example, if the complaint's made -- a large number of complaints are made to Surfers police about Surfers police officers so the complaint is made to a colleague of the officers concerned, it is reported and goes -- the reports go to the ESC and the CMC and invariably requests come back down from the CMC or the ESC to our region and initial preliminary inquiries and evidence gathering is done by Surfers Paradise police.

40

MR ALLEN: At which level?

THE WITNESS: At sergeant level or senior sergeant level, my level or the admin sergeant will conduct those inquiries, obtain the footage.

MR ALLEN: If it is at sergeant level it could be -- could it be the team leader of the subject officer?

THE WITNESS: Well, potentially it could be because we don't always know

the subject members. They often come down unknown. So until we conduct preliminary inquiries, we don't know who the officers are often. The conducting preliminary inquiries in themselves can be very time consuming, going through hours of footage. During that process, it is very difficult to maintain strict confidentiality.

MR ALLEN: It could also put the police officer tasked with investigating the fellow officer in a difficult position, couldn't it?

10 THE WITNESS: Well, often -- as soon as the police officer identify -- and sometimes they will identify themselves as the subject officer, they report it back and then somebody -- the file is redetailed to somebody else to make those inquiries, but the process of Surfing Paradise police investigating Surfing Paradise police, I don't believe is conducive either to confidentiality, nor will it withstand public scrutiny. I don't believe it is appropriate.

MR ALLEN: So how should the system be improved?

20 THE WITNESS: The system should be improved by having these investigations and inquiries conducted by officers not working at Surfing Paradise. Or alternatively, with the announcement by the Commissioner of five new district duty officers to be based in Surfing Paradise, perhaps those officers being of a higher rank and not attached to the teams, there may be sufficient degree of separation there for them to conduct preliminary inquiries. But it remains my view that should the matters proceed to full investigation, and those internal investigations should be conducted by police other than police stationed at Surfing Paradise.

30 MR ALLEN: Do you have any view as to how effective current QPS policies and strategies are in detecting police officers who might be abusing drugs or alcohol?

40 THE WITNESS: I know that there are some proactive strategies that are in place, but the effectiveness of them, because of the confidentiality issues, we do have a drug and alcohol unit where members who self-identify with drug or alcohol problems can seek assistance and support, and that may be happening without my knowledge, because it's a confidential process, so I can't gauge the effectiveness of that. There have been sessions provided by human services officers within our region, they have addressed our staff and there have been workshops addressing welfare issues, including managing stress, alcohol and drug problems, and informing police officers as to the support systems available. But again it's really difficult for me to judge the effectiveness of those processes.

MR ALLEN: Is there any program of random drug or alcohol testing?

THE WITNESS: There's a program of random alcohol testing. To the best of my knowledge, the drug testing is generally targeted. I may be wrong on that. That's my belief. But certainly random alcohol testing is quite common, it's

performed routinely.

MR ALLEN: I know it's random, but is it fairly regular?

THE WITNESS: It is fairly regular. It's regular across the service. I wouldn't say that it's regular on a monthly basis or at a particular station. For example, the regional duty officers on the Gold Coast perform the testing in most cases, and I believe on average they would test the station or unit perhaps once every one month to three months.

10

MR ALLEN: I see. Do you see any advantages or disadvantages in routine drug or alcohol testing?

THE WITNESS: Well, I think this Tesco inquiry has indicated that there could be benefits in random drug testing.

MR ALLEN: Do you see any disadvantages in more frequent drug or alcohol testing of police officers?

20

THE WITNESS: Well, I think there are disadvantages, in that a large numbers of police, like members of the general community, take prescription medication, and there may be concerns about confidentiality of medical problems. Certainly it's my experience that police officers don't have a high degree of confidence in confidentiality with regard to welfare issues in the police service. The human service officers who are principally assigned to provide welfare support to police officers do have a reporting responsibility to senior management, so confidentiality is not maintained in that regard in all cases. Certainly in regard to random drug testing, unless it is specifically targeted and is limited to illegal drugs, then I think there could be problems.

30

MR ALLEN: What if it was limited to illicit drugs?

THE WITNESS: Well, if it was limited to illicit drugs, generally there may not be a problem. Then again, some illicit drugs such as steroids are also available by prescription, for example for men who may have testicular cancer, there may be confidentiality issues regarding that.

40

MR ALLEN: If a test could be specific to illegal drugs, do you see any difficulties or possible resistance to more frequent drug testing of police officers?

THE WITNESS: I can't think of any objection to it. I think there could be benefits.

MR ALLEN: Have you seen any difference in attitude between older and younger police concerning illicit drug use and the policing of such?

THE WITNESS: No, I haven't. But I would think that the values have changed along with changing community values and standards. What was

acceptable, or may have been acceptable in the general community in the 1960s, when then there was a problem with cannabis abuse; these days there are different drugs and the pills are more of a concern. In my experience, the police are very much opposed to drug use. They see the dangers, and the conversations that I overhear, is the disbelief that so many young people can take illegal drugs and pills without knowing what's in them.

10 MR ALLEN: So you haven't yourself perceived amongst the younger generation of police a tolerance of illicit drugs?

THE WITNESS: No. No, I haven't.

MR ALLEN: You said in an interview with the CMC that one of the difficulties with policing in that volatile Gold Coast nightclub district is that members of the public these days don't like to be spoken to assertively, being told to do things. Is that a comment which would apply to the younger generation of police?

20 THE WITNESS: No, I applied that comment in response to the way police police in Surfers Paradise because they are dealing with drunken, often abusive and aggressive people on a daily basis, the police develop more assertive communication tactics that will be more effective with drunken and intoxicated people, but from time to time -- it's not common, but from time to time Surfers Paradise police, when faced with a different situation, dealing with a traffic offender, they may come across as being overly assertive. Even though their language may not be incivil or they are not using obscene language, they are being very assertive in the way they speak, and that can sometimes be a concern to members of the community.

30 MR ALLEN: You haven't noticed any generational change with younger police, that they are in some way less amenable to discipline or authority?

40 THE WITNESS: No, I haven't, no. No, I haven't found that problem. But again, I'll mention in response to the way, incivility and the way people speak and their use of language, you have to think that to some extent police values and standards, in terms of the language they use, has probably fallen back in line with community standards in some regard. Whereas once -- because now, almost every movie you watch or every movie you watch, every television show, there's obscene language, and a good example is probably Kevin Bloody Wilson and his show. Like, 20 years ago he was arrested for using obscene language; last year he was nominated, I believe, for Australian of the Year award. So community values have changed.

