



## SPARK AND CANNON

### TRANSCRIPT OF PROCEEDINGS

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THE HONOURABLE TIMOTHY FRANCIS CARMODY SC, Commissioner

MS K McMILLAN SC, Counsel Assisting  
MR M COPLEY SC, Counsel Assisting

IN THE MATTER OF THE COMMISSIONS INQUIRY ACT 1950

COMMISSIONS OF INQUIRY ORDER (No. 1) 2012

QUEENSLAND CHILD PROTECTION COMMISSION OF INQUIRY

BRISBANE

..DATE 06/12/2012

Continued from 05/12/2012

..DAY 6

**WARNING:** The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complaints in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

THE COMMISSION COMMENCED AT 10.18 AM

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COMMISSIONER: Good morning, everyone.

MR COPLEY: Good morning, Mr Commissioner. I call Deidre Denise Duncan.

COMMISSIONER: Sorry, before you - - -

MR COPLEY: Deidre Denise Duncan.

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MS CAMPBELL: Mr Commissioner, I seek leave to appear as agent for Mr Mike Bosscher for today's proceedings.

COMMISSIONER: No difficulty?

MR COPLEY: No difficulty.

COMMISSIONER: Okay.

MS CAMPBELL: Thank you.

COMMISSIONER: I give you leave.

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**DUNCAN, DEIDRE DENISE** sworn:

ASSOCIATE: For recording purposes please state your full name and your occupation?---Deidre Denise Duncan, and I'm a retiree.

Please be seated?---71.

MR COPLEY: Could Mrs Duncan be shown exhibit 15, please.

Ms Duncan, would you like to look through that document to ascertain whether your signature appears at the foot of each page and whether you have signed it on the last page? ---Correct.

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And it was a statement you gave to the police on - signed on 7 November 2012. If you check the last page, please? ---5/11/2012.

Thank you. Now, did you work at the John Oxley Centre from prior to its receiving any children until your resignation in 1989?---Yes.

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Okay. And you were there when a man called Peter was the manager?---Yes, he'd just come in before I left.

Okay. And apart from being young, tall, dark-haired and handsome, do you remember anything else much about him? ---Well, I had hurt my back with the lifting in the stores - - -

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DUNCAN, D.D. XN

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Yes?---And Peter was going to try and change a lot of things to help me. 1

Okay?---For example, 20 kilos of chemicals, I would have been allowed if it had been five litres of chemicals.

Okay?---So he was going to change it.

So he showed you some consideration, which you appreciated?  
---He was going to help, yes.

Yes. Now, you state at paragraph 5 of your statement that you left John Oxley to begin your own business around about the middle of 1989?---Yes. I left because I was injured. 10

Right?---And then as I got better Brisbane City Council asked me to form a cleaning company.

Okay. Plus - - -?---Then I did.

All right. Well, leaving aside the precise reason for leaving, is it correct when you state that you left John Oxley about the middle of 1989? Is an accurate?---I can't really remember. I think it was more the beginning. 20

You think it was more the beginning?---The beginning, I think. Yes, I tried - yes.

Okay?---Can't you check on that?

Well, we might be able to, but I think the difficulty - - -?---Whenever Peter came in, I know it wasn't long after that.

Okay. The difficulty of course for you is that many years have gone by?---Yes, about 25. 30

Yes, and - - -?---Because I ran the cleaning company - - -

Okay?--- - - - for 21 years.

All right. Now, you state at paragraph 5 you were not aware that an inquiry in relation to John Oxley Centre took place in 1989-90?---No.

And that you were never approached or asked to provide a statement to any person or any inquiry in any written or oral form?---No. 40

Is that the truth?---That is the truth, that's correct.

Thank you. No further questions.

COMMISSIONER: Thank you. Questions?

MS CAMPBELL: No, thank you, Mr Commissioner. 1

MR HARRIS: I have no questions, Commissioner.

MR HANGER: No questions.

MR COPLEY: No re-examination. May the witness be excused?

COMMISSIONER: Thank you, Ms Duncan, you are - thank you for coming and providing your evidence to the inquiry. You're excused and released from the obligations of your summons?---Thank you, commissioner. 10

WITNESS WITHDREW

MR COPLEY: In relation to exhibit 15 there's nothing in it that would prevent it being published in its completeness.

COMMISSIONER: Thank you. Is that agreed? Exhibit 15 be published unabridged.

MR HANGER: What about paragraph 8? Just wondering about paragraph 8. 20

MR COPLEY: I can't see there any - with respect, any reason for that paragraph not to be published.

MR HANGER: It doesn't really matter, as long as it's been thought about.

COMMISSIONER: (indistinct)

MR COPLEY: I call Lola Marie Nolan. 30

**NOLAN, LOLA MARIE** sworn:

ASSOCIATE: For recording purposes please state your full name and your occupation?---Lola Marie Nolan, and I am retired.

COMMISSIONER: Yes, Mr Copley.

MR COPLEY: Could witness please see exhibit 38. Ms Nolan, if you'd have a look at that document please, are you able to confirm that you signed that document on 1 November 2012 and that it is your statement?---That is correct. 40

All right, thank you. Ms Nolan, you said in that statement that you commenced work at John Oxley at about the time that the John Oxley Centre began operating and that you worked there until February of 1991?---That's correct.

That's correct, thank you. Now, in the time that you were

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NOLAN, L.M. XN

working - just pop that down now for a moment?---Yes. 1

Because you won't find an answer to that in there, perhaps. In that time that you were working there did you ever come to know about an investigation or an inquiry that was being conducted by a former magistrate called Noel Heiner? I'll repeat the question - - -?---Named?

What?---The name, last name?

Noel Heiner?---Noel Heiner, no. 10

Okay. Did you come to hear about or become aware of when you were working there an investigation or an inquiry being conducted by anyone?---No, not at all.

Okay. So can we draw from that that you did not go and answer questions from anyone who visited the centre wanting to ask you about anything at all about it?---That's correct, no.

Okay. By that I mean - when I say anyone, anyone external to the centre?---No. 20

No. Okay. And at paragraph 7 of your statement you say that you have no knowledge of sexual abuse at either of the two detention centres that she worked at. Is that true? ---That's correct.

Thank you?---No.

No further questions.

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No further questions. 1

COMMISSIONER: Thank you.

MS CAMPBELL: No questions.

COMMISSIONER: Mr Harris?

MR HARRIS: No questions.

COMMISSIONER: Mr Hanger? 10

MR HANGER: No questions.

COMMISSIONER: Mr Copley?

MR COPLEY: No re-examination. May the witness be excused?

COMMISSIONER: Yes. Ms Nolan, thank you for coming. You are formally excused from the obligations of your summons this morning?---Thank you very much.

WITNESS WITHDREW 20

MR COPLEY: There is no reason why exhibit 38 can't be published as it is.

MR HANGER: Before our friend calls the next witness can I just revisit the previous statement that you've covered? It's exhibit 15, the statement of Duncan. In paragraph 8 I suppose the concern I have is simply this, is that that is telling the world that a certain person is married to a certain person who is an inmate of the centre, and if I was that - - - 30

COMMISSIONER: I thought she was a domestic. Isn't she referred to - - -

MR HANGER: No. The second bottom line in paragraph 8.

COMMISSIONER: I see.

MR HANGER: That's the concern I have. Subject to that, I leave it to you to determine, but it is telling somebody that somebody was an inmate of the centre.

COMMISSIONER: Do you want to be heard, Mr Copley? 40

MR COPLEY: I don't - I submit that there is no difficulty with this. It is simply stating that a person who worked at the centre ended up marrying one of the people who was an inmate of the centre. There's nothing objectively or obviously wrong with that.

COMMISSIONER: No, unless that's not something they want

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publicised. I think I'll leave it out of an abundance of care. I don't think - I agree with you, I don't think there's any fairness requirement involved, but - - - 1

MR HANGER: So we'd better work out what we're going to take out then.

COMMISSIONER: I'm going to revoke my previous order and order that exhibit 15 be published in full except that - - -

MR HANGER: You have to take out all of those names. 10

COMMISSIONER: Delete the first seven words in line 7 of paragraph 8.

MR HANGER: Wouldn't it be best to delete each of the names mentioned in paragraph 8?

COMMISSIONER: No, because then I think you are interfering with the flow of it, whereas what I'm trying to do is protect privacy, not change the statement.

