

Department of Family Services



Family Services E
George and Elizabeth
Brisbane, Queensland.

GPO Box 806
Brisbane, Queensland. 4001

Telephone (07) 227 7111
Facsimile (07) 221 2728

Telephone: 224 2788
Reference:
Refer to:
Section:
Your Ref.:

3 E
QCPCI

2nd January, 1990

Date: 3.12.2012

Exhibit number: 101

MEMORANDUM TO:

Acting Director-General,
Department of Family Services
and Aboriginal and Islander Affairs,
BRISBANE

Attached please find the following documents:-

1. Report on the meeting of departmental officers with Ms J. Walker, Queensland State Service Union - 14th September, 1989.
2. Letters of support from staff at John Oxley Youth Centre for Mr Coyne, dated late September, 1989 and letters of acknowledgment from Mr Nix.
3. A letter of appointment of Mr Noel Heiner (dated 13th November, 1989) with terms of reference attached.
4. A letter to Ms R Matchett from P Coyne (dated 18th December, 1989) asking 21 questions in relation to the nature and conduct of Mr Heiner's inquiry, and attaching a typed summary of the complaints made by staff about Mr Coyne.
- * 5. A file compiled by Mr Nix including the original letters of complaint.

My understanding of the sequence of events is this:-

- . On 14th September, Ms Janine Walker of the Queensland State Service Union, requested an urgent meeting with Mr Pettigrew to discuss complaints made by certain union members about the manager of the Centre, Mr Coyne.



Mr Pettigrew advised that if the complaints were put in writing, they would be investigated.

Shortly afterwards, officers of a number of unions including the Professional Officers Association, the Queensland Teachers Union and the Queensland Nurses Union, met with the Minister, Mrs Nelson, in the company of the Director-General, and raised a number of concerns about matters at John Oxley Youth Centre. These matters did not relate to the behaviour of the manager, but to numbers of residents, problems with the building itself, and staff security.


These matters were included in Mr Heiner's brief:-

Since the inquiry began, Mr Coyne, and other senior staff have expressed to me on a number of occasions that they were unhappy about the process.

Several staff members also met with Mr Nix on 8th December, 1989 and expressed these views.

I am also aware that Mr Coyne and others have expressed their unhappiness with the process to their union, the Professional Officers Association. The Professional Officers Association has reportedly advised its members to co-operate with the inquiry at this time, and is observing proceedings.

Mr Coyne has been given an interview time for 12th January, 1990. This is in my understanding the end of the interview process. A report will then have to be made to the Director-General.



Ian Peers
A/Deputy Director-General
(Community and Youth Support)

* The folder has come to light after the preparation of the memo. Mr Nix phoned from Adelaide and was able to locate it.

Meeting with Queensland State Service Union14th September, 1989Present:

Mr. A. Pettigrew
 Mr. G. Nix
 Mr. C. Thatcher
 Mr. D. Herbert
 Mr. E. Clarke
 Ms. J. Walker

Handwritten:
 Please see this report
 missing O/S/S
 15/9/89

Handwritten:
 Peter,
 Alan will decide who he wants
 to conduct the investigation
 and advise.

Handwritten:
 late 18/9/89.

Ms. J. Walker, Queensland State Service Union, sought discussions with the Director-General to raise specific issues of concern affecting her members at John Oxley Youth Centre. The issues raised by her are as follows:-

- (1) Mr. P. Coyne, Manager, John Oxley Youth Centre, rang the home of [redacted] (Youth Worker) at 6.30 p.m. on Tuesday, 12th September, 1989, and as [redacted] was not at home spoke to his wife advising her re the facing or possible legal action against [redacted] by him.
- (2) Concern was expressed at the tone of the letter dated 5th September, 1989, sent to [redacted] from Mr. P. Coyne, Manager, John Oxley Youth Centre.
- (3) [redacted] Youth Worker, was ordered off the premises of John Oxley Youth Centre half way through a shift.
- (4) Mr. P. Coyne, advised staff of John Oxley Youth Centre at the end of a shift that if anyone of them had sent the degrading letter to [redacted] then they were the lowest form of life.
- (5) [redacted] Youth Worker, was off on stress/sick leave as a result of interaction with management at John Oxley Youth Centre.
- (6) Five Youth Workers at John Oxley Youth Centre besides [redacted] had approached the Union with concerns about management at John Oxley Youth Centre.
- (7) Mr. P. Coyne has been threatening other Youth Workers at John Oxley Youth Centre (besides [redacted] that he was prepared to take private defamation action against them.
- (8) The Queensland State Service Union is seeking to have an inquiry into management/staff relationships at John Oxley Youth Centre in view of the ongoing problems occurring at the Centre. The Union was prepared to provide specific details of incidents between management and staff to aid the inquiry.