MR ALLEN: And, likewise, those values are reflected in the members of the police service who are part of that community?

THE WITNESS: Yes.

MR ALLEN: Do you have any observations as to whether the current

recruitment process is able to ensure that only suitable persons are appointed as police officers; persons who have the necessary communication skills or maturity?

10 MR CARMODY SC: Before you answer that, Mr Chairman, I wonder if you might not insist on an answer being given to that question. I don't say it's not relevant -- but a senior sergeant's job as the officer in charge of the Surfers Paradise Police Station is now open and he would be a candidate for that job and he's being asked to comment on existing policy, and it may put him in an invidious position in respect of his future position within the hierarchy of the Surfers Paradise, police force -- or the Surfers Paradise Police Station. I raise it for your consideration and ask you not to insist on the answer.

PRESIDING OFFICER: Mr Allen?

MR ALLEN: I can't imagine that this witness would be victimised by the Queensland Police Service or disadvantaged in his promotional prospects by answering that question.

20 PRESIDING OFFICER: I think that's probably right.

MR ALLEN: Do you have any views as to whether the recruitment process is producing suitable officers or whether there's some room for improvement and, if so, what?

30 THE WITNESS: In my view, 90, probably 99 per cent of the police are well selected, and I think, regardless of the processes, there will be always individuals who slip through the net or who are susceptible to temptations, and certainly with the police that I've seen come through Surfers Paradise in recent years, I don't see any problems with the recruiting process.

MR ALLEN: Just finally, you mentioned in paragraph 113 of your statement that it has been your experience that your officers will take appropriate action in relation to police officers who are intoxicated or involved in disturbances in Surfers Paradise, including arresting them, if necessary?

THE WITNESS: Yes, that's correct.

40 MR ALLEN: You mentioned one instance, for example, of an officer being arrested for driving under the influence?

THE WITNESS: Yes.

MR ALLEN: Have there been other occasions where police officers have in fact been arrested?

THE WITNESS: There have been numerous examples over the years where off-duty police officers have been arrested in Surfers Paradise, including interstate police officers involved in disturbances and drink-driving, and the

police in all cases have taken appropriate action, we've arrested the offender or suspected offender. They have taken them back to the police station, in some cases they have been placed in a cell and the regional duty officer has been informed, and then action has been taken in one regard or another, either enforcement action, prosecution or -- yes, whatever appropriate action has been taken.

10 MR ALLEN: In the last two years, if we limit it to that, have there been any members of the Queensland Police Service arrested by any of the officers under your command?

THE WITNESS: Yes, there's at least one.

MR ALLEN: Was that the drink-driving episode?

THE WITNESS: That was a drink-driving episode. There was also another police officer who was arrested in response to a public order incident in Surfers Paradise.

20 PRESIDING OFFICER: Mr Allen, have you got much further to go?

MR ALLEN: No, I haven't. I'm just about to conclude. Was that police officer from the Gold Coast region?

THE WITNESS: He was from the south-eastern region.

MR ALLEN: I have nothing further for this witness.

30 PRESIDING OFFICER: Any questions from the bar table representatives?

MR CARMODY SC: I have some. Senior sergeant, I just want to ask you: You mentioned in your statement some police service internal courses that you did, or that you have completed over the years.

THE WITNESS: Yes.

MR CARMODY SC: I'm assuming that your position as officer in charge of a police station requires you to go through a selection process?

40 THE WITNESS: Yes, it does.

MR CARMODY SC: And you have to do extra training and qualify by, what, examination?

THE WITNESS: Well, in my case I was already a senior sergeant, so I didn't have to do additional training, but I had to do the management development program, to be promoted to senior sergeant, and then I had to apply under a merit-based selection process for the officer-in-charge position.

MR CARMODY SC: If you don't fill the new officer-in-charge position which is now being upgraded to inspector level, you would be a qualified officer-in-charge without a police station, would you?

THE WITNESS: Well, potentially.

MR CARMODY SC: In the management development program were you tested or trained in behaviour management?

10 THE WITNESS: I can't recall specific training in relation to behaviour management, no.

MR CARMODY SC: Was there a subject called ethical leadership?

THE WITNESS: From my recollection, that didn't form part of the management development program when I did it.

MR CARMODY SC: What about Dangerous Liaisons, is there a subject like that?

20

THE WITNESS: No, not in the management development program, but there's been a workshop on that, a one-day workshop.

MR CARMODY SC: What did that involve?

THE WITNESS: That involved members -- I believe they were actually Ethical Standards Command, coming down and addressing, I believe it was, all officers of the rank of sergeant and above and discussing the CMC document "Dangerous Liaisons" and the issues involved in that report.

30

MR CARMODY SC: Did most of it take up someone reading to you from the report, from the CMC report?

THE WITNESS: Yes, reading from the report and general discussion.

MR CARMODY SC: You mentioned your principal responsibilities in the selection criteria, in paragraph 7 of the statement I have, in paragraphs (a) to (g). It might be around 7 or it might be 9 in yours. I didn't pick any up that was specifically related to supervision, but I'm assuming that the reference to "manage human resources" would cover that field; is that right?

40

THE WITNESS: Yes.

MR CARMODY SC: Is that the only one that would be relevant to how to manage police under your command?

THE WITNESS: I guess the first one, "control available resources internally and externally".

MR CARMODY SC: All right, so human resources.

THE WITNESS: "Through effective management techniques".

MR CARMODY SC: How do you get tested on your knowledge, experience and aptitude for managing human resources, to be appointed as officer-in-charge?

10 THE WITNESS: Well, there's an informal development process through relieving opportunities. I relieved as an officer-in-charge for approximately two years at Charleville, and I relieved as officer-in-charge at Surfers Paradise for approximately two years before I was promoted. And during those relieving stints there's an appraisals process.

MR CARMODY SC: Who does that?

THE WITNESS: (inaudible)

20 MR CARMODY SC: Who does your appraisal, when you are relieving, about your ability to manage human resources?

THE WITNESS: Your supervising inspector.

MR CARMODY SC: How does he do that? What does he use to gauge your aptitude for that? What is his measurement?

30 THE WITNESS: It would be more informal than that. It would be based on their observations and their judgment of how you handle particular human resource issues as they arise.

MR CARMODY SC: I want to do some figures with you. You say, I think, that you have got actually available for operational deployment 85 officers; is that right?

THE WITNESS: That was as of -- when I first did that statement. That's the average that we have, about 85 officers.