MR HANGER: Quite so, yes. So what was the order? 20

COMMISSIONER: I've ordered that simply the first seven words of the eighth line of paragraph 8 be deleted. So he got married and he had several children. We just don't know who with. It doesn't matter. Okay.

MR HANGER: Thank you.

MR COPLEY: I call Walter James Tallis.

**TALLIS, WALTER JAMES** affirmed: 30

MR COPLEY: Could Mr Tallis see exhibit 49?

COMMISSIONER: Sure.

MR COPLEY: Mr Tallis, have a look at that document. Can you confirm that you have signed that and that you did so on 30 October 2012 and that it is your statement?---Yes.

Thank you. According to your statement, Mr Tallis, you predominantly or primarily worked at the Cleveland Youth Detention Centre in Townsville?---Correct. 40

But that from time to time if there were situations that arose down in southern Queensland you were required to leave Cleveland and come down and work down here?---No, bringing young people down to Brisbane.

Bring young people down?---Because Cleveland is only a short-term prison up there and we do the whole of north Queensland, put all those young people into.

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TALLIS, W.J. XN

In your statement on the second page in the first line you state that you came - you once went to the John Oxley Centre for a few days?---That is correct. 1

Okay, and - sorry?---Because in that time any long-term prisoner in Queensland had to go to Westbrook.

Right, okay. Any long-term male prisoner and/or female prisoner, or just male?---Male only.

Male only, okay. All right, and so it's quite correct, is it, that you only came to the John Oxley Centre on one occasion for a few days?---No, it wasn't a few days. I was waiting for transport to take me back from John Oxley to Toowoomba to Westbrook and I had the north Queensland young people with me. 10

So how long would you say you were at John Oxley Centre for?---About an hour or two hours at the most.

In that hour or two were you questioned by any person who claimed to be a former magistrate?---No.

Either prior to that visit or subsequent to that visit did you ever have to come to the John Oxley Centre and be questioned by anyone who claimed to be a former magistrate?---No. 20

Were you ever questioned in the city of Brisbane by anyone who claimed to be a former magistrate?---No.

What about anyone - were you ever questioned at either John Oxley in the city here by a lady called Barbara Flynn? ---No. Do not know her.

Okay. No further questions - - -?---See, I've only been in Brisbane 16 years. 30

Beg your pardon?---I've only been in Brisbane 16 years. That's all I've been down here.

I see. Did you live in Townsville prior to 16 years ago? ---All the way through, yes.

Right. No further questions, Mr Commissioner.

COMMISSIONER: Thank you. Any questions? 40

MS CAMPBELL: No questions.

MR HARRIS: No question, commissioner.

MR HANGER: No questions.

MR COPLEY: May the witness be excused?

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TALLIS, W.J. XN



COMMISSIONER: Yes. Mr Tallis, thanks for coming. You're formally released from the obligations of your summons?  
---Thank you.

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WITNESS WITHDREW

MR COPLEY: There's no reason why exhibit 49 can't be published as it stands.

COMMISSIONER: I'll order that exhibit 49 be published in full. Sorry, Mr Copley.

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MR COPLEY: Thank you, Mr Commissioner. I call Olly Isaac.

COMMISSIONER: Thank you.

**ISAAC, OLLY** sworn:

MR COPLEY: Could Mr Isaac see exhibit 24, please?

COMMISSIONER: Sure.

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MR COPLEY: Mr Isaac, could you just flick through that document to see whether or not it is a statement that you signed on the 2nd day of October 2012?---Yes, it is.

You said that you are watch house officer at Ridgeland. You're not an employee of the Police Service, are you?---I am.

You are?---Yes.

Are you a sworn police officer?---No, I'm not, I'm a civilian working in the role - - -

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In the Police Service?---In the Police Service.

Okay, thank you. Now, in late 1988 or early 1989 you stated in the statement that you began work at the John Oxley Youth Centre?---Yes, that's correct.

In that statement you describe it as a detention facility for a range of children?---That's right.

You speak about there two classes of children, at least? ---Yes.

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One class you describe as being wayward youth who were considered difficult to control?---Yes.

You distinguish that class of child from a child who had been through the criminal courts?---Yes.

So are you attempting to convey there in that statement

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ISAAC, O. XN

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that there were children in the centre who had been sentenced to serve a punishment of a period of detention by the courts in John Oxley?---Yes.

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But there was this other category of child who hadn't been sentenced for any criminal offence?---Yes.

And what was your understanding of what type of children they were? Were they subject to a particular order, do you know?---Yes.

What was that called?---I can't recall at the time, but during my time there - we had children there that were placed there on placements and perhaps to go out to the community but because there was no houses available or foster carers available to look after these kids, they were placed at the John Oxley Centre and during my time there we had kids who, you know, were wayward kids, yes, behavioural - yes, they had behavioural problems that couldn't be out in the normal setting of a home. They were placed there. So in my time there we went as a youth centre to a detention centre. We went from a lot of times where the kids were called residents, then they were called detainees, then they were called prisoners.

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Yes?---I mean, we went through a whole gamut of ranges of naming these children. 1

Yes, but let's go back though to the start?---Sure, yes.

Because when this institution was opened, it was called not the John Oxley Youth Detention centre but the John Oxley Youth Centre?---Yes, correct.

Would you regard that naming as a manifestation of the fact that it housed not simply people who have been detained pursuant to a court order but a variety of children?---Yes. 10

Okay; and then do you know when it changed its name to John Oxley Youth Detention Centre?---I can't recall.

Okay. The children that were there because they didn't have anywhere otherwise to live or weren't suitable to be placed anywhere else - were they subject to something called a care and control order, do you know?---Yes.

That was the expression you were thinking of before?  
---That's correct, yes. 20

Okay, thank you. So there was quite a mixture of children?  
---A big mixture of children, yes.

Did that mixture of children who had been sentenced as a punishment and those who had been placed there under care and control orders - did that make it a more complicated place for people like you to work in?---It was very difficult and very challenging.

Yes. Generally speaking, did the children who were there pursuant to sentence orders get on with the children that were there simply because that was where the department decided they would be housed?---Yes. 30

They did?---We didn't have systems in place. You would have a child there who was wearing normal clothing, so to speak, and you would wake up in the morning and some other boy, child, female - male or female would be wearing someone else's clothes that weren't their clothes and the stand-over tactics that were occurring between the children that we had there was getting - it was getting out of hand because when the parents used to come and visit, little Johnny's shoes were now on someone else's feet. 40

Yes?---So management - well, I suggested some ideas to the management at the time that what we should be - what we should start doing is giving kids our own clothing so therefore it stamps out the stand-over tactics of other children wearing other kids' clothing.

So it would stamp out the perhaps trafficking in items of personal apparel?---Correct.

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ISAAC, O. XN

Yes. When you were working there in - you were there in 1989, weren't you?---Yes. 1

Did you as a person who worked there have to wear a uniform?

---No, we were wearing casual attire, our own clothing.

Did you ever work at Sir Leslie Wilson?---I did for a period.

Did they wear uniforms there?---Not at the time, no, but eventually we did. 10

At both Oxley and - - -?---At both, yes.

All right; and was the first place that you worked in youth detention in Australia at John Oxley?---Yes.

You mentioned that there were boys and girls in John Oxley. Do you recall whether the girls were required to sleep in buildings separate from the boys or whether the children were mixed in the sense that if there was a building, there might have been girls and boys housed under the one roof?--  
-What occurred there is that we would have the older girls in a separate unit and then we had the older boys in another unit and in one of the building units we used to have the younger boys and the younger females in together but sleeping separately in their own rooms. 20

Yes, but they could all mingle, could they, during the day? ---They would mingle for a short period throughout their schooling whilst there and then would probably mix together in a common area, so to speak, but, you know, left alone on their own.

Were the sentenced children and the children under care and control all expected to go to school during the day if they were under a certain age?---Yes. 30

What happened if a child didn't want to go to school and attend a class? Was he or she made to or was it a matter that if they simply refused to budge from their bedroom, it was left at that?---Yes, they would just be left with a staff member keeping an eye on them perhaps in their units or somewhere else.

Okay. Now, in paragraph 8 of your statement - sorry, paragraph 9 of your statement you speak about two inquiries, the Forde Inquiry and the Heiner inquiry, and you say that you don't really know what the Heiner inquiry was about?---No. 40

When did you first hear that expression, "the Heiner inquiry"?---I can't recall a time or a date, but you heard about it from other people or you had it in conversation.

