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MAGISTRATE INVESTIGATING

(36)

Department of Family



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Refer to:
Date: 30th October, 1989
To: DIRECTOR-GENERAL

QCPCI

Date: 3.12.2012

Copies to:

Exhibit number: 78

Subject: DOCUMENTS RELEVANT TO THE WORK OF THE MAGISTRATE INVESTIGATING AT JOHN OXLEY YOUTH CENTRE

Attached are:

1. A copy of the Code of Conduct for Officers of the Queensland Public Service.
2. A copy of the file containing all memoranda issued to staff at John Oxley Youth Centre.
3. Draft position descriptions for -
 - . Youth Worker
 - . Practical Youth Worker
 - . Senior Youth Worker

There is also an approved position description for the Senior Youth Worker, although this may soon be superseded. There is no position description yet for the Principal Youth Worker.

4. A printout of subject titles for administrative memoranda (A.M.'s) and procedural memoranda (P.M.'s). Full copies may be called on as required. Copies are provided of three A.M.'s and one P.M. that may have some relevance.

Ian Peers
Executive Director
(Youth Support)

*Sup passed on to
the hotel keeper on
31/10/89
S. Lewis*

ADMINISTRATIVE CIRCULARS 1985

Prevention of fraudulent alteration of cheques	1/85
Access to Parliamentary video tapes by departmental officers	2/85
Increases in allowances, payments and fees	3/85
References to staff, parents and other adults in departmental files and other official correspondence	4/85
Fee-for-service Adoption Assessment Scheme	5/85
Money deficiencies (responsibility for)	6/85

ADMINISTRATIVE CIRCULARS 1986

Advice of address during leave	1/86
Approval for the continuation of fostering allowance	2/86
Delegation of authority to incur liability for expenditure and to approve payments	3/86
Overpayment of allowance to foster parents, approved persons etc	4/86
Signing of emergency relief cheques	5/86
Procedures in suspected child abuse cases - State Schools	6/86
Procedure relating to the appointment of an officer of another Department to a committee operating under the auspices of this Department	7/86
New accounting procedures in connection with the payment of subsidies to eligible officers on account of private telephones used for official purposes	8/86
Code numbers to be used for delivery of State Stores stock orders	9/86
Procedures relating to the appointment of officers from other Departments to Establishment positions	10/86
M.S.A. accounting system - new codes and forms	11/86
Motor vehicle petrol order duplicates	12/86
Government Printing Office Fast Print price list	13/86
Fringe Benefits Tax	14/86
Fringe Benefits Tax (2)	15/86
Exit interview program	16/86
Audits by the Auditor-General	17/86
Establishment of Area Office libraries for access by departmental clients	18/86
Amendments to accouchement leave and sick leave provisions - Public Service Regulations 62A and 63	19/86
Amended arrangements applying to officers on transfer or appointment - Public Service Regulation 81 - and other approved administrative arrangements	20/86
Servicing of Government motor vehicles	21/86
Documents to be forwarded to Head Office	22/86

Replacement of motor vehicles	23/86
1. Birth certificate	
2. Use of registered name	24/86
Revised CCl questionnaire for the Children Under Orders Statistical Collection	25/86
Recreation leave - payment of salary in advance	26/86
Increases in allowances, payments and fees	27/86
Fostering allowance - submission of placement advices	28/86
Promoting cost consciousness	29/86
Distribution of salary cheques	30/86

ADMINISTRATIVE CIRCULARS 1987

Insurance cover on private motor vehicles used for official purposes - amended requirements	1/87
Meal allowance eligibility	2/87
Security within office accommodation	3/87
Meal allowances (overtime), daily travelling allowances and allowances to relieving officers	4/87
Printing and stationery - international paper size	5/87