40 MR CARMODY SC: But you are structured into six operational teams, each with 17 in them?

THE WITNESS: Yes. That was as of that roster about two weeks ago.

MR CARMODY SC: That's 102, according to my calculations, to have six teams of 17 officers.

THE WITNESS: Some of those officers working on the teams, within those numbers, may include officers on rehab. Those teams of 17 -- that number of 17 includes officers on recreation leave.

MR CARMODY SC: So they are not really available?

THE WITNESS: No.

MR CARMODY SC: And the teams may not really be 17?

THE WITNESS: The teams are 17. But, as I said in that statement, about 12 to 14 per cent of our total staff would be on leave at any given time.

10 MR CARMODY SC: You have got either less than six teams or less than 17 members in each team?

THE WITNESS: Well, there's 17 members in the team, but there would be up to four officers in those teams on recreation leave.

MR CARMODY SC: So that could reduce it down to 13 in the team?

THE WITNESS: Well, that's correct, actually available for operational deployment, yes.
20

MR CARMODY SC: On average, you say 11 of those are constables?

THE WITNESS: Yes.

MR CARMODY SC: How many of those constables, on average, or according to the mean, would have less than three years service?

THE WITNESS: Almost all of our constables at Surfers Paradise come there after they are confirmed, so they are second year constables, they have got one year service when they are deployed to Surfers Paradise. They are there for a three-year tenure and then a large proportion of them apply for and obtain transfers. So a significant proportion of our constables would have under four years service anyway.
30

MR CARMODY SC: What would be the proportion, more than 50 per cent?

THE WITNESS: Yes, I would say so.

MR CARMODY SC: More than 70 per cent?
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THE WITNESS: I would have to do an analysis to be sure, but I would -- it would be a rough guess, but I would say possibly 70 per cent of our constables would have less than four years service.

MR CARMODY SC: And not many of them stick around after the four years; is that right?

THE WITNESS: No. Although there are -- there is a percentage -- there is a percentage that do stay there and they get promoted and they stay at Surfers

for many years.

MR CARMODY SC: Let's draw the distinction. Some stay on promotion. What about lateral transfers, voluntary transfers, not on promotion, of constables or senior constables with more than 10 years experience; is that a common feature or experience at Surfers Paradise?

10 THE WITNESS: Most of our senior constables and sergeants will stay there until they are promoted, they don't generally transfer sideways, so they are -- they have quite extensive service at Surfers Paradise.

MR CARMODY SC: Let me ask you directly: Is it hard to attract people back to Surfers Paradise when they have got more than 10 years experience, except on promotion?

THE WITNESS: Yes, it is. Generally in response to a state-wide gazetted vacancies at Surfers Paradise, we may get between one and three applications.

20 MR CARMODY SC: Why is that, from your experience? What's wrong with Surfers Paradise as a police station preference?

THE WITNESS: I think it's -- I don't know, it's only my opinion and the feedback that I get, I think part of it -- part of it is not just working in Surfers Paradise, part of it is the perception of the high cost of living on the Gold Coast. There's certainly a perception and a reality that it is a very stressful environment to work in.

MR CARMODY SC: Family friendly or not?

30 THE WITNESS: In terms of shiftwork, shift work in general sometimes is generally not family friendly.

MR CARMODY SC: That's true. What about the Gold Coast? Say you are trying to recruit someone from -- to Surfers Paradise, what sort of questions would they ask you and what sort of responses would you make to get them to come?

40 THE WITNESS: They would ask about the roster, and generally in response to the roster, because we have a block roster that is predictable, it's a six-week six-team roster, so it's rotating over a six-week basis, they like that, they like to be able to predict their shifts. They like that their shifts are in blocks, they like that they start on a week of day shifts and it progresses to a week of afternoon shifts and a week of night shifts. They like that their blocks of rest days or days off are together, they don't have one day off here, one day off there.

MR CARMODY SC: That's a good thing, an attractive thing?

THE WITNESS: Yes, they like the fact that their weekends are off together,

they can have a Saturday and Sunday off together.

MR CARMODY SC: What's a disincentive for going?

10 THE WITNESS: The disincentive to go is the perception or the reality of the violent nature of the job there, it's not for everybody. If I can add to that, certainly the high number of complaints that police attract through the nature of the job that they are doing there, the high number of violent altercations they become involved in, where the police are required to use force, and the use of force often results in minor injuries and that leads often to complaints against police. So police are under the constant pressure of being under investigation.

MR CARMODY SC: So there are easier places to earn the same money and get the same promotion or have the same promotional prospects?

THE WITNESS: Well, promotion is on merit.

20 MR CARMODY SC: Do you get any benefit, any credit for having served a lot of time with the Surfers Paradise Police Station when you are going for a promotion, or not?

THE WITNESS: Certainly the police at Surfers Paradise are exposed to a wide -- they get a lot of experience. They would have a lot more to put on their resume and they would be a lot better prepared for jobs in quieter areas, because of their level of exposure to major incidents, the use of force, their experience in dealing with people, violent situations.

30 MR CARMODY SC: But again it's on merit, so there's nothing that says if you have served more than two years at Surfers Paradise, after 10 years of service in the police service you get something special?

THE WITNESS: No, they are given no benefits.

MR CARMODY SC: You said before that -- so we have established that you have a predominance of young constables there within the teams. You said before you have a shortage of sergeants, which might mean that sometimes the senior constables might be the team leaders?

40 THE WITNESS: Yes, that occurs from time to time.

MR CARMODY SC: You only have two senior constables?

THE WITNESS: On average on the roster, yes.

MR CARMODY SC: Per team?

THE WITNESS: Two to three senior constables, yes.

MR CARMODY SC: What's your experience, is the age or service experience disparity between the senior constables and the constables, is it great or small?

THE WITNESS: It's about average. They generally progress -- the senior constables at Surfers Paradise, they have almost all progressed there from their rank as constable at Surfers Paradise because they don't get promoted to senior constable, they progress on service and qualifications. So they are generally constables at Surfers who have progressed to senior constable level.

10

MR CARMODY SC: What you said before about the lack of attractiveness of Surfers Paradise, are the sergeants you get, is it fair to say, would be young, younger than the mean?

THE WITNESS: I don't know that it's any different than anywhere else in the state, about average.

MR CARMODY SC: Now, they are the frontline supervisors, your sergeants, when they are available?

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THE WITNESS: Yes.