Did you hear it when you were working at John Oxley?---I can't recall, but I do know of a name but I wasn't quite sure.

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All right. Well, you state in paragraph 8 that you have never given any evidence before any inquiry into the activities at John Oxley, nor have you ever provided any written statement to any inquiry or union official about activities or incidents at John Oxley Youth Centre. Is that the truth?---Yes.

Thank you. No further questions.

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COMMISSIONER: Ms Campbell?

MS CAMPBELL: No questions.

MR HARRIS: I do have some questions, commissioner.

COMMISSIONER: Thank you.

MR HARRIS: Now, Mr Isaac, you were at the John Oxley Centre when an incident that you describe in paragraph 12 or your statement - could you go to paragraph 12, please? ---Yes.

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You know the female detainee?---Yes.

Now, you say - and I just want to work out the time frame here. You say that on that day she was wearing togs with board shorts over the bottom and that her skin was red with sunburn, so can I take it that that was the day you saw her when she actually returned from Wivenhoe Dam?---Yes.

Okay. So that was the day. Now, I will just see if I can locate that date for you. Would that date have been 4 April 1991? Does that ring a bell?---If it was that date - - -

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All right. Now, do you remember the demeanour of the girl that day? Do you remember how she appeared? I know you have given a description here, "Her skin was red with sunburn. I remember noting she had a handprint on her back," but what was her demeanour? Was she a distressed person?---Well, I suppose at the time she may have been a distressed state, but usually she's quite a bubbly person.

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ISAAC, O. XN  
ISAAC, O. XXN

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I think she's quite trusting of people that she has trust with, if you know what I mean, and when I saw her that day it wasn't the same person that had left the detention centre that morning.

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You say that you noticed a handprint on her back and you say, "These handprints look like they were some person that was facing her front, holding her back. The prints were quite clear that there was a definite shadow of the hands within the sunburn itself." Okay?---Yes.

I assume from that there you say that there were two handprints?---Yes.

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Okay, there were two handprints there. When you go on to paragraph 19 where you say when Shelley told you something, "I got warning bells and became suspicious." Could you elaborate to the commission what your suspicions were and warning bells?---I just find that from my experience I believe that when a child that's in your trust and you're looking after this young person, I believe that you build up a report and a level of trust and people who come to you or people that you see expect that when they're giving you some sort of information about what's happened, is that you've got to report what has occurred.

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What information did she give you?---Well, when I asked her about these handprints on her back I was somewhat distressed, at seeing this, you know, these were - these weren't hands of a child, these were rather large hands on her back. When I just sort of coached her along to tell me the story, because I didn't want to make her feel upset, I just had report it. And, you know, when these people are under your care you've got to do the best for that person.

Did she report any abuse to you?---Well, I can't recall, but what I believe occurred, to me, appeared to be some abuse.

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What sort of abuse do you think it was?---Well - - -

MR HANGER: Is this of any value - - -

MR COPLEY: The question would be better phrase, with respect, by asking the witness, "What did she say that lead you to infer that she had suffered some form of abuse?"

COMMISSIONER: Yes, we're used to that term, Mr Harris. We know what it means to us and we have a community of understanding about it because we're lawyers, but what's one person's abuse is not necessarily another and I think it is important that we - and abuse is really - the word "abuse" to describe an event is really an interpretation of what you saw and what you heard. So I think it would be better, instead of asking a question that really elicits an opinion about, or an interpretation of an event, we just

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ISAAC, O. XXN

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asked what he was told and leave it up to me to work out what that means, whether that constitutes abuse or something else. 1

MR HARRIS: Thank you, Commissioner.

Can I go to this question then, you say your suspicions - you became suspicious. What made you suspicious? Was it your past experience; was it your knowledge of the young person?

COMMISSIONER: Mr Harris wants to know what were you suspicious of, and why?---Well, I find it difficult to accept that when someone goes somewhere on a field trip, to come back - with perfectly good skin when she left, too sunburnt skin coming back with two handprints on her back, I mean, that sends warning bells to anybody. 10

So what you saw made you suspicious of something had happened?---Yes.

MR HARRIS: And you don't know what had actually happened? ---No, but there is some suspicion to me, as a person who is looking after this young person in my care. 20

Can you just explain to the commission the process of complaint at John Oxley. What happened with your suspicions? Who would you report to and go up the ladder? What would you expect to happen with your complaint? ---Well, first of all an incident report is drafted - written, and then it's passed on to the senior youth worker, who then passes it to the chain of command at the detention centre, so everybody from middle management to management would have received or would have read an incident report written by me and whoever else is involved on the date, and anybody who went out on the excursion or anyone that seen this young person go out and come back would obviously be - an incident report would have been written. 30

Did you write a report on that date?---I believe I did. Or if I didn't write one I would reported verbally.

You say in paragraph 20, "I believe he got away with it." Now, can you elaborate on what you mean by, "I believe he got away with it?" I've taken the person's name out deliberately?---Well, when I did report my suspicions, it wasn't long after that youth worker's employment was terminated. And whether he was given a letter of termination or whether he was asked to leave, I'm not quite sure in that regard, but he was no longer working at the youth centre. 40

And even today - and I read in paragraph 21 - you say, "I was angry about this incident it distresses me still to this day." Do you still feel the same way?---I do.

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ISAAC, O. XXN

No further questions, Commissioner.

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COMMISSIONER: Mr Hanger.

MR HANGER: Just one or two.

What my learned friend sets out to read to you is paragraph 16. You asked the girl how come she got sunburned and she said words to the effect, "We were flirting in a rubber tube in the middle of the lake"? ---That's correct.

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Right, thank you. And you've said in your statement on more than one occasion you don't know if you reported verbally or in writing?---That's correct.

Yes, but normally reports of any misconduct are put into writing?---That's correct.

And it would appear from - I presume from the research that's been done, you make no written report.

MR COPLEY: Mr Isaac, when did you leave the John Oxley Centre?---I left about - well, I worked at both John Oxley and the Brisbane Youth Detention Centre after serving 17 years.

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Yes?---I believe I left in mid-2000.

Okay. Can I just clarify one thing with you, you said you worked at John Oxley and the Brisbane Youth Detention Centre?---Yes.

Are you intending to convey to me that at some point John Oxley received a name change and that the structure that was John Oxley became the Brisbane Youth Detention Centre, or are you speaking of two separate and distinct facilities?---Well, I've worked at all three facilities.

30

All right?---The Sir Leslie Wilson Youth Detention Centre.

Right. Well, it's correct, isn't it, that Sir Leslie Wilson was over on the north side of the city of Brisbane? ---Correct.

And John Oxley is at Wacol?---Yes.

So they were one and the same centre physically, where they?---No.

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No, but what I'm asking you is, because we need to clear this up: did John Oxley Youth Detention Centre or Youth Centre - did it somewhere along the line just get renamed the Brisbane Youth Detention Centre situated at Wacol exactly where John Oxley was or was the Brisbane Youth Detention Centre that you worked at a geographically separate and distinct facility from John Oxley?---The two centres, Sir Leslie Wilson and the John Oxley Youth Detention Centre, closed and hence both centres were merged as one and now relocated not far from the John Oxley Youth Detention Centre.

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Okay, but when John Oxley closed, did it operate the next day as the Brisbane Youth Detention Centre or was it closed? The staff and children physically moved to the Brisbane Youth Detention Centre?---Yes.

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That was the latter?---Yes.

Okay, thanks. All right. So can I ask you now - I know that you worked at the Brisbane Youth Detention Centre until about 2000 because that's what you've said. When did you leave John Oxley to go to the Brisbane Youth Detention Centre?---I think early 2000, I think.

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All right?---Sorry, coupled with that the young men that were at the Westbrook Detention Centre came down and were housed at John Oxley some time before that closed down to become a men's facility.

Okay?---So three centres became one.

Right. Just getting back now to paragraph 21 of your statement, please, you state that you don't really know what happened to the girl. You don't believe she got any psychological help. You don't know if a medical was carried out and you were never given any feedback from management about what had occurred?---That's correct.

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And that has upset you. The fact that you haven't been told what had occurred - has that upset you at all?---Well, it does because I don't believe this young person was ever given any justice.

But for all you know there is a possibility that matters concerning her were investigated. You must concede that, mustn't you?---I can't recall whether the matter was investigated. I don't know.

40

With respect, isn't that the true situation? You just don't know whether it was or it wasn't?---No.