The Director-General, as a result of the concerns raised by the Queensland State Service Union, decided that an investigation into the operations of the John Oxley Youth Centre would be held and that this investigation would take into account in addition to other matters the issues raised by the Queensland State Service Union.

28th September, 1989


Mr K.B. Gerke
29 Rowland Terrace
COALFALLS QLD 4305

Dear Mr Gerke,

Thank you for your letter of 22nd September, 1989 in which you expressed your interest and concern with the action of certain staff members at the John Oxley Youth Centre.

I have taken the liberty of forwarding your letter to the Director-General so that it may also be considered with other material which may become available.

Yours sincerely,



G.E. Nix
Deputy Director-General
(Community and Youth Support)

29 ROWLAND TERRACE
COALFALLS
11305
22-9-89

MR GEORGE NIX,

DEAR SIR,

MY NAME IS KENNETH BRIAN GERKE
I AM PRESENTLY EMPLOYED AS A CASUAL YOUTH WORKER
AT THE JOHN OXLEY YOUTH CENTRE.

I AM WRITING THIS LETTER
TO EXPRESS MY APPRECIATION OF THE APPOINTMENT OF
SOMEONE SUCH AS MR PETER COYNE AS MANAGER AT THE
JOHN OXLEY YOUTH CENTRE.

MR COYNE IN MY OPINION HAS
SHOWN A DEEP CONCERN FOR THE WELFARE OF HIS STAFF
BUT FOREMOST THE CHILDREN WHOSE CARE HE HAS BEEN
ENTRUSTED WITH.

WHILE I HAVE ONLY BEEN EMPLOYED
AT THE CENTRE FOR A SHORT TIME MR COYNE'S METHODS APPEAR
FIRM BUT FAIR AND WHEN IMPLEMENTED BY STAFF HAVE A MARKED
EFFECT.

I WOULD LIKE TO ADD TOO MANY PEOPLE IGNORE
THESE CHILDREN AND ITS PEOPLE LIKE MR COYNE WHO REMOVE
THE IGNORANCE AND REPLACE IT WITH CARE.

I LEND MY TOTAL SUPPORT TO
MY COYNE AND HOPE THIS LETTER REFLECTS MY APPRECIATION OF HIM

YOURS RESPECTFULLY
Kenneth Brian Gerke

28th September, 1989

Mr M. Mills
Youth Worker
John Oxley Youth Centre
P.O. Box 556
DARRA QLD 4076

Dear Mr Mills,

Thank you for your letter of 25th September, 1989 in which you expressed your interest and concern with the action of certain staff members at the John Oxley Youth Centre.

I have taken the liberty of forwarding your letter to the Director-General so that it may also be considered with other material which may become available.

Yours sincerely,



G.E. Nix
Deputy Director-General
(Community and Youth Support)

25th September 1989.

Mr George Nicks,
7th Floor,
Community and Youth Support,
G.P.O. Box 806,
Brisbane, 4000.

Dear Mr Nicks,

In view of recent events at John Oxley Youth Centre, I would like to express my support for both Peter Coyne and Anne Dutney.

In the six months that I have been at John Oxley Youth Centre, I have found the management team at John Oxley to be very competent in the job which they do.

In their dealings with the staff. I have found the management team to be approachable, informative and fair. Compared to other places that I have worked at, the John Oxley management team should be commended on the job that they do.

As a qualified Recreation Officer, I think that there are many programs, and ideals which have been introduced to the centre by Peter and Anne, which will be of a major benefit to the young people at John Oxley.

Yours Sincereley,

Mr. Mills.

Mark Mills,
Youth Worker, John Oxley Youth Centre.

See letter on

*Congress. Personal
file also.*

25th September, 1989

Ms A. Dutney
Deputy Manager
John Oxley Youth Centre
P.O. Box 556
DARRA QLD 4076

Dear Ms Dutney,

Thank you for your letter of 25th September, 1989 in which you expressed your interest and concern with the action of certain staff members at the John Oxley Youth Centre.