MR CARMODY SC: I'm told that they also do other things within the station that keeps them off the street, apart from the shortage of numbers. They are also involved in QPRIME data entries and things?

THE WITNESS: Yes, they allocate and they have to -- they monitor investigations that their team members are undertaking. They -- they have risk management responsibility, including auditing equipment, radios, torches, et cetera, vehicles.

30

MR CARMODY SC: They have administrative work to do as well?

THE WITNESS: Yes.

MR CARMODY SC: Are the sergeants also responsible for discipline?

THE WITNESS: They are responsible for discipline to the same degree as all police are responsible for reporting identified breaches of discipline or misconduct, but they are also responsible, as I gave in evidence, responsible for maintaining professional conduct by members of their team, compliance with the code of dress and appearance and so on.

40

MR CARMODY SC: So that's from sergeant to constable and senior constable, they would be responsible for disciplining their subordinates, if you like?

THE WITNESS: In terms of providing managerial guidance with respect to minor breaches of discipline, yes. They are also assigned -- as I said before,

the sergeants are assigned a number of internal investigations to conduct.

MR CARMODY SC: I was coming to that. Internal investigations, what does that involve?

10 THE WITNESS: That involves -- there are two types of internal investigations they do. The first one is preliminary inquiries, where they are -- they conduct what's really a short investigation, where they make inquiries with the officers, they look at the sheets, they look at CCTV footage, they review evidence, and then they will contact the complainant and obtain a version from them, and then they will make a recommendation as to whether the matter can be resolved informally through the managerial process or whether it requires full investigation.

MR CARMODY SC: Why are sergeants lucky enough to have that job?

THE WITNESS: It's just the policy that's been put in place at the our region. I believe it's the same throughout the state.

20 MR CARMODY SC: It's one of the reasons that would keep them off the street with one of the teams?

THE WITNESS: Yes, it is.

MR CARMODY SC: Can I ask you about the beat crews. How many of them do you have from Sunday to Wednesday, at night?

30 THE WITNESS: On a Sunday to Wednesday, we've got one team on, that generally averages around about 20 or 17, sometimes as you said, 13 police officers. Taking out the five officers that are not -- that can't be deployed to the beat, that leaves sometimes 10 on the beat.

MR CARMODY SC: Eight or 10?

THE WITNESS: Eight or 10.

MR CARMODY SC: Are they different teams, two different crews?

40 THE WITNESS: They will be generally two teams of four. We've found, I believe, in terms of officer safety, four is the optimal number of police officers on a beat team.

MR CARMODY SC: That's unique to Surfers Paradise, isn't it? There's usually two per crew?

THE WITNESS: In a car crew there's two.

MR CARMODY SC: And beats in other places other than Surfers Paradise?

THE WITNESS: I don't know. I believe they do the same in the city, in the Valley. Four members of beat teams are really necessary, because if one person is arrested then there's generally another person involved. The public, as you saw in that footage, it's necessary to keep the public back and control the crowd, four at a bare minimum.

MR CARMODY SC: Is it a situation where all four members of the beat crew would be constables?

10 THE WITNESS: Yes, does that occur.

MR CARMODY SC: Is that desirable?

THE WITNESS: In my view it's not desirable but it does occur quite often.

MR CARMODY SC: Why?

THE WITNESS: Because of the number of sergeants we have, we only have two sergeants on a team.
20

MR CARMODY SC: Ideally would you like to see a sergeant with every beat crew?

THE WITNESS: Ideally I would like to see a sergeant with every beat crew, which would necessitate at least a 25 per cent of our total staffing would be sergeants.

MR CARMODY SC: What would be the advantage of having a sergeant as a supervisor of every beat crew, as opposed to having four constables on their own on the beat?
30

THE WITNESS: They have a higher level of training, particularly in terms of incident management. There's a -- they are able to provide more coordinated and professional response to major incidents, give directions, take control of incidents, and coordinate the multi-agency response to incidents, such as ambulance service, fire service. They can take a -- they have initial on-site command plus in terms of this inquiry they provide an additional level of supervision, in terms of maintaining and monitoring professional conduct.

40 MR CARMODY SC: If you are going to have an early intervention policy, that would be the place to have it, wouldn't it?

THE WITNESS: Yes, it would be.

MR CARMODY SC: And it would give them the opportunity to report what they see because they are out there to see it?

THE WITNESS: Yes.

MR CARMODY SC: As opposed to being in the station office?

THE WITNESS: Yes, it would. As you say, it would give them the opportunity to intervene early. If they saw police acting inappropriately or using an inappropriate degree of force, they are in a position to step in and they have the authority of rank to do something.

MR CARMODY SC: As opposed to one constable having no more authority or no less authority over the other constables in the team?

10

THE WITNESS: That's correct.

MR CARMODY SC: Likewise with senior constables, do they like to wield the authority generally that sergeants do?

THE WITNESS: No, generally the senior constables accept their position of authority. Although that's not exactly the same as sergeant, they haven't had the same degree of training and experience, they do accept that.

20 MR CARMODY SC: Apart from the authority of rank, a sergeant is more likely to be older than a constable, or than some senior constables would be?

THE WITNESS: Generally. Although the Queensland Police Service recruits people of all ages, so there are often situations where the first year constable may be older than the sergeant.

30 MR CARMODY SC: Compared with other members, the other 17 or 13 members of the team, the highest risk for being tempted would be the beat crews, wouldn't they? They would be the ones at the bars, at the hotels, at the clubs? More exposure than anyone else on the team, wouldn't they?

THE WITNESS: I don't know that you could make -- that I could make a broad statement like that. I don't know whether that's the case. It would depend on the individual groups and the group dynamics of who goes to the bars.

MR CARMODY SC: What do the beat crews do, what's their job?

40 THE WITNESS: Are you talking about off-duty behaviour?

MR CARMODY SC: No, no.

THE WITNESS: Oh, on duty. In terms of on-duty behaviour, certainly the constables would have the most exposure to the nightclubs, yes.

MR CARMODY SC: They would be the ones who need the most supervision, wouldn't they, it follows?

THE WITNESS: Of the clubs?

MR CARMODY SC: No, most supervision of the QPS?

THE WITNESS: The constables?

MR CARMODY SC: On the beat?

10 THE WITNESS: I wouldn't necessarily agree with that because there is generally a sergeant, at least one sergeant, on duty on the beat, who supervises all the beat teams. And there are generally senior constables on the beat as well. So there are those other levels of supervision present.