You might believe that it wasn't or think it wasn't, but you don't know for a fact one way or the other?---No.

Okay, thank you. I have no further questions of the

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ISAAC, O. REXN

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witness.

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COMMISSIONER: The reason you don't know is because you didn't get any feedback that suggested that something had been done?---Well, the only justice I thought that was carried out was no longer seeing that person in the employment at the detention centre.

So that's all you saw as a result of - - -?---Yes.

When you say in paragraph 20, "Absolutely nothing happened," am I right in thinking in light of what you have just said that that's not a statement intended to be a statement of fact? That should be interpreted by me to mean that as far as you know absolutely nothing happened? ---Well, that's what I believe.

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MR COPLEY: If you made a report - and I say "if" not to cast doubt on you but your evidence is you believe you made a report oral or verbal, but if you did, you would undoubtedly have done so promptly after you had made the observation of the sunburn?---Yes.

So did you make the report that day, the next day? ---Straightaway.

20

Straightaway, okay.

COMMISSIONER: Did you ever say to management, "Hey, listen, you know that report I made about the event, what ever happened to that? What are you doing about it"?---My recollection of that - when the person no longer working there, it was done and dusted.

That's what happened?---And that's what happened.

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I see; so how long after you made the report did that happen, that he left?---I think it was - I think it was maybe a week, maybe two weeks.

Okay. So you thought he got his just desserts because he wasn't working there any more?---Well, I think I wanted a little bit more than that.

Yes, okay, that's what I mean. You saw him leave a couple of weeks later. You still wanted more. Did you go and ask for more?---No, because as far as I'm concerned - well, when I brought it to the - when I raised my concerns with management, that was how they dealt with it and I went no further with it. I mean, I'm only just a pawn on the floor and, you know, what ever management does with it is what they - - -

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All right, thank you, Mr Isaac.

6/12/12

ISAAC, O. REXN

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MR COPLEY: No further questions. May the witness be excused? 1

COMMISSIONER: Mr Isaac, thanks for coming and giving your evidence. You are formally excused from your summons.

WITNESS WITHDREW

MR COPLEY: Turning to exhibit 24, there's a little bit to consider here. Consistently with the practice that has been adopted so far, the Christian name and nicknames in paragraphs 18 and 20, in my submission, should be obliterated and perhaps also the noun in the last line in paragraph 18. Then over at paragraph 28, Mr Commissioner, there's a reference to a person by a nickname. In my submission, the nickname there in the third line down should be obliterated. 10

COMMISSIONER: I'm sorry, Mr Copley, what paragraph?

MR COPLEY: Paragraph 28, the third line in paragraph 28.

COMMISSIONER: Yes. 20

MR COPLEY: Then over the next page, paragraph 31 there's a reference to a juvenile detainee by Christian name twice and surname once.

COMMISSIONER: Yes.

MR COPLEY: It should be obliterated, then in paragraph 32 there's a reference to a female detainee once and a reference to another person once, twice, three times which, in my submission, should be obliterated. They are the only matters I wanted to draw to your attention. 30

COMMISSIONER: Thank you. Anyone want to argue about any of those or add any?

MR .....: No, commissioner.

COMMISSIONER: Okay. I order that exhibit 24 be published with the exception that in paragraph 18 the Christian name starting with W and the nickname starting with B, wherever they appear, be removed before publication and the last two words of the last sentence in paragraph 18 also be deleted and in respect of paragraph 28 that the nickname on the third line of that paragraph be obscured and likewise with respect to paragraphs 31 and 32 that the female's Christian name and surname, where it appears, to be deleted and the name of the male referred to in paragraph 32, whether it is a Christian name or surname or both, also be deleted before publication. 40

MR COPLEY: We think you might have missed out paragraph 20, Christian name third line.

6/12/12

COPLEY SC, MR

06122012 05/CES(BRIS) (Carmody CMR)

COMMISSIONER: I did, yes, and the Christian name in the third line of paragraph 20 starting with W also be deleted before publication. Thank you.

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MR COPLEY: I call Kerry Ann Jones. Instead of calling Ms Jones at this point I will call Robert James O'Hanley.

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6/12/12

ISAAC, O. XXN

6-20

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O'HANLEY, ROBERT JAMES affirmed:

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COMMISSIONER: Good morning, Mr O'Hanley.

MR COPLEY: Can Mr O'Hanley see exhibit 40, please?  
---Thank you.

Mr O'Hanley, just have a look through that document to see whether or not you can confirm that it is a statement that you signed and provided to the police and signed on 25 September 2012?---Yes, I can confirm that.

10

Thank you. Now, according to your statement you worked at the John Oxley Youth Centre until around about the middle of 1988?---That's correct.

And that you were employed there as a teacher?---Yes.

After leaving that employment did you go into the education department and continue your career as a teacher?---Yes, I did.

Prior to working at John Oxley you had worked at Sir Leslie Wilson?---Yes, I had.

20

Did you work there as a teacher?---Yes, I did.

Did you know Peter Coyne?---He was the manager while I was at the John Oxley Youth Centre.

Okay, and you knew Gordon Cooper?---Yes, he taught with me.

And Karen Mersiades?---Yes.

They were both teachers?---Yes, the three of us were the teachers there.

30

Right, and there was another lady that you might have worked with, did you call her Sarah Moynihan?---Yes. I think she was the art person. She wasn't a teacher but she was - - -

But she taught art - - -?--- - - - practising art with the kids.

Were you involved in taking some children to the Lower Portals near Mount Barney on 24 May 1988?---Yes, I was.

40

The children that you took were both boys and girls?---Yes.

One of the children was Annette Harding. Do you remember that?---I honestly can't remember their names.

All right, but do you remember something occurring that required you to compile a report when you got back to the centre?---I did not do the report until the next morning.

6/12/12

O'HANLEY, R.J. XN

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Okay, but did something occur - - -?---Yes.

1

- - - on the trip that required you to make a report to Mr Coyne?---Yes.

What was the incident that you were required to report on?--I think it was an alleged assault.

I'll just get you to have a look at this document, please, and I'll ask you to look at the second page to see if you signed it, then if you signed it I'll ask you to see if you wrote it?---Okay, well, as I said, you know, I wrote a handwritten report.

10

Yes?---I never typed it.

Right?---I never signed one that was typed. So my report was written by me and signed by me.

That document there is a typed document, isn't it?---Yes.

Does it have a signature on it?---Yes, it does.

Do you recognise the signature?---That's my signature.

20

Okay?---But it appears to be photocopied.

The document certainly wouldn't be the original typed document, but are you meaning to suggest that to you the signature has been placed onto the typed document at some point by someone photocopying your signature onto it, or are you simply saying it's a photocopied signature?---No, I think I - the only document that I signed was a handwritten one.

So you can't account then for how your signature got on that document?---No.

30

Could you have a read through that document? For the moment just read it to yourself?---Yes.

Having read the contents of the document now it would be obvious to you that there's been some obliterations made on it?---Yes.

So you don't know necessarily what's under the obliterations?---No.

40

But from what's left of it do the contents seem familiar to you?---Yes, they do.

Do they accord with your recollection of what was in the handwritten note?---Yes.

They do?---Mm'hm.

6/12/12

O'HANLEY, R.J. XN

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Does the document detail an assault?---No. 1

What does it refer to or speak of?---I guess it refers to the fact that the group was spread out during lunchtime and we had to sort of go and collect them and get them back together so that we could return to the cars.

Yes, and does it deal with anyone absconding or disappearing?

---It does at the - when we got back to the carpark three of the boys took off. 10

So that would have been a pretty serious matter if three of the boys ran away from you?---Yes.

So when you were asked to prepare a report by Mr Coyne the next day did he indicate what he wanted a report about?

---No, he simply said, "Just recall what happened on the day."

Did he ask you to direct your attention to any particular incident?---Not that I'm aware of.

Okay, well, there's nothing in there about any assaults, is there?---No. 20

So what was your state of knowledge on the morning of 25 May 1990 about any assault or assaults having occurred the day before?---When I came to work that morning the teachers, social workers, psychiatrists, psychologists, perhaps, were in a meeting. At that meeting we were told that something had happened.

What were you told had happened?---That Annette had been assaulted. 30

Did you see Annette getting assaulted?---No.

Did Annette complain to you that she had been assaulted? ---No.

Did any person on the trip say to you, "Hey, I saw Annette being assaulted by person A or person B"?---No.