ADMINISTRATIVE MEMORANDA TO STAFF - INDEX

- 87/1 Departmental circulars and circulation groups
(Circulation Group 5)
- 87/2 Admission arrangements to John Oxley Youth Centre and
Sir Leslie Wilson Youth Centre
(Circulation Groups 1 and 2)
- 87/3 Payment of Emergency Relief
(Circulation Groups 1 and 2)
- 88/1 Engaging private practitioners as expert witnesses
(Circulation Groups 1 and 2)
- 88/2 Timely negotiation of salary cheques
(Circulation Groups 1 and 2)
- 88/3 Claims for Family Allowance by foster parents
(Circulation Groups 1 and 2)
- 88/4 Variable working hours
(Circulation Group 6)
- 88/5 Claims for motor vehicle-related injuries
(Circulation Group 5)
- 88/6 Intellectual Handicap Services staff driving clients'
motor vehicles in the Alternative Living Service
(Circulation Groups 1 and 3)
- 88/7 Acts Amendment and Construction Act 1988
(Circulation Groups 1, 2 and 3)
- 88/8 Public Sector Review - cutting red tape
(Circulation Group 5)
- 88/9 Meal allowances (overtime), daily travelling allowances
and relieving allowances
(Circulation Groups 1, 2 and 3)
- 88/10 Disclosure of Criminal Offences
(Circulation Groups 1, 2 and 3)
- 88/11 Monthly Vehicle Returns - amended procedures
(Circulation Groups 1, 2 and 3)
- 88/12 Amendment to Variable Working Hours Arrangements
(Circulation Groups 1, 2 and 3)
- 88/13 Mileage Allowance - Private Motor Vehicles
(Circulation Groups 1, 2 and 3)

- 88/14 Medical examinations for prospective foster parents
(Circulation Groups 1 and 2)
- 88/15 Consents - adoption of children by step-parents
(Circulation Groups 1 and 2)
- 88/16 Increases in payments and fees
(Circulation Groups 1, 2 and 3)
- 88/17 Monthly motor vehicle returns
(Circulation Groups 1, 2 and 3)
- 88/18 Recovery of foster parent and approved person
overpayments
(Circulation Groups 1 and 2)
- 88/19 Motor vehicle spare parts and accessories
(Circulation Groups 1, 2 and 3)
- 88/20 Non-smoking policy
(Circulation Groups 1, 2 and 3)

- 89/1 Changes to Commonwealth Job Search Allowance
(Circulation Groups 1 and 2)
- 89/2 Further re use of private motor vehicles for official
purposes
(Circulation Groups 1, 2 and 3)
- 89/3 Comprehensive motor vehicle insurance - procedures in
the event of accidents
(Circulation Groups 1, 2 and 3)
- 89/4 Cabinet decision regarding preference of employment for
union members
(Circulation - All Staff)
- 89/5 Queensland Housing Commission Procedures Statement in
relation to tenants occupying family accommodation who
have their children placed in care.
(Circulation Groups 1, 2 and 3)
- 89/6 Public comment by Government employees who are endorsed
candidates of a political party critical of Government
and/or departmental operations
(Circulation Groups 1, 2 and 3)
- 89/7 Revised Form CC3 - Children under Orders - Notification
of movement
(Circulation Groups 1, 2 and 3)
- 89/8 Departmental Publications
(Circulation Groups 1, 2 and 3)

- 89/9 Use of Departmental Vehicles - Non-Public Servants
(Circulation Groups 1, 2 and 3)
- 89/10 Approval of papers or speech notes presented to public
forums
(Circulation Groups 1, 2 and 3)
- 89/11 Department of Education Information Statement No. 128
Suspected Child Abuse
(Circulation Groups 1, 2 and 3)
- 89/12 Increased Adoption Fees as from 16.9.89
(Circulation Groups 1, 2 and 3)
- 89/13 Titles - Former I.H.S.
(Circulation Groups 1,2 and 3)
- 89/14 Progressional Scheme for Administrative Assistants
(Circulation groups 1,2 and 3)
- 89/15 Approval Procedures for Departmental Publications
(Circulation Groups 1,2 and 3)
- 89/16 Regulated Parking Offences
(Circulation Groups 1,2 and 3)
- 89/17 Advice- Commencement of Duty
(Circulation Groups 1,2 and 3)