MR CARMODY SC: But in terms of risk, minimisation of risk, the highest risk of at-risk people would be your constables on the beat, the new constables on the beat, wouldn't they?

THE WITNESS: Yes, I guess that would be fair comment.

20 MR CARMODY SC: On the weekends, the Friday, Saturday, Sunday -- or Friday and Saturday, say -- how many beat crews would have walking around after dark, before daylight?

30 THE WITNESS: Again, it varies, depending on our staffing numbers. At present, we have about 25 officers, 25 to 30, rostered on a Friday and Saturday night from two teams, and of those, 15 to 20 would be on beat patrol, at most. Because as the night progresses and there are more arrests and more police become involved in paperwork and prisoner processing and transporting prisoners to the watchhouse and back and so forth, so on a Saturday night you might start off with 20 police officers on the beat, but by 3 o'clock in the morning there might be five or none, depending on how many police are tied up.

MR CARMODY SC: You've already got an inspector, I think you told us, who is the district duty officer; is that right?

THE WITNESS: Sorry?

40 MR CARMODY SC: There's already an inspector at the district, the Gold Coast district?

THE WITNESS: Yes, the inspector who is attached to the district office, he is assigned the responsibility for Surfers Paradise and the LEAPS unit, Inspector Haslam.

MR CARMODY SC: Did you say you would have 15 on the beat over the weekend?

THE WITNESS: Fifteen to 20, unless we -- and we conduct larger scale operations at least once a month, where we obtain additional resources.

MR CARMODY SC: How many people in the beat area would there be on a Friday and Saturday night?

THE WITNESS: It's been estimated between 15,000 to 20,000. Again, that number varies.

10 MR CARMODY SC: Is there any ongoing -- I'll ask you this question: Maybe we can head it "Supervising the supervisors". Is there any internal mechanism for the sergeants to be supervised, apart from the RDO and the DDO that you have already spoken to us about, any proactive method?

THE WITNESS: Well, they are -- they are supervised in terms of everything they do is recorded; everything is on video camera, everything is on CCTV camera. The charge area is under 24-hour video surveillance. Almost everywhere they work on the street in Surfers Paradise is under 24-hour CCTV surveillance. So their conduct can be monitored in that regard.

20 MR CARMODY SC: Say if I was going to give an award to the best supervisor in Surfers Paradise, what would I look at? What indicators would there be for me to make an assessment, differentiating between the quality of supervisors there?

30 THE WITNESS: Well, it's very -- it would be very difficult to evaluate in those terms, because different sergeants and different supervisors have different qualities. Whereas one supervisor may be very good at motivating his team in achieving statistics, another supervisor may be better at -- be a more courageous leader, where they will lead their team into a nightclub where there are 20 outlaw motorcycle members and they will confront them and evict them from the club in a very professional way. So there are different skills and it's very hard to compare.

MR CARMODY SC: What if my most important criteria was the supervisor who kept his troops acting at the highest ethical standards, how would I identify him or her?

40 THE WITNESS: Well, there would be a number of ways. By the level of compliance with the small issues, such as code of dress and appearance, wearing their name tags, punctuality, absenteeism is another gauge, the morale of the team, their level of enthusiasm and level of motivation; and that can be formal and informal processes gauging that.

MR CARMODY SC: Would you say there's a compliance-focused approach on enforcing codes of conduct or a welfare-oriented approach within the QPS? Do you understand the difference?

THE WITNESS: Yes, I do, I do. I think the complaints process leads -- there's a lot of room for improvement because it is, I believe, overly focused on compliance with policy rather than values, individual values. And a large

number of the complaints that are made against police at Surfers Paradise relate to use of force, and a large number of our police are disciplined based on not strictly complying with techniques that they were taught to use at POST. Even though the degree of force may be justifiable in terms of law, because they haven't strictly followed a technique that they have been taught during operational skills training, they face discipline. It's overly focused on policy and -- points of policy, rather than policing values and community values.

10 MR CARMODY SC: Yeah, just assume for the moment if you wouldn't mind the literature suggests that value based training is better than sanction based enforcement of codes of conduct and ethical standards. How would you go about educating the crews, the beat crews and the car crews at Surfers Paradise about values, about ethical values so they can make judgments and exercise discretions themselves not only on duty but also off duty?

THE WITNESS: Well, I have found the best way to -- or most effective way of enforcing values or passing on values is by positive reinforcement of good decisions, positive reinforcement of good conduct, positive reinforcement of
20 courageous action, such as what I mentioned, police placing their own safety at risk for the community by taking on outlaw gangs, and so on.

MR CARMODY SC: Praise the good but also call the bad?

THE WITNESS: Absolutely.

MR CARMODY SC: Okay. And what about role modelling, sergeants to young constables? Important?

30 THE WITNESS: Absolutely. Very important, I think, and that's also reinforced at all levels. Leaders -- and during training and education and development, and so on, that young constables in particular are very much influenced by the behaviour and conduct of their managers and their leaders and their supervisors.

MR CARMODY SC: What would you say about the willingness of supervisors at Surfers Paradise to discuss personal integrity problems with the team members?

40 THE WITNESS: From my experience there are very good levels of communication between the sergeants and their teams and they do -- they have team meetings when there is issues, they have team meetings in terms of a debrief in response to the outcomes of internal investigations, and they do discuss those issues.

MR CARMODY SC: I know you have said that there are standard items on agendas -- you know, standing agenda items for welfare issues and those sorts of things. When is the last time a constable came to you and said, "Listen, I have got a work-related ethical problem I need to sort out, I need your help

on."

THE WITNESS: Generally they would go in the first instance to their team leader to discuss those types of issues.

MR CARMODY SC: All right. When is the last time a team leader came to you and said, "Listen, I have got a young constable come to me with an ethical problem. I can't help him. Can you help me help him?"

10 THE WITNESS: Well, it is quite regular for both constables and sergeants to come to me in response to a -- I guess you could call an ethical problem where there is a complaint from a member of the community that doesn't necessarily constitute misconduct or a breach of discipline.

MR CARMODY SC: Has anyone ever come to you and said, "Listen, off duty I have been offered a \$100 drinks voucher from so and so nightclub. Is that okay or is that bad form?"

20 THE WITNESS: No, they don't. I haven't had that experience.

MR CARMODY SC: Who would they go to with that question?

THE WITNESS: I don't know that they would go to anyone. I think it would be a judgment that they base on their own values. Like, people ...

PRESIDING OFFICER: They wouldn't ask in other words, they would decide.