Did any person from the trip say, "Mr O'Hanley, I touched or assaulted or hurt or interfered with Annette"?---No.

So is that the explanation for why there's nothing in the report about an assault on Annette?---Yes. 40

Okay, because you had no knowledge of it?---No.

Now, I can't recall if I've clarified this with you. I may have done, but according to your statement you left John Oxley around about the middle of 1988?---That's true.

May 25th is getting pretty close to the middle of the year, isn't it?---Mm. **1**

So how long after May 25, 1988 can you recall that you left?---I left in July of 1988.

After leaving John Oxley did you ever go back there for the purposes of answering questions from a retired magistrate called Noel Heiner?---No, I didn't.

Did you ever go back there for the purposes of answering questions addressed to you by any gentleman?---No. **10**

Did you ever go back there for the purposes of being questioned by any lady?---No, I didn't.

Did you ever go back there at all after you left in July of 1988?---No, I didn't.

Did you ever come into the city in the year 1989 or 1990 and have a meeting with a gentleman and answer questions about your time at John Oxley?---No, I didn't.

Did you ever come into the city in 1989 or 1990 and have a meeting with a woman and answer questions about your time at John Oxley?---No, I didn't. **20**

I'll have that document back, thank you. No further questions.

COMMISSIONER: Thank you. Ms Campbell?

MS CAMPBELL: No questions.

COMMISSIONER: Mr Harris?

MR HARRIS: Yes, I have questions, commissioner. **30**

**40**



Mr O'Hanley, the decision to leave the Lower Portals and to head back to the car park, was that a decision that was made quickly, or was there a time frame that had already been timed? Was that a part of the planning, that you go there and then directly after lunch you head back?---Yes, it was planned that way - - - 1

So it was planned - - -?--- - - - simply because of the time quiet to walk back to the car park.

Was there any hullabaloo, if I could say that, was there any fuss that something had happened to Annette at the Lower Portals?---No, there was no fuss and then we were - I was quite surprised the next morning when I came to work to discover that something supposedly had occurred. 10

So you didn't know anything about it until the next morning?---That's right.

The four boys, did they abscond from Lower Portals or from the carpark?---From the carpark.

Did they - - - ?---The group walked back together, which took about an hour, and once we hit the carpark they scooted off. 20

And during that walk back did Annette show any distress at all - - -?---Not that I'm aware of, no.

None at all, so she just walked calmly back with everyone? ---Mm'hm.

If I put it to you that Annette was crying to the staff at the Lower Portals, what do you say about that?---I do not recall that happening. 30

You don't recall it happening?---No.

All right. On the morning of the 25th, the meeting that you had, you have that at - - -?---At the John Oxley Youth Centre.

Whereabouts at the John Oxley Youth Centre?---Whereabouts? There was a meeting room, how can I describe it? Walk down the hallway, turn right. It was a real proper room at the centre.

Was it the - say, the meal room or something, whether people eat?---No, I don't think so. I think it was just a meeting room. 40

But was it - - -?---Actually, it was a room where if we had to discuss one of the students' progress or whatever, there was a meeting room provided for that and there was enough room in there for 15 or 20 people to sit around the table.

Who was at that meeting with you? There was  
yourself - - -?---The three teachers - - - 1

- - - the three teachers?---Mr Coyne was there - Peter was  
there.

Yes?---And there was the - I think we had a psychologist  
with us on the day, so he was there. There were a couple  
of youth workers, they were there. And I believe - I still  
believe - I think Sarah, the art lady, came with us on the  
day too, so she was there. 10

So everybody was there on that day?---Good, yes.

Okay. Did Mr Coyne give any instructions about what you  
had to put in your reports?---He simply said recall what  
happened on the day.

Just record it?---Yes.

And you wrote your handwritten note?---Yes, I did.

And you gave that note to Mr Coyne?---Yes. 20

Okay. Now, with that meeting, you found out at that  
meeting that Annette had been assaulted. That's correct?  
---That's what we were told, yes.

Who told you that?---I think Peter did. I'm not sure about  
that, but I think he did.

And did he tell you how or what had actually happened to  
Annette?---No, no details were given.

There were no details?---No. 30

So it was just pretty clear that Annette had been assaulted  
and there - did you ever give any statements to the police  
about the incident?---No, I didn't.

The only statement that you gave was the one to - your  
handwritten one?---Yes.

And that was to the John Oxley Centre?---Yes.

To a person there. All right. No further questions,  
Commissioner. 40

COMMISSIONER: Thank you, Mr Hanger.

MR HANGER: I have no questions.

COMMISSIONER: Mr Copley.

MR COPLEY: No re-examination. Maybe witness be excused?

6/12/12

O'HANLEY, R.J. XXN

COMMISSIONER: Yes. Mr O'Hanley, thank you for coming. You're excused from the summons?---Thank you.

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WITNESS WITHDREW

MR COPLEY: There's nothing in Mr O'Hanley's statement that would prevent it from being published as it currently appears.

COMMISSIONER: I direct that Mr O'Hanley's statement be published without amendment.

10

MR COPLEY: Mr Commissioner, I've called Gary Truloff.

**TRULOFF, GARY JOHN** sworn:

ASSOCIATE: For recording purposes please state your full name and your occupation?---Gary John Truloff, I work as a project officer, youth detention operations.

MR COPLEY: Could Mr Truloff CE Exhibit 52, please. Mr Truloff, would you look through that document to see if you could confirm that you have signed it and that it was a statement that you provided. There's a discrepancy between the date at the top of the declaration on the last page and that date that it said it was taken on the first page? ---Yes.

20

What's your recollection there? Did the police approach you in September of 2012 or February of 2012?---It would have been September.

Thank you. And did you sign it on 27 September 2012? ---Yes.

Thank you. You worked at the John Oxley Youth Centre from around 1989 for a period of nine years?---Yes, I did.

30

When you started at the youth Centre, who was the manager? ---Peter Coyne.

Okay. And when you worked there under Peter Coyne, was it a cohesive and happy working place?---No, there seemed to be a fair amount of conflict between staff and management.

Okay. So by "management", who do you mean?---I guess the upper management, Peter Coyne in particular.

40

Okay. Did you get involved in that conflict to the extent of writing letters to a union or writing letters to a union representative at all?---No, I didn't, no.

Okay. Would you in a union at the time?---I think so. I think it was - I think I put it down as the State Services Union at that stage.

6/12/12

TRULOFF, G.J. XN

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Okay. Now, when you worked there did you become aware that there was an investigation that was conducted at John Oxley Youth Centre?---Yes, I was aware there was some investigation into, I guess, the management of the centre at that stage.

1

Okay. And what was your understanding of it was conducting the investigation?---A person by the name of Heiner, I thought, yes.

Okay. Did you ever see Mr Heiner?---No.

10

Did you ever submit yourself to questioning by anyone associated with this inquiry?---No, no.

Did you ever see the people associated with the inquiry at John Oxley?---No, I don't recall seeing anything.

Okay. So did you ever go into the city at all to give any information to anyone about matters at John Oxley?---No, I didn't.

No further questions.

20

COMMISSIONER: Thank you. Ms Campbell.

MS CAMPBELL: No questions, thanks.

MR HARRIS: No questions, Commissioner.

MR HANGER: No questions.

MR COPLEY: Maybe the witness be excused?

MR COPLEY: Yes. Thank you, Mr Truloff, you're excused and released from the obligations of your summons?---Thank you.

30

WITNESS WITHDREW

MR COPLEY: There's no reason why Mr Truloff's statement, exhibit 52, can't be published as it is.

COMMISSIONER: I direct the exhibit 52 will be published in full.

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06122012 07/ADH (BRIS) (Carmody CMR)

MR COPLEY: I called Kerry Anne Jones.

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JONES, KERRY ANNE sworn:

ASSOCIATE: For recording purposes please state your full name and your occupation?---Kerry Anne Jones, I am a catering manager, SQCC, Southern Queensland Corrections Centre.

MR COPLEY: Could Mrs Jones see exhibit 25, please?---I'm sorry, what did you say?

10

I just want you to look at that document and I want you to see if you signed it at the foot of each page and whether your signature appears at the end of it?---Yes.

Okay, thank you. Is it Mrs Jones?---Yes.

Mrs Jones, you stated in the statement that when you began working at the John Oxley Youth Centre, Peter Coyne was the manager?---Yes, that's correct.