POLICY, PRACTICE AND PROCEDURES MEMORANDA TO STAFF - INDEX

- 87/1 Age criteria - proposed general children's adoption list effective from 13 July, 1987
(Circulation Groups 1 and 2)
- 87/2 Young people seeking to leave home
(Circulation Group 5)
- 87/3 Application for custody, guardianship or access - welfare reports ordered by the Supreme Court
(Circulation Groups 1 and 2)
- 87/4 Adoption applicants - consideration of personal weight
(Circulation Groups 1 and 2)

- 88/1 Child protection investigations - procedure in relation to medical examination of children
(Circulation Groups 1 and 2)
- 88/2 Director-General's standing instructions for the intake, response to and initial management of child protection notifications
(Circulation Groups 1 and 2)
- 88/3 Department of Education policy of parental access to individual student records in schools
(Circulation Groups 1, 2 and 3)
- 88/4 Role of Departmental officers in early childhood work
- 88/5 Criminal injuries compensation for victims of child abuse
(Circulation Groups 1 and 2)
- 88/6 School interviews of children
(Circulation Groups 1 and 2)
- 88/7 Surrogate Parenthood Act 1988
Status of Children Act Amendment Act 1988
(Circulation Groups 1 and 2)
- 88/8 Involvement of departmental officers in non-government organisations who receive or seek to receive funding from the Department of Family Services
(Circulation Groups 1, 2 and 3)
- 88/9 Dispensation of consent to the adoption of a child
(Circulation Groups 1 and 2)

- 89/1 Medicare numbers - foster placements
(Circulation Groups 1 and 2)
- 89/2 Placement of children in care with departmental officers
(Circulation Groups 1, 2 and 3)
- 89/3 Guidelines for departmental contacts with the media
(Circulation Groups 1, 2 and 3)
- 89/4 Public comment by Government employees critical of departmental operations
(Circulation Group 6 - all staff)
- 89/5 Change of Registered Surname
(Circulation Groups 1, 2 and 3)
- 89/6 Legal liability of Honorary Officers and S.C.A.N. team members
(Circulation Groups 1, 2 and 3)
- 89/7 Information to Inter-State Departments - Not To Disclose The Identity Of Child Abuse Informants
(Circulation Groups 1, 2 and 3)
- 89/8 Young Homeless Allowance
(Circulation Groups 1,2 and 3)
- 89/9 Day Care Centres - Guidelines for Statutory Work
(Circulation Groups 1,2 and 3)
- 89/10 Sundry expenses (Children in care or in guardianship under Section 27 of the Adoption of Children Act)
- 89/11 Placement of Children In Care With Departmental Officers
- 89/12 Grievances - Policy and Procedures to operate in the Department of Family Services

a.m.

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I. Peers

administrative memorandum to staff

circulation groups 1, 2 & 3 number 89/6

15th May, 1989

PUBLIC COMMENT BY GOVERNMENT EMPLOYEES WHO ARE ENDORSED CANDIDATES OF A
POLITICAL PARTY CRITICAL OF GOVERNMENT AND/OR DEPARTMENTAL OPERATIONS

PURPOSE

To clarify the propriety of public comments made by officers who are endorsed candidates of a political party critical of Government and/or Departmental operations.

DIRECTIVE

1. The Code of Conduct draws attention to the fact that, for officers engaging in political activity, care should be exercised that a conflict of interest does not arise with official duties.
2. It is assumed that an officer who, for example, is a candidate for election to public office, will be exemplary and objective in respect to direct comment on political matters in their workplace. Nevertheless, there is a need for such a person to have due regard to the indirect influence that political comments made in forums external to the workplace can still have on the community in general.
3. In short, any political activity by an officer should not only be seen as clearly being conducted in a private capacity but should also be done with due consideration for its indirect impact and influence on the officer's workplace and community.