30 THE WITNESS: I think they would decide based on their own values and the best that we can do as managers and supervisors is reinforce --

MR CARMODY SC: The right value.

THE WITNESS: -- the right value so they are able to make those correct decisions.

40 MR CARMODY SC: Lastly, you said before when you were being examined by Mr Allen that you'd spoken to the Police Commissioner about more sergeants at Surfers Paradise.

THE WITNESS: We spoke in terms of staffing numbers.

MR CARMODY SC: Increasing them?

THE WITNESS: Yes.

MR CARMODY SC: By a magnitude of what?

THE WITNESS: Well, the Commissioner was looking at the staffing

numbers at this stage and there is a certain number -- as you know a certain number of additional police allocated across the State each year and the Commissioner has to look at the needs throughout the State so he was gauging our needs at Surfers Paradise so he could make a decision based on needs elsewhere throughout the service.

MR CARMODY SC: I know what he is doing. What did you tell him you needed at Surfers Paradise?

10 THE WITNESS: I told him the same as what I have told the Commission here today, that in my view we need 180 -- an increase up to 180 police.

MR CARMODY SC: How did he respond to that?

THE WITNESS: He responded positively but obviously he didn't make a commitment in terms of actual numbers.

MR CARMODY SC: But he could see your point?

20 THE WITNESS: I believe so.

MR CARMODY SC: Thanks, Mr Chairman.

PRESIDING OFFICER: Yes, Mr MacSporran.

MR MACSPORRAN SC: Thank you. Senior sergeant, just on that last point, you had no qualms about raising directly with the Commissioner your concerns about staffing levels in respect of sergeants at your station? You were comfortable to go to him directly?

30 THE WITNESS: Sorry?

MR MACSPORRAN SC: You were comfortable to go to the Commissioner himself directly and raise your concerns about staffing issues?

THE WITNESS: Yes.

MR MACSPORRAN SC: And he was receptive to your concerns?

40 THE WITNESS: Yes.

MR MACSPORRAN SC: Now, you have been a police officer for a long time, haven't you?

THE WITNESS: Yes, I have, 30 years.

MR MACSPORRAN SC: You came in in about 1980?

THE WITNESS: Yes.

MR MACSPORRAN SC: And you have been a sergeant in a managerial position from as far back as 1991?

THE WITNESS: Yes, that's correct.

MR MACSPORRAN SC: And senior sergeant since 2004?

THE WITNESS: Yes.

10

MR MACSPORRAN SC: So you've had -- you've had service pre and post the Fitzgerald Inquiry?

THE WITNESS: Yes, I have.

MR MACSPORRAN SC: You are in a very good position to comment upon police culture and the change in police culture over time.

THE WITNESS: Yes.

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MR MACSPORRAN SC: Is it fair to say that the force today, in terms of its culture, is a vastly different force of men than it was pre-Fitzgerald.

THE WITNESS: Absolutely. There is no comparison.

MR MACSPORRAN SC: And I think you have given in your statement and in evidence you've confirmed that there are some significant examples demonstrating that fact, aren't there?

30 THE WITNESS: Yes, there are.

MR MACSPORRAN SC: And just by way of a couple of examples you've given, you said that supervisors are supported in the giving of managerial guidance to officers.

THE WITNESS: Yes, they are.

MR MACSPORRAN SC: Now, that's a fairly significant cultural change from the old days, isn't it?

40

THE WITNESS: Yes, I -- yes, I would say so, yes.

MR MACSPORRAN SC: I mean, the old days there might have been a tolerance of guidance being given but an element of resentment and a failure to adopt the appropriateness of that procedure.

THE WITNESS: Yes, that's right, there was a degree of cynicism to the process pre-Fitzgerald.

MR MACSPORRAN SC: Whereas today, it is recognised to be not only a necessary part of the organisation, but a desirable part of the organisation.

THE WITNESS: Yes.

MR MACSPORRAN SC: And it is embraced by those receiving guidance, as well as police generally.

10 THE WITNESS: Usually, yes. There are some instances where junior police and not so junior police don't necessarily embrace the guidance given where they believe their conduct was appropriate, but probably an example is the use of force situation where police have been given managerial guidance for using a tactic that may not be approved but was still effective and lawful.

MR MACSPORRAN SC: So it wasn't a case of excessive force but a departure from the preferred technique in those circumstances?

THE WITNESS: Correct.

20 MR MACSPORRAN SC: Okay. The other example you gave in that same cultural aspect is your paragraph 115 where you say that officers who report or take action against other police officers are strongly supported by their colleagues, supervisors and management.

THE WITNESS: They are, absolutely.

MR MACSPORRAN SC: Now, that's a good example, is it not, of the radical shift from the pre-Fitzgerald days?

30 THE WITNESS: Yes, it is, yeah. Very much so.

MR MACSPORRAN SC: All right. Now, you talk about going to -- or off-duty police going to licensed premises, clubs, and receiving free drinks and entry to the pub, perhaps. You said prior to Operation Tesco, there wouldn't be -- it wouldn't be seen to be a need to go around to nightclubs and look at who, even if they were off duty, was in fact drinking in the club and might have been the recipient of free drinks.

40 THE WITNESS: No, it was never identified as a problem by me and it was never raised as a problem to me by senior -- by management at any level.

MR MACSPORRAN SC: Has that position now changed since Tesco?

THE WITNESS: Well, certainly the position has changed. I don't know that any proactive patrols have been made of nightclubs to monitor the situation, but certainly the position of the Police Service and our region and our management has changed. Going back not very many years ago, it was very regular practice for the nightclubs to put on what they call triple 0 parties where they would invite police, emergency services, fire and rescue and

nurses to promotional nights where there would be free entry and they would be given VIP cards and there would be entitlements to free alcohol and those -- the conduct of those events was well-known to senior management at the time and certainly, you know, condoned to the extent that they went ahead without intervention by senior management.

MR MACSPORRAN SC: But the situation now is, I think your words were the service has gone to extraordinary lengths to deal with that issue.

10 THE WITNESS: Yes, they have. Certainly our -- it is very notable from our Assistant Commissioner, he has gone to extraordinary lengths to address that issue, both internally with police officers, he's attended Surfers Paradise on a number of occasions, spoken to all our officers at all levels reinforcing that view that that conduct is unacceptable and he's also addressed the issue externally with the Surfers Paradise licensed venues association requesting them not to provide free entry or free drinks to police officers off duty.

MR MACSPORRAN SC: That's a fairly significant step for someone in the position of Assistant Commissioner to take, is it not?