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6/12/12

JONES, K.A. XN

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What year did you begin working at John Oxley?---I'm not sure. 1

Okay. Do you remember when you left?---Again I'm not sure.

We'll try it this way: was he the manager? Was Peter Coyne the manager when you left?---No, Barry - I'm not sure of Barry's last name.

Okay. Someone called Barry was the manager?---Yes.

Had there been any managers in between Peter Coyne and Barry?---Yes, there had. 10

Do you remember the names or names of that person or those people?---Ian.

Ian?---Yes.

Okay?---I'm sorry.

Now, when you started work at John Oxley, did they require you to undergo any sort of an educative process or what might be called an induction process?---Yes. 20

Okay; and who ran that?---I'm not sure who actually took that lesson, but I was part with everyone else that was joining, you know, had joined that week.

Did Mr Coyne address you during the process of induction? ---He addressed the room.

The room, the group of you?---Yes.

And did he make any comment that was memorable to you? ---Yes, one very strange one was that we were to be very wary about the union people, the union, that were working there. He was - he said that they were lazy and that they slept through night shift and that we were to be - if they were confronting to us, we were to confront him with them. 30

All right. Did he identify or say which union he was speaking of?---No.

In your statement at paragraph 7 you said, "Peter Coyne told us he wanted" - and you put this into a quote - "'to break the back of' the union". Are they the exact words he used?---That's what I came away with. It might not have been the exact words. 40

So he mightn't have literally said that?---He might not have literally said that but that was - it was all about confronting the union and there were certain people that were not sort of being compliant with how he wanted things to be run.

06122012 08/CES(BRIS) (Carmody CMR)

Did he identify to the group you were in the name or names of those people?--No, not at all. 1

But, in short, he wanted you to, as he put it, stand up to union people?---Yes; yes.

Okay. Now, when you were working at the centre, did you come to hear of an investigation or an inquiry being conducted by Mr Heiner?---Yes.

Did you go and speak with Mr Heiner?---No, I never gave any evidence whatsoever. I was never called. 10

Did you talk to any lady or ladies associated with Mr Heiner?---No.

No, okay. Did you provide any written statements to anyone about what Mr Heiner was there for?---No.

Did you provide any written statements to anyone around that time about anything to with John Oxley?---No.

No further questions. 20

COMMISSIONER: Yes, Ms Campbell?

MS CAMPBELL: No questions.

COMMISSIONER: Thank you. Yes, Mr Harris?

MR HARRIS: No questions, commissioner.

MR HANGER: I have got no questions.

COMMISSIONER: Thank you. 30

MR COPLEY: May the witness be excused?

COMMISSIONER: Yes, thank you very much for coming, Ms Jones. You are excused from the obligations of your summons?---Thank you.

WITNESS WITHDREW

MR COPLEY: Turning to exhibit 25, at paragraph 10 there are Christian and surnames which have previously been obliterated from other statements and which I contend should be obscured in this statement as well. 40

COMMISSIONER: I direct the publication of exhibit 25 subject to the prior deletion of all the names in paragraph 10. Any others? Is that it?

MR COPLEY: That's it, yes.

COMMISSIONER: Yes, thank you.

6/12/12

JONES, K.A. XN

06122012 08/CES(BRIS) (Carmody CMR)

MR COPLEY: Thank you. I am in a position to call more witnesses now but there is just something that I need to have checked first, so could I have a five or 10-minute adjournment to do that?

1

COMMISSIONER: Certainly you can have an adjournment. It is just a question of how long you want or others might need. How much longer do you think - do you think the balance of your list will take us up to lunch?

MR COPLEY: Yes, we may even complete the remaining witnesses by lunchtime even if I ask for a 10-minute adjournment now.

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COMMISSIONER: All right. I will stop wasting time and resume in 10 minutes.

MR COPLEY: Thank you.

THE COMMISSION ADJOURNED AT 11.33 AM UNTIL 11.43 AM

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6/12/12

COPLEY SC, MR

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THE COMMISSION RESUMED AT 11.45 AM

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COMMISSIONER: Yes, Mr Copley?

MR COPLEY: Mr Commissioner, I call Brian Cartledge.

COMMISSIONER: You've got Mr Bosscher there behind you before you - - -

MR BOSSCHER: I just wanted to announce an appearance, commissioner. Bosscher on behalf of Lindeberg, as per your order.

10

COMMISSIONER: Thank you.

**CARTLEDGE, BRIAN** affirmed:

MR COPLEY: Mr Cartledge, would you have look at exhibit 7, please?---Yes.

Just check that the signature at the foot of each page, or one of the signatures at the foot of each page, is yours and that it is indeed the statement that you gave to the police on 21 September 2012?---Yes, that would be correct.

20

Thank you. You can pop it down now. Mr Cartledge, you stated that in 1988 you began employment, or undertook employment, at the John Oxley Centre?---That's correct.

Is that the year you started?---Yes.

You said that your employment ceased there in the first half of - and the year that's typed is 1999?---I'm sorry, that's incorrect. It should be - - -

30

It should be - - -?---Should be 89.

1989, okay?---I'm sorry, I didn't pick that up.

That's okay. It's pretty obvious, because the next sentence says that you would have worked there for six to eight months in total?---Yes, that's correct.

Okay, thank you. So you had ceased employment there before Mr Heiner conducted his investigation?---That's correct, yes.

40

But notwithstanding that fact, you still saw Mr Heiner? ---Yes, I did.

Where did you see him?---I cannot remember the location but it was in this end of town. I thought it was somewhere in George Street or somewhere.

Okay?---But, look, I honestly cannot remember the exact

6/12/12

CARTLEDGE B. XN

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location.

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That's okay. How was it that you came to see him? Did he contact you or did someone contact you or did you arrange to see him?---No, I didn't arrange to see him. I was contacted by phone, from memory, and asked would I like to attend.

Do you recall who contacted you?---No, I don't, I'm sorry.

Do you remember if it was a man or a woman?---No, I don't.

10

Okay?---I don't.

So when you went to see Mr Heiner did you see him alone or was there - - -?---No, there was a female present.

Do you remember her name?---No, and I don't know that I was ever - - -

Do you remember - could you, thinking back, give an approximate idea of her age, in the sense did she look like she was 21 or 61 or - - -?---No, I think middle aged would be more - - -

20

Middle aged, like - - -?---In forties, yes, I think.

Okay?---But, look, that's - it's a long time ago.

Yes. Now, Mr Heiner asked you some questions?---Yes, he did.

Did the lady ask any questions?---No.

Was the meeting recorded in any way?---Well, I don't know positively, but I guess my thought was that the female would have been an associate, but that's - so I don't know how it was recorded, whether it was written or taped, you know. So I don't know, I'm sorry.

30

You attended before Mr Heiner of your own free will, did you?---Yes.

You didn't receive a legal document or anything requiring you to go to see him?---No, not at all.

In your statement you said that you would describe the meeting with him as more a pleasant chat?---Yes. Yes, it was very relaxed and we just talked about things, yes.

40

Yes, and you said in your statement that the discussions related to Peter Coyne's management of the John Oxley Youth Centre?---Yes, that's correct.

Did you tell Mr Heiner things from your perspective about Mr Coyne's management?---Yes. Yes, I said that there were

6/12/12

CARTLEDGE B. XN

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some - yes, I would have.

1

You said in paragraph 10 of your statement that at no time during this conversation did any party present make any reference or comment relating to any sexual abuse at the John Oxley Youth Centre or any other location?---That is correct. There was no talk about that. The whole - I'd like to call it a conversation, related to the management style, yes.

Prior to you going to see Mr Heiner had you been asked by anybody to provide any written statement or information about the management style?---No, not at all.

10

Had you of your own volition taken it upon yourself to write any written information towards that?---No. No, definitely not.

When you left John Oxley after your six to eight months there what form of employment did you pursue?---I went to the private sector and I worked in the city. I actually worked for what was then Price Waterhouse.

Okay, the accountancy - - -?---Yes, so I left the welfare sector, so to speak.

20

Right, yes, and is that where you were working when you were interviewed by - when you had your conversation, as you call it, with Mr Heiner?---Yes, that's right.

No further questions.

COMMISSIONER: Thank you. Mr Bosscher?

MR BOSSCHER: No questions, thank you, Mr Commissioner.

30

COMMISSIONER: Mr Harris?

MR HARRIS: No questions.

COMMISSIONER: Mr Hanger?