AUTHORITY

Under the Code of Conduct for officers of the Queensland Public Service, officers are required to avoid any conflict of interest or potential conflict between private interests and official duties. Wilful failure to comply with the Code of Conduct may result in disciplinary action.

The above directive has recently been endorsed for use within all Departments of the Public Service.

RELEVANT
DOCUMENTS

Code of Conduct for Officers of the Queensland Public Service.

AMENDMENTS

Nil



A.C. Pettigrew,
DIRECTOR-GENERAL.

DEPARTMENT OF FAMILY SERVICES

a.m.

administrative memorandum to staff

circulation groups 1 & 2 number 87/2

ADMISSION ARRANGEMENTS TO JOHN OXLEY YOUTH CENTRE AND SIR LESLIE WILSON YOUTH CENTRE

1. Following the decision by State Cabinet on Monday, 7th September, to scale down operations at Sir Leslie Wilson Youth Centre, new arrangements will be made for admissions to both Sir Leslie Wilson and John Oxley Youth Centres.
2. From Monday, 5th October, 1987, Sir Leslie Wilson Youth Centre will serve only as a short-term remand and transit facility for boys. That means that (apart from Cleveland Youth Centre admissions) it will be the first point of admission for all boys to a Detention Centre. Those who are over 15 years will stay there only until they can be transported to Westbrook Youth Centre. Those who are under 15 but on long-term remand will be transferred to John Oxley Youth Centre.
3. The boys at Wilson will be housed in what is presently the girl's wing, because it is more modern and more suitable. Police admissions will be through the gate in Main Avenue. Unused sections of the complex will, where possible, be made available for use by community welfare organisations.
4. Admission of all girls (other than to Cleveland Youth Centre) both on remand and committed to care will be to John Oxley Youth Centre.
5. Admission procedures will as usual be through Area Office contact during business hours and through Crisis Care after hours.
6. Police have been advised of these new arrangements.

A.C. Pettigrew
Director-General

MR. I. PEERS
A/EXECUTIVE DIRECTOR
(YOUTH AND COMMUNITY SERVICES)
DEPARTMENT OF FAMILY
AND YOUTH SERVICES
" 0

a.m.

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Exec. Dir. Y.C.S. L. Peers

administrative memorandum to staff

circulation groups 1, 2 & 3 number 88/10

3 July 1988

DISCLOSURE OF CRIMINAL OFFENCES

1. In terms of the Criminal Law (Rehabilitation of Offenders) Act 1986-1988, persons are generally not required to disclose -

- (a) convictions which are the subject of the prescribed "rehabilitation periods" (unless the person re-offends, 5 years for a child or 10 years for an adult commencing on date of sentence);
- (b) charges which have not been pursued to final determination in a Court;
- (c) probation orders and community service orders;
- (d) charges where a Court has decided not to record conviction against the person (e.g. Section 657A of the Criminal Code).

2. Section 5(2) also provides that a person shall not be asked to disclose information referred to in (a) - (d) above in respect of himself or herself or in respect of any other person.

3. The exceptions to the above that affect this Department are -

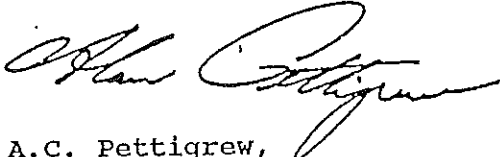
- (i) under the Adoption of Children Act 1964-1988, as from 27th June, 1988, adoption applicants will be required to disclose (a) and (c) above to such extent and in respect of such matters as in the opinion of the Director-General is necessary to enable a proper assessment to be made under that Act. (Section 14B)

Under that Act, the Police Department is required to provide the information that is referred to in (a) and (c) above (as shown in that Department's records) to the Director-General or an authorised officer in respect of an adoption applicant. (Section 59C)

- a.m. 88/10

* having obtained information (which would not otherwise have to be disclosed) for a lawful purpose,

- use that information for another purpose;
- share that information with another person who would not be entitled to the information in terms of paragraph 3 above.