20 THE WITNESS: Yes, it is.

MR MACSPORRAN SC: The difficulty with it is of course there is nothing illegal about the establishment promoting their premises by free entry and free drinks; it is a very useful promotion for a business.

THE WITNESS: That's correct, and it is -- as has been seen.

30 MR MACSPORRAN SC: Now, I don't know that you've embraced this, but it does raise, does it not, that is off duty officers getting free entry and free drinks, isn't there a potential for a conflict of interest to arise in them doing their job when they may have to, for instance, take witness statements from the managers and staff of the premises during an investigation?

40 THE WITNESS: Well, I don't know of any evidence of it being a conflict of interest in the context of Surfers Paradise. I could see -- I have worked in country areas for large portions of my career and I think there is more apparent potential conflict of interest in a smaller town where there may be one police officer drinking at a local pub and forming a friendly relationship with the publican, where the public perception would be a lot more visible. Whereas in a large club, the police are not drinking with the licensee -- well, to my knowledge -- I don't know what's come out of Tesco investigations -- but from my knowledge of what I understand has occurred, the police are not drinking with the -- or forming close friendships with the publican or staff or managers inside the club. It is my understanding that they have been accepting drink cards and drinking a certain amount of free alcohol before or in conjunction with spending -- purchasing alcohol.

MR MACSPORRAN SC: On that same issue under the heading of gifts and

benefits, I think your comment was that the policy -- there is no policy that deals with conflicts of interests in that situation. Did I understand you correctly to say that?

THE WITNESS: Well, the policy -- the policy the way it reads is that it refers to police in their official capacity, but ...

MR MACSPORRAN SC: It would apply equally, would it not, if you are off duty receiving free drinks, for instance? It is capable of implying --

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THE WITNESS: In my view if they are off duty receiving free drinks and there was a conflict of interest, if they were doing it for a reason or giving favours or being asked favours, then I believe it would fall within policy that it would be the subject -- become the subject of a disciplinary matter.

MR MACSPORRAN SC: All right. Well, the human resource management manual deals with the receipt of gifts and benefits, does it not?

THE WITNESS: Yes.

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MR MACSPORRAN SC: And in section 17 it poses a series of questions the officer is required to ask himself or herself when receiving a gift.

THE WITNESS: Yes.

MR MACSPORRAN SC: And the questions that are asked, the things like, "Who is offering the hospitality gift or benefit; what is the purpose of the offer; what is the timing of the offer; does the value of the hospitality or the benefit exceed nominal value; is the offer likely to be repetitive or regular; is it consistent with other service policy?" Those queries at least indirectly if not directly raise potential conflicts of interest, don't they?

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THE WITNESS: Yes, but that section specifically relates to police officers in their official capacity.

MR MACSPORRAN SC: I see. The code of conduct itself in section 10 deals with the service standards on the acceptance of gifts and benefits, lays down some guidelines.

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THE WITNESS: Yes.

MR MACSPORRAN SC: And the real issue is whether the acceptance of a gift or benefit is capable of compromising an officer's duty.

THE WITNESS: Yes, it is.

MR MACSPORRAN SC: And officers are routinely informed that is the thing they have to be careful about.

THE WITNESS: Yes, they are, and it forms part of our orientation program at Surfers Paradise that I speak to new officers about potential conflicts of interests.

MR MACSPORRAN SC: Now, I think you said in terms of recruitment, that in your view 99 per cent of police recruited are well selected.

10 THE WITNESS: Well, I base that on the numbers of police at Surfers Paradise and the numbers of police that we have problems with and the vast majority are good, honest, professional police officers who are doing an excellent job.

MR MACSPORRAN SC: Who are doing a difficult job in difficult circumstances.

THE WITNESS: Yes, absolutely.

20 MR MACSPORRAN SC: Now, I understand you may not be aware of the outcome in terms of misconduct identified in Operation Tesco, is that the case?

THE WITNESS: Only in broad terms what's been reported in the media.

MR MACSPORRAN SC: And are you aware of the numbers that have been highlighted as a result of this operation?

THE WITNESS: Numbers of what, sorry?

30 MR MACSPORRAN SC: Of officers identified as being involved in this conduct.

THE WITNESS: I only have a rough idea it was a small number.

MR MACSPORRAN SC: I think we can say confidently it is something less than 10, around eight officers.

THE WITNESS: That is my understanding.

40 MR MACSPORRAN SC: Is that consistent with your understanding and your belief and opinion as to the greater bulk of your serving officers in the -- in your station particularly are honest, hardworking, decent police?

THE WITNESS: Well, I believe the majority of those eight or so officers were not -- are not stationed at Surfers Paradise.

MR MACSPORRAN SC: All right.

THE WITNESS: And the number of officers stationed at Surfers Paradise to my knowledge is only one or two.

MR MACSPORRAN SC: All right. Now, in terms of the blue light taxi issue, you told us about a direction being given in the last two to three weeks the practice had to cease.

THE WITNESS: Well, it wasn't quite that specific that the practice had to cease. It was reporting an approvals process where it had to be recorded with the police communication centre, a job code assigned to it and from memory the approval of the regional duty officer for the transport to take place.

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MR MACSPORRAN SC: And that if it was complied with would eliminate the practice of using police vehicles to transport officers to and from licensed premises when off duty.

THE WITNESS: Yes.

MR MACSPORRAN SC: Unless there was an exceptionally valid reason for doing so.

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THE WITNESS: Certainly there would be no reason to transport officers to a licensed premises, but from, as you say, there may be exceptional circumstances if they were threatened by OMCG members and so on but it would eliminate what I understand to be fairly widespread abuse of the inappropriate use of police vehicles that have been identified through this inquiry.

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MR MACSPORRAN SC: All right. Now, you said in answer to Mr Allen in that bracket of evidence that the practice, that is the blue light taxi practice had been discouraged generally for a number of years. It didn't take this direction to stop the practice; the practice itself had never been condoned, had it, by the service?

THE WITNESS: No, as I say, the vast majority of police are not -- you know, they make their -- they make professional decisions, they plan their own transport, they don't abuse or expect to be driven around in police vehicles. It is -- I can think of only a few instances of so called blue light taxis in the 10 years that I have been at Surfers Paradise. It is not a common practice.

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MR MACSPORRAN SC: Certainly now the practice continues to be discouraged.

THE WITNESS: Sorry, continues to be?

MR MACSPORRAN SC: The practice continues to be discouraged.