MR HANGER: No questions.

MR COPLEY: No re-examination. May the gentleman be excused.

COMMISSIONER: He may. Thank you very much for your attendance, Mr Cartledge. Your evidence is completed now and you are formally relieved of the obligations in your summons this morning?---Thank you.

40

WITNESS WITHDREW

MR COPLEY: Turning to exhibit 7, there's nothing in there that cannot be published, in my submission.

6/12/12

CARTLEDGE B. XN

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COMMISSIONER: All right, well, then I direct that exhibit 7 be published in full. 1

MR COPLEY: I call Lynne Diane Woolard.

**WOOLARD, LYNNE DIANE** sworn:

MR COPLEY: Is it Mrs Woolard?---Yes.

Mrs Woolard, can you have a look at exhibit - I'll just get the number for the record, but you're holding it - exhibit 55, please, to look at the signatures on the bottom to see whether one of them is yours?---Yes. 10

And confirm whether or not you signed the statement on 30 October 2012?---Yes, I did.

Thank you. Mrs Woolard, your maiden name was Draper? ---Yes, that's correct.

When you worked at John Oxley were you working there in 1989 as Mrs Woolard as Ms Draper?---As Draper in 1989.

Okay, thank you. You can put that document down now. You in fact started working there before the children arrived, didn't you?---Yes, I did. 20

So therefore the first manager that you would have worked under would have been someone other than Peter Coyne. Is that so?---Yes, it is.

Okay, and then you worked under Peter Coyne?---Yes, I did.

In your statement you describe at paragraph 11 yourself as a then supporter of Peter Coyne's?---Yes. 30

You speak of there being a division between those who were supportive of Mr Coyne's management and those who chafed under it, or didn't like it?---Yes, that's correct.

In fact, you felt sufficiently concerned about the matter to type a letter and mail it to somebody, didn't you?--- Yes, I wrote a couple of letters.

All right, well, I'll get you to have a look at exhibit 68, please. Just have a look at that document quickly and check the next page to see if it contains your signature?-- -Yes, it does. 40

Do you recall - - -?---Yes.

- - - causing that to be typed and signing it?---Well, I didn't recall until I was interviewed by Detective Mizon.

Did he show it to you, did he?---Yes.

6/12/12

WOOLARD, L.D. XN

Or a copy of it?---A copy.

1

Yes, all right. Well, consistently with the practice that we have adopted in recent days, I'll ask Mrs Woolard if she would read out exhibit 68, please?---The whole of the letter?

Yes, starting with the date.

COMMISSIONER: Just as if you were reading it to somebody here who had never seen it?---Okay, 22 September 1989 to Ms Walker, "I have been a financial" - - -

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MR COPLEY: Hang on, Ms Walker, read out what's there, please. Don't skip it over. Pretend I don't have it? ---Sorry, Ms J. Walker, State Services Union, GPO Box 545, Brisbane, 4001.

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Thank you?

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*---Dear Ms Walker, I have been a financial member of the State Services Union for some time now and have found them to be supportive in any dealings I have had. However, I now have become most concerned at the recent issues that are occurring at John Oxley Youth Centre are not being dealt with in a fair manner. I understand that over a period of time there have been some complaints from a minority group of staff about the management of John Oxley Youth Centre. This minority group have in the past gone so far as to call a major meeting of staff within the centre to show a vote of no confidence in the manager. However, their issues could not be substantiated.*

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Can I interrupt you there for a moment and ask you when you said "this minority group have in the past gone so far as to" do something, when in the past, that is, when prior to 22 September 1989, did they try to take that course?---I don't recall.

Could it have been November 1988?---The disturbances seemed to go on for some time so it could be as early as that but I can't recall.

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You can't remember now?---No.

Okay. If you carry on reading from the sentence that you were then about to star?

*---In fact Brian Mann who was present at the meeting appeared quite taken aback that this group really didn't have any foundation or support for their complaints. My concerns now are in relation to the method of communication to the members from the union -*

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sorry, yes -

*from the union and from members to the union. Through the grapevine at the centre a few weeks ago I became aware that youth worker David Smith had nominated himself to act in the position of union delegate. I do not believe David has the ability to work to the best interest of either the union or its members and I personally have no confidence in his representation of me as a member of our union. I believe his present manner of collection of information from staff who feel they have been victimised by the manager Mr P. Coyne to be improper. Some staff have been quite concerned that a one-sided view is being presented and that in fact no contact is being made to some members about their views. Concerns are also raised that the State Services*

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6/12/12

WOOLARD, L.D. XN

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*Union appear to be prepared to take complaints and present them on behalf of non-union members.* 1

*As a financial member, I find this unsatisfactory. I feel the union has an obligation to all its members to act in their best interest whether they are in the minority group or not and whether or not they are supportive of the cause. I therefore wish to register my support for the manager of John Oxley Youth Centre Mr Peter Coyne and Mrs Anne Dutney and am prepared to display this support in person, in writing to any inquiry or members of senior management team of this department. Yours sincerely, Lyn Draper, principal youth worker, John Oxley Youth Centre.* 10

Okay, thank you. Now, in connection with the last paragraph there where you said that you were prepared to demonstrate or register your support in writing to any inquiry or to members of senior management of the department, why did you make reference to an inquiry in that paragraph?---Well, I presume that there was an inquiry happening at the time or we were to understand there was going to be an inquiry. 20

I see?---I don't recall particularly.

All right, thank you. You can give exhibit 68 back now. So did you subsequently register or demonstrate your report by attending the inquiry?---I don't recall.

Well, I'll get you to have a look at exhibit 109. I'm sorry, I might have given you the wrong number there. I did give you the wrong number. I will just get you to have a look at, sorry, exhibit 102. Does your signature appear on that document?---Yes, it does. 30

Looking at it, do you recall typing that and signing it? ---I don't actually recall the writing of it but I believe that I wrote it.

It's on departmental letterhead, isn't it?---Yes, it is.

And at the top where it says "refer to" it says, "Ms L. Draper, principal youth worker, John Oxley Youth Centre"?---Yes, that's correct.

And the date written down is 4 January 1990?---Yes, it is. 40

And for "to" it says "Ms R. Matchett, director-general, Department of Family Services and Aboriginal and Islander Affairs"?---Yes, that's correct.

Okay. Could you read out the content of the document thereafter, please?

6/12/12

WOOLARD, L.D. XN

---On 10 January 1990 I had an appointment to appear before the inquiry which is investigating complaints by some staff of the management of John Oxley Youth Centre. I wish to cancel this appointment as I do not believe the information I wished to give will be accepted in the light it is given. It has been difficult to assess the information to give as nobody appears very clear of what the complaints and, as a member of the middle management, I believe I could have some information that is of relevance.

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On speaking with a number of staff who have already appeared before the inquiry I am led to believe there is no interest shown in hearing information about the complainants which I believe is relevant to any complaint of harassment or victimisation and that any history of Sir Leslie Wilson Youth Centre or John Oxley Youth Centre, its staff and the redeployment issues do not appear to be considered necessary. If this type of information were considered to be of value, I would have been happy to attend. Lyn Draper, principal youth worker, John Oxley Youth Centre.

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Thank you. Now, you said at the start on 10 January 1990 you had an appointment to go before the inquiry. Who had made that arrangement for you to attend?---I'm sorry, I don't recall.

All right. Did someone from the inquiry say, "Ms Draper, you must come before us and you will come before us on this date at this time," or did you make an appointment to go before the inquiry at that date at that time?---I'm sorry, I don't recall.

30

What information did you have that you were otherwise prepared to put before the inquiry if you thought you would have got a fair hearing?---I believe it would've been about the management of the centre and of the staff.

Okay. So nothing to do with the children?---Sorry, the centre - by that I meant the residents as well, yes.

Well, you wrote in that letter to Ms Matchett that you wanted to cancel your meeting with the inquiry?---Yes.

Did you stick to that stance and subsequently not appear before the inquiry?---I believe that's the case.

40

You have - - -?---I don't really have a recollection.

You certainly don't have a recollection of going and talking to Mr Heiner, do you?---No; no, I do not.

Or anyone connected with him?---No, I do not.

6/12/12

WOOLARD, L.D. XN

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No. Would you just give me a moment, Mr Commissioner? **1**

I just want to put these propositions to you to see if you recall something of this nature occurring, so just listen to what I'm going to put and see what you can say to it. I suggest to you that some time prior to 4 January 1990 you made personal contact with a Mrs Cosgrove and requested that a time and date be set down for you to attend before Mr Heiner. Do you remember doing something like that?  
---No, I don't.