I have taken the liberty of forwarding your letter to the Director-General so that it may also be considered with other material which may become available.

Yours sincerely,



G.E. Nix
Deputy Director-General
(Community and Youth Support)



D.G.
An further letter of
support for Peter Coyle.
G.E. Nix
25/9/89.

Department of Family Services



JOHN OXLEY YOUTH CENTRE
139 Wacol Street
Wacol, Queensland
PO Box 5
Darra, Queensland. 4076
(07) 271 2599

Telephone: 271 2599
Reference:
Refer to: Anne Dutney
Section:
Your Ref.:

25 September 1989.

Mr George Nix
Deputy Director-General
(Community and Youth Support)
Department of Family Services

Dear Mr Nix


It is my understanding that a number of issues in relation to the management of John Oxley Youth Centre have been brought to your attention for consideration. As Deputy Manager, I believe that my role forms an integral part of the management function of the Centre and that the responsibility for decisions made and actions taken is a dual responsibility assumed by both the Manager and Deputy Manager.

I would therefore like to formally acknowledge my responsibility in conjunction with the Manager, for decisions made in relation to John Oxley Youth Centre and to state my preparedness to remain accountable for such decisions.

I would also like to take this opportunity to point out that since I commenced duties at John Oxley Youth Centre, I have been offered continued support and guidance by the Manager, Mr Peter Coyne. I have also observed what I consider to be Mr Coyne's professional commitment to increasing the effectiveness and efficiency in the operation of John Oxley Youth Centre.

If I am able to assist you further in this matter, I would welcome the opportunity to do so.

Yours sincerely


ANNE DUTNEY

Deputy Manager
John Oxley Youth Centre

D. Peter Coyne 25/9/89



22nd September, 1989

Ms L. Hayward
A/Senior Youth Worker
John Oxley Youth Centre
P.O. Box 556
DARRA QLD 4076

Dear Ms Hayward,

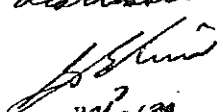
Thank you for your letter of 21st September, 1989 in which you expressed your interest and concern with the action of certain staff members at the John Oxley Youth Centre.

I have taken the liberty of forwarding your letter to the Director-General so that it may also be considered with other material which may become available.

Yours sincerely,



G.E. Nix
Deputy Director-General
(Community and Youth Support)

D.G.
For your information as
discussed.

23/9/89

21/9/81

Dear Mr. Nix,

On a personal note I wish to express my concern regarding certain rumours about the management of John Oxley Health Centre.

I have been employed by the Dept of Family Services for six years and have resided at the centre since its opening in February 1981.

I am proud to say I have been involved as a team member in the development of John Oxley and I fully support Peter Coyne in his style of management.

Yours faithfully
Lorraine Hayward,
A.S.W. J.O.H.C.

22nd September, 1989

Ms L. Draper
Principal Youth Worker
John Oxley Youth Centre
C/- Personnel Services
Department of Family Services
BRISBANE QLD 4000

Dear Ms Draper,

Thank you for your letter of 21st September, 1989 in which you expressed your interest and concern with the action of certain staff members at the John Oxley Youth Centre.

I have taken the liberty of forwarding your letter to the Director-General so that it may also be considered with other material which may become available.

Yours sincerely,



G.E. Nix
Deputy Director-General
(Community and Youth Support)

D.G.
For your information as
discussed
G.E. Nix
22/9/89

ACF
24/9/89

224-7077

Ms. L. Draper:SM
Personnel Services

22nd September, 1989

Mr. G. Nix,
Deputy Director-General,
(Community & Youth Support),
7th Floor,
Family Services Building,
Cnr. George and Elizabeth Streets,
BRISBANE. Q. 4000

Dear Mr. Nix,

Recently, I have become very concerned to hear that there are moves afoot by a minority group of staff from John Oxley Youth Centre, to discredit Mr. Peter Coyne (Manager), both personally and his style of leadership and management.

I believe we offer our clients at John Oxley Youth Centre a good service and that changes that occur are aimed at improving that service.

There are a minority of staff who are not prepared to work towards the goals and philosophies of the centre or youth support program, and do not appear to be prepared to join the John Oxley Youth Centre team, of which I am proud to be a member.