THE WITNESS: Absolutely, yes.

MR MACSPORRAN SC: Since Tesco has come to light, there have been a number of workshops, I think you said, in the south-east region.

THE WITNESS: Yes, that's right.

MR MACSPORRAN SC: Who has been conducting those?

THE WITNESS: They have been organised by our Retech, our regional educational training coordinator in very close consultation with our Assistant Commissioner, Paul Wilson, and with our Chief Superintendent Steve Holland and there have been external units involved in those workshops including the Ethical Standards Command.

MR MACSPORRAN SC: Is it fair to say those workshops have been well attended and received?

THE WITNESS: Yes, they have, yes. I attended a senior sergeant's workshop and it was very well attended.

MR MACSPORRAN SC: And have those workshops been in direct response to matters uncovered generally in Operation Tesco?

THE WITNESS: Yes, I believe so.

MR MACSPORRAN SC: Designed to deal with issues that have been flagged as a result of that operation.

THE WITNESS: Yes.

MR MACSPORRAN SC: Now, Mr Carmody asked you something about the responsibilities of a sergeant, or the sergeants generally in the disciplinary process. You told us about what role they have to play and the first part, I think you said, was to conduct the preliminary inquiries?

THE WITNESS: Yes.

MR MACSPORRAN SC: And to make a recommendation as to whether the matter can be resolved at that level or whether it needs to go further?

THE WITNESS: Well, the recommendation would be whether it could be resolved managerially, not necessarily at that level, maybe resolved managerially by a commissioned officer providing managerial guidance.

MR MACSPORRAN SC: I see. Is one of the purposes behind that approach to quickly ascertain whether something can be resolved in a timely way?

THE WITNESS: Yes, that's correct.

MR MACSPORRAN SC: And are there many complaints or issues that arise that are dealt with in that timely way, to weed them out of the system?

THE WITNESS: Well, yes, there is a large proportion. I don't know the statistics because they are managed at a different level to my level but there is certainly large -- the majority of complaints are of relatively minor nature and they are initially dealt with by way of preliminary inquiries and then recommendations made for it to be resolved managerially.

MR MACSPORRAN SC: And they can be dealt with more quickly in that way?

10 THE WITNESS: Yes, they can.

MR MACSPORRAN SC: And is the delicate balance to have the sergeants doing that but not to take up so much of the sergeant's time that his other important duties suffer? That's the delicate balance that has to be achieved.

THE WITNESS: Well, it is, yes.

PRESIDING OFFICER: Will you be much longer Mr MacSporran?

20 MR MACSPORRAN SC: One more question, your Honour. Sergeant, you said that the best way of reinforcing good conduct was by positive reinforcement from supervisors and management.

THE WITNESS: Yes, and as was said by example.

MR MACSPORRAN SC: And that's alive and well in your station?

30 THE WITNESS: Yes, it is, absolutely. A lot is done in terms of the one-on-one meetings at various levels in terms of sergeants' meetings, by way of reinforcing good conduct, by -- the complaints process also has a provision there for favourable comment, where if letters or acknowledgement from members of the community favourably acknowledge the conduct or performance of police, that's acknowledged and that goes on the officer's personal records. And all those positive aspects are reinforced.

MR MACSPORRAN SC: In one of the exhibits to your statement is the occurrence inquiry log report.

40 THE WITNESS: Yes.

MR MACSPORRAN SC: I think you have an entry which might exemplify what you have been talking about. It is 30 May this year where Assistant Commissioner Wilson is recorded as saying, "Please accept my congratulations to you and your staff on the excellent ongoing work, especially under the current circumstances with the inquiry at your station. Excellent leadership, Well done. Thank you." Is that the sort of thing you mean by the positive reinforcement for work well done?

THE WITNESS: Well, that's from the Assistant Commissioner direct to the --

I would say the operations coordinator at management level, but that -- that type of acknowledgement by way of email is done on an almost daily basis, myself and all levels of management review the occurrence sheets that I mentioned, the DDO log, the RDO log, the station occurrence sheets and there is letters and feedback from the community too acknowledging the good work of the police through our community consultative committee meetings -- through consultative committee meetings and good work performance and good conduct and professional behaviour is constantly reinforced at a level in an attempt to build positive values in the workplace.

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MR MACSPORRAN SC: And in your view it is a very effective technique?

THE WITNESS: Yes, I believe it is. Especially one-on-one. At my level, emails are effective to a certain extent but I believe the one-on-one acknowledgement of the officer-in-charge or the inspector or a senior officer walking up to the individual officer and congratulating them on their professional response to an incident or on a good decision they have made or an ethical decision they made, or in the case of police officers having to arrest other police officers take an initiative and reinforcing to those police officers that they have done the right thing.

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MR MACSPORRAN SC: Thank you, senior sergeant. Thank you, your Honour.

MR BURNS SC: I don't have any questions.

PRESIDING OFFICER: Do you have anything, Mr Allen?

MR ALLEN: Just one matter in re-examination, please, Mr Chairman. Mr MacSporran asked you about your knowledge as to the numbers of police officers involved in misconduct as ascertained by Operation Tesco. I take it you would agree that if even one of your uniformed police officers is using illegal drugs, associating with other drug users, drug suppliers, and improperly accessing confidential police information, you would regard that as a matter of serious concern.

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THE WITNESS: Yes, I would.

MR ALLEN: If that same officer was receiving regular substantial hospitality because he was a police officer, that would be a matter of significant concern?

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THE WITNESS: Well, in that context, yes.

MR ALLEN: If that same officer was providing favours to the same nightclubs in his capacity as a police officer, that would be a matter of serious concern?

THE WITNESS: Yes, it would be.

MR ALLEN: And if such behaviour was not detected or at least acted upon by that officer's superiors, that would be a matter of some concern?

THE WITNESS: Yes, it would.

MR ALLEN: Yes. Thank you. I have no further questions for this witness.

PRESIDING OFFICER: Nothing more?

10 MR ALLEN: No.

PRESIDING OFFICER: What time tomorrow?

MR ALLEN: 10 o'clock.

PRESIDING OFFICER: All right. Well, we will adjourn until 10 o'clock tomorrow.

20 MR ALLEN: Thank you, Mr Chairman.

THE HEARING ADJOURNED AT 4.26 PM

EXHIBITS

| | | | |
|----|-------------|----------------------|------|
| 30 | EXHIBIT 115 | Oath of service | 3378 |
| | EXHIBIT 116 | Statement of witness | 3379 |