Could you have done something like that?---Yes, I could have. **10**

Okay. And I suggest to you that a time of 11 am on Wednesday, 14 December 1989 was allocated for you to go and see Mr Heiner?---What date?

The 14th, Wednesday, 14 December 1989?---I don't recall.

You don't recall that? But you subsequently contacted Mrs Cosgrove and said that you couldn't attend that day because you had a migraine, and asked for another time to be made. Do you remember that?---No, I don't. **20**

Could that have happened?---Yes, it could have.

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**50**

And it was on that occasion when you said, "Look, I can't make the time that you've appointed because I've got this very bad headache," that Mrs Cosgrove arranged the time of 10 am on 10 January 1990 for you to appear. Do you recall that?---No, I don't.

1

Is it possible that it could have occurred?---Yes.

Okay. Because there was certainly a point in time at which you were willing to go and talk to Mr Heiner, weren't you? ---Yes, there was.

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But by 4 January that willingness was no longer there, was it?---No, it wasn't.

What had happened? What caused you to change your mind? ---I believe it would have been discussion with other staff who had attended the inquiry.

Okay?---The overall - yes, I think it would have been through what other staff had been saying.

Yes?---That those of us that supported Peter Coyne wouldn't have been given a fair hearing.

20

Okay. That was at least the perception, anyway?---That was my perception.

Right. At paragraph 17 of your statement - so we'll have the exhibit that you've been looking at, the letter, taken back, and we'll get you to go to paragraph 17 of your statement - you say that, "Sometime around the time of the inquiry I met with one person at JOYC. I couldn't remember his name but I think he was Peter Coyne's immediate boss. He could have had the name of George as the first name"?---Yes.

30

Could it have been a George Nix, N-i-x?---Yes. I have subsequently remembered that it was George Nix.

It was George Nix?---Yes.

Okay. We've received evidence here that he was a deputy director general of the department at that time?---That could be possible.

Does that help?---Yes.

40

Okay. Do you remember what you spoke to Mr Nix about?---I believe it was a meeting - the answer is no, I don't recall.

Right?---But I believe that it was he who came to see me, rather than me asking to see him.

Okay. Do you remember what - at least in broad terms or

topic terms - it was that Mr Nix wanted to talk to you about?---I believe it was about the unrest of staff at John Oxley.

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Okay. No further questions.

COMMISSIONER: Okay. Mr Bosscher.

MR BOSSCHER: Thank you, Commissioner. I have no questions for this witness.

COMMISSIONER: Mr Harris.

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MR HARRIS: I have no questions, Commissioner.

MR HANGER: No questions.

MR COPLEY: No re-examination. May the witness be excused?

COMMISSIONER: Yes, certainly. Ms Woolard, your evidence is finished. Thank you for providing it. You're formally released from the obligations of your summons. You're welcome to leave?---Thank you.

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WITNESS WITHDREW

MR COPLEY: Turning to the exhibit, Mrs Woolard's statement, I direct your attention to the last page, paragraph 26, where there is again a reference to two names that have been obliterated in other exhibits, and I make the same submission that they should be obliterated here.

COMMISSIONER: Yes, I direct that exhibit 55 be released for publication after the male and female names in paragraph 26 have been deleted. That includes both Christian and surnames.

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MR COPLEY: I call Ingrid Rae Ostbye. Apparently this witness will be called by telephone, Mr Commissioner.

COMMISSIONER: Yes.

MR COPLEY: And there's no difficulty with that, I don't think.

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**OSTBYE, INGRID RAE** sworn:

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ASSOCIATE: For recording purposes please state your full name and your occupation?---Ingrid Rae Ostbye, registered nurse and educator.

COMMISSIONER: Yes, Mr Copley.

MR COPLEY: Ms Ostbye, my name is Copley and I'm one of the barristers at this inquiry and I'm going to ask you some questions now?---Okay.

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Do you have a copy of a statement that you provided to police recently with you?---Yes, I do. It's in front of me.

Okay. And is that a statement that is three pages long? ---Yes, that's correct.

Which was signed at - at the end of it, it states in the box at the bottom or in the typing at the bottom, "Signed at Morningside on this 30th day of October 2012"?---That's correct.

20

Okay. Now, in your statement at paragraph 5 you state that you were not aware that there was an inquiry conducted at JOYC in 1989 or 1990?---That's correct.

And you attribute that ignorance to the fact that you were then employed only on a casual basis?---Yes, that's correct.

Okay. And the expression "the Heiner inquiry" does not have any meaning to you at all?---No, it doesn't.

Okay. And you state at paragraph 7 that at no time were you ever approached or asked to provide any statement, either orally or in writing, to any inquiry, person or body about your period of employment at John Oxley?---Yes, that's correct.

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Is that the truth?---Yes, that is the truth.

Thank you. And at paragraph 9 you state that at no time were you aware and you have not since become aware of any allegations or instances of sexual abuse at John Oxley? ---That's correct.

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Is that the truth?---That is the truth.

Thank you. Now, I have no further questions for you, but some of the other counsel and solicitors here may, so just hold on a moment, please?---Okay, thank you.

COMMISSIONER: Yes, Mr Bosscher.

6/12/12

OSTBYE, I.R. XN

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MR BOSSCHER: Thank you, Commissioner. No questions for this witness. 1

COMMISSIONER: Mr Harris.

MR HARRIS: No questions, Commissioner.

COMMISSIONER: Mr Hanger.

MR HANGER: No questions.

COMMISSIONER: Mr Copley. 10

MR COPLEY: No re-examination. May Ms Ostbye be excused?

COMMISSIONER: Yes. Ms Ostbye, thank you for appearing by phone?---You're most welcome.

Your phone call is going to be disconnected now?---Okay, thank you.

WITNESS WITHDREW

MR COPLEY: So far as exhibit 41 is concerned, there's no reason why it can't be published as it is. 20

COMMISSIONER: I order publication of exhibit 41.

MR COPLEY: I call Jane Vivienne Mumford and she too needs to testify over the phone if that's all right.

COMMISSIONER: Yes.

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**MUMFORD, JANE VIVIENNE** sworn:

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MR COPLEY: Ms Mumford, my name is Copley and I'm a barrister at this inquiry and I'm just going to ask you some questions, all right?---That's fine.

Thank you. Do you have with you a copy of a statement that you provided to the police recently?---Yes, I do.

Is it a statement that is four pages long that was signed by you, according to the typing on the last page, at Mackay on the 24th day of October 2012?---That's correct.

10

Now, in the statement you state that you began work at the John Oxley Youth Centre at the very beginning, as you put it?---Yes.

Does that mean to say you were there when the centre opened?---Yes, it is.

Okay, and you were a cook or a chef at the centre?---Yes. I was employed as a youth worker slash chef.

Sorry, what did you say?---I was employed as a youth worker slash cook.

20

According to your statement you recall that there was an inquiry that was carried on at John Oxley in late 1989 or early 1990?---Yes.

But you state at paragraph 14, "I did not take part in this inquiry while I was at JOYC or outside of JOYC"?---As far as I can remember, yes, that's the case. I can remember something happening but I don't remember participating in it. It is a long time ago.

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You went on to state in paragraph 15, "I did not give this inquiry any statements or evidence in relation to allegations of sexual abuse, nor did I supply any anonymous letters to any body or person"?---No, I didn't. I don't recall giving the inquiry a statement and I certainly didn't send any anonymous letters.

Okay, thank you. Now, I don't have any more questions for you but there are other barristers and solicitors here who may have some questions?---That's fine.

So just hold on a second, please?---No worries.

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COMMISSIONER: Mr Bosscher?

MR BOSSCHER: Commissioner, thank you. I have no questions for this witness.

COMMISSIONER: Thank you. Mr Harris?

6/12/12

MUMFORD, J.V. XN

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MR HARRIS: I have no questions, commissioner. 1

COMMISSIONER: Mr Hanger?

MR HANGER: No questions.

COMMISSIONER: Mr Copley?

MR COPLEY: No re-examination. May the witness be excused?

COMMISSIONER: She may. Ms Mumford, thank you for appearing by phone?---That's fine. 10

It would have been an inconvenience, but we appreciate it and we'll disconnect the call now, thank you?---Thank you very much. Bye.

WITNESS WITHDREW