I find Peter to be fair and supportive in his dealings with staff and clients, and have the utmost respect and confidence in him as the Manager.

Yours sincerely,



Lynne Draper
Principal Youth Worker
John Oxley Youth Centre

Decision under
1594

13th November, 1989

Mr N. Heiner

[Redacted]

Dear Mr Heiner,

I refer to our recent discussions concerning the investigation of staff complaints at the John Oxley Youth Centre.

I am pleased to advise that your appointment to undertake this task has received approval. I attach also a copy of the Terms of Reference which we agreed to in our discussions.

The Honourable the Minister has also approved the terms to which we agreed - \$300 a day, two days a week and, if possible, completion of the inquiries and the report in six weeks from an agreed commencement date.

Arrangements have been made for an office to be provided for you; together with parking at the Children's Court complex. The office will be the No. 2 Magistrate's Chambers. I am also making the necessary staffing adjustments within the Department so that you will have secretarial assistance and a fairly senior officer to provide input and advice. I will introduce these to you next Wednesday morning, as planned.

I look forward to working with you on this task.

Yours sincerely,

A.C. Pettigrew

A.C. Pettigrew
Director-General

M. Nixon

I made a few changes to your draft, as you will see.

A.C.P.
13/11/89

ATTACHMENT TWO

TERMS OF REFERENCE FOR THE INVESTIGATION OF COMPLAINTS BY
CERTAIN MEMBERS OF STAFF AT JOHN OXLEY YOUTH CENTRE

To investigate and report to the Honourable the Minister and
Director-General on the following:

1. The validity of the complaints received in writing from present or former staff members and whether there is any basis in fact for those claims.
2. Compliance or otherwise with established Government policy, departmental policy and departmental procedures on the part of management and/or staff.
3. Whether there is a need for additional guidelines or procedures or clarification of roles and responsibilities.
4. Adequacy of, and implementation of, staff disciplinary processes.
5. Compliance or otherwise with the Code of Conduct for Officers of the Queensland Public Service.
6. Whether the behaviour of management and/or staff has been fair and reasonable.
7. The adequacy of induction and basic training of staff, particularly in relation to the personal safety of staff and children.
8. The need for additional measures to be undertaken to provide adequate protection for staff and children and to secure the building itself.

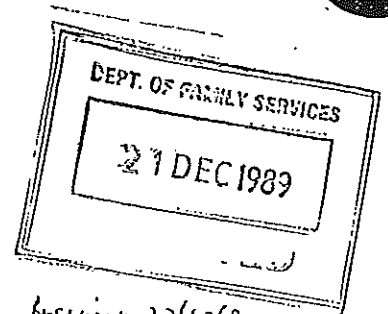
Department of Family Services

AND ABORIGINAL AND ISLANDER AFFAIRS



Refer to: P Coyne, Manager, John Oxley Youth Centre
Date: 18 December 1989
To: R Matchett, Acting Director-General

Copies to: I Peers, Executive Director, Youth Support



Received 22/12/89
✓

Subject: The Investigation of Complaints by Certain Members of Staff at
John Oxley Youth Centre

Please find attached a copy of written material I have received to date regarding the abovementioned investigation.

Attachment Number One - Minutes of the meeting with the Queensland State Service Union on 14 September 1989.

Attachment Number Two - Terms of reference for the Investigation of Complaints by Certain Members of Staff at John Oxley Youth Centre.

Attachment Number Three - Document provided to me in person by Jan Cosgrove, member of investigation panel, on Wednesday, 29 November 1989.

I am aware from the abovementioned and attached documents that I am subject to complaints from former and present staff members of John Oxley Youth Centre, as well as an anonymous person or persons. I have been denied information previously, which I believe would be necessary to enable me to have a fair and reasonable opportunity to ensure my reputation is adequately defended against imputations by persons known and anonymous.

Events since 14 September 1989 have placed me in a position where I need to seek precise and detailed clarification of the means developed by the Chief Executive to ensure I am treated justly and fairly in regard to this investigation.

CONFIDENTIAL

In regard to the above, I ask the following questions.