A.C. Pettigrew,
DIRECTOR-GENERAL.

policy, practice and procedures memorandum to staff

circulation groups - 1, 2 & 3 number 89/12

11 October, 1989

The Public Service Management and Employment Regulation 63 provides for officers to submit a grievance to the Chief Executive.

The following policy and procedures provide a framework within which the Regulation 63 shall operate within this Department.

GRIEVANCES

Policy and Procedures to Operate in the Department of Family Services

1. Legislative Requirements

Regulation 63 of the Public Service Management and Employment Regulations 1988 states:-

"(1) Any officer may submit a grievance to the Chief Executive arising from an administrative decision within the Department, or from the behaviour of any other officer within the Department towards that officer, provided that the grievance is not a matter which is the subject of consideration by the Commissioner.

(2) The Chief Executive shall ensure that -

(a) the aggrieved officer has the opportunity to present all aspects of the grievance;

(b) the grievance shall be investigated in a thorough, fair and impartial manner.

Where, in the opinion of the Chief Executive, the grievance is of a frivolous or vexatious nature, the matter shall not be further proceeded with.

(3) The Chief Executive may appoint an officer to investigate the grievance. The investigating officer shall prepare a report for submission to the Chief Executive which shall -

(a) summarise the investigation;

(b) recommend appropriate action which may be taken by the Chief Executive.

(4) The Chief Executive shall advise the officer initiating the grievance and any other officer directly concerned of the determination made as a result of the investigation of the grievance."

The "Commissioner" referred to in (1) is the Commissioner for Public Service Appeals.

2. Departmental Policy

2.1 Submitting a Grievance

Any officer of the Department may submit a grievance to the Director-General. Where staff who are not subject to the Public Service Management and Employment Act submit a grievance, it will be dealt with similarly to the procedures relating to officers of the Department.

The submission of a formal "grievance" is a serious matter and should only be done after attempts have been made by the officer concerned to resolve the issue with his/her supervisor or with appropriate line management.

2.2 Investigation

Grievances will be investigated and reported upon as promptly as possible and no later than one calendar month after allocation to an investigating officer. Where this timing is not practicable (e.g. key players on leave), the investigating officer will suggest a specific deadline to the Director-General.

Investigating officers will be given access to relevant documents that may be required to complete the investigation in a thorough, fair and impartial manner. Parties to the grievance and others involved are to make themselves available for, and participate in, interviews with the investigating officer.

2.3 Appointment of Investigating Officer

Investigating officers will be appointed by the Director-General.

Officers from Personnel Services will not be eligible for selection, but will be available to provide advice and assistance to investigating officers.

There will be no reporting relationship between the investigating officer and the officer lodging a grievance.

Officers from the same office or officers well known to the parties to the grievance shall not normally be considered appropriate for appointment as an investigating officer.

2.4 Records

Documents relating to the grievance and its investigation will be placed on the file of the officer who has made the grievance. If the documents contain material that could be considered detrimental to the interests of the officer making the grievance, or to any other officer, then the provisions of Regulation 46 of the Public Service Management and Employment Regulations will be complied with, and such officer/s must sign the document and have the opportunity to comment on the document.

A copy of the Director-General's response to the grievance will also be placed on the officer's personnel file.

2.5 Advice to Supervisor

The appropriate senior line manager (e.g. Regional Director, Director, Regional Superintendent) will be advised when a grievance has been lodged. This will occur at the time that it is acknowledged by the Director-General.

2.6 Advice to Officer

The officer who has made the grievance and any other officer directly affected by the determination made following the investigation, will be advised in writing by the Director-General of the outcome of the grievance.