- 1 Why was an investigation ordered by Mr A Pettigrew before written details of specific alleged incidents were presented to him for initial consideration?
- 2 Why was an investigation of this nature required in preference to individual staff members submitting grievances as provided for by Regulation 63 of the Public Service Management and Employment Regulations of 1988?
- 3 The submission of a formal "grievance" to the Director-General about the behaviour of another officer is considered a serious matter by the Chief Executive. The expectation placed on Departmental officers is that they submit a grievance only after attempts have been made by the officer concerned to resolve the issue with his/her supervisor or with appropriate line management. As such, what attempts made by staff to resolve the issues raised by Mrs J Walker, via appropriate line management were presented to the former Director-General before he decided to initiate an investigation?
- 4 Why was it necessary to combine the investigation of issues relating to staff training, personal safety and security to the investigation of personal complaints in preference to separate investigations? I am of the opinion that a combined investigation in the absence of clear guidelines, procedures and rules has created an unnecessary circumstance where a reasonable and just outcome to each term of reference will be diminished.
- 5 What was the process of selecting an appropriate person to the position that Ms Flynn currently has on the panel? What also was the selection criteria? What considerations were given to the status of the professional relationship Ms Flynn and I had before her selection?
- 6 What processes will be used to investigate the allegations made against me?
- 7 What is the role of each of the investigation panel members?
- 8 What rules and/or guidelines exist for the operation of this investigation? I was concerned about how I could possibly conduct a defence of my reputation without knowing the specific allegations made against me by other persons. Mr A Pettigrew was not prepared to provide me with a copy of the complaints and I received no communication from Mr Heiner or his assistants regarding requests. On 29 November 1989, I went to see Mr Heiner without an appointment. He would not see me, nor would he make an appointment for me to see him at a later date.

After discussion with Ms J Cosgrove, I was given an unsigned document (attachment number three). No details were given to me regarding the status of this document or any information about its use.

I gave a copy of this document to some people and asked them to consider commenting to the investigation panel on any matters they may be able to. The investigation panel expressed concern that these people had the document in their possession.

I then requested clarification on the status of the document and its use from Mr Heiner via Ms Flynn. Mr Heiner has made no response. Ms Flynn has since told me that she believed the document was confidential and should not have been given to other people. I offered not to give a copy to other people but she said it was too late.

Given the absence of any stated rules and/or guidelines for the operation of this investigation, it is impossible for me to know what actions I can and cannot take.

→ 9 How will I be permitted to conduct a defence against these allegations?

I have been told that the persons making allegations will be interviewed, any person who requests an interview will be interviewed, and a number of staff will be selected at random and interviewed. However, no person will be interviewed against their will. I will then be the last person interviewed.

I have been told that I will not be able to cross examine any person. Nor will I be permitted to call witnesses. I have also been told I will get a fair hearing on the last day.

I have been told, if a person has information, they can ask for an interview. How can any person know if they have information about the allegations if they don't know what the allegations are?

10 I have been advised that fresh complaints have been made since the investigation commenced. Can I have a copy of these complaints?

11 I have been told that this investigation is not primarily into allegations about me, but an investigation of the Centre. Is the investigation to concentrate on allegations about myself?

12 Are questions being asked about impressions of my behaviour by the investigation panel? Are questions being asked about impressions of the behaviour of the complainants?

13 Ms J Cosgrove told me on 29 November 1989 that no recommendation for disciplinary action would be made as a result of this investigation. Is it true that no disciplinary action can be recommended by the investigating panel?

→ 14 Will the panel investigate the behaviour of the complainants?

- 15 I have witnessed one of your staff at John Oxley Youth Centre be untruthful and have his untruthfulness actively and passively supported by two other staff members. What means have been developed to ensure I am treated fairly and justly during this investigation given that some of the complaints have been made by the abovementioned staff?
- 16 What legislative base does this inquiry have?
- 17 What is the Departmental policy relating to this type of inquiry?
- 18 Where will the records associated with this investigation be filed?
- 19 Will the transcripts of evidence be kept and filed? I would strongly request that the transcripts not be destroyed.
- 20 What legal rights do I have as an employee under your charge with respect to this investigation?
- 21 Do you believe I have been treated fairly and in a manner consistent to how other employees are treated when allegations are made against them?

I again repeat my requests for a copy of the complaints made against me and a copy of the transcripts of evidence given at the investigation to date.

Your early advice on these matters would be appreciated.



P COYNE

Manager
John Oxley Youth Centre