2.7 Dissatisfaction with Outcome

The determination of the Director-General is final and there is no further appeal process under the Act.

3. Procedures

3.1 Initiation of Process

A grievance may be initiated by an officer who wishes to object to an administrative decision within the Department or to the behaviour of any other officer within the Department towards him or her.

The officer will submit the grievance in writing to the Director-General. The grievance should include details of the subject decision and/or behaviour, names of parties involved, details of any action that may already have been taken, including the extent of attempts to resolve the matter through line management, and precise details of the reasons for concern.

The grievance is to be forwarded to the Executive Officer to the Deputy Director-General (Corporate Support) for acknowledgement.

3.2 Preliminary Action

The grievance may be dismissed by the Director-General if it is considered to be vexatious or frivolous. To consider whether this is warranted, when appropriate, the Director-General may choose to seek comments on the grievance from the senior line manager of the officer making the grievance, before appointing an investigating officer.

If a determination is made not to proceed further, the officer will be advised in writing to this effect by the Director-General.

The Commissioner for Public Service Appeals shall be contacted at this stage if there appears to be any possibility that the issue is the subject of consideration by the Commissioner.

3.3 Appointment of Investigating Officer

An investigating officer will be appointed by the Director-General. This will occur upon the recommendation of the Deputy Director-General (Corporate Support) unless that officer is directly involved in the grievance. At least two names will be submitted for recommendation, wherever possible.

Any conflict of interest between the investigating officer and the officer submitting the grievance shall be immediately drawn to the attention of the Director-General, who may appoint an alternative investigating officer.

The role of the investigating officer will be to fulfil the requirements of Regulation 63(3) of the Public Service Management and Employment Regulations, including investigating, reporting and recommending an appropriate course of action with respect to the grievance.

3.4 Investigation

An investigation is to be completed within one calendar month unless, because of sound reasons, the Director-General approves a later date.

The investigating officer will be permitted access to any documents or officers that are necessary to allow full investigation of the grievance.

Investigating officers shall follow a process that they feel is appropriate to investigate the grievances.

Travel within Queensland will be approved by the Deputy Director-General (Corporate Support), where necessary.

3.5 Grievance Report

The investigating officer will provide a report to the Director-General about the grievance through the Deputy Director-General (Corporate Support). The report will contain a summary of the investigation and a recommended course of action.

Action that is recommended may include the reversal of a decision, the suggested initiation of disciplinary action against an officer, dismissal of the grievance or other action appropriate to the circumstances.

A copy of the report will not be given by the investigating officer to the senior officer who may be the subject of the grievance. However, it is expected that the investigating officer will discuss his/her findings with that officer prior to the submission of the report to the Director-General and record that officer's acceptance or otherwise of the findings and recommendations in the report.

3.6 Determination

The Director-General shall consider the grievance report and make a determination.

The officer initiating the grievance and any other officer directly affected by the determination shall be advised in writing of the determination.

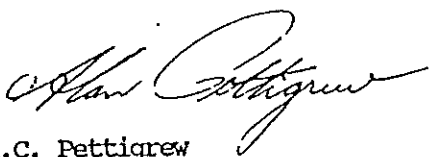
3.7 Records

All documents relating to the grievance shall be appropriately filed in accordance with 2.4 above.

3.8 Co-ordination

Co-ordination of the grievance process is the responsibility of the Executive Officer to the Deputy Director-General (Corporate Support).

Any questions about grievance policy or procedures should be directed to the Personnel Officer (Industrial), Personnel Services, phone 224 8949.


A.C. Pettigrew
Director-General

DIRECTOR-GENERAL:

I contacted Mr Des O'Shea, Deputy Under Secretary, Department of Justice, concerning rates of pay for magistrates.

They are as follows:

- . Magistrate Division III \$2,190.10 p/f
- . Magistrate Division II \$2,353.40 p/f
- . Magistrate Division I \$2,505.40 p/f

George.
 2-11-83

\$1250 week
\$250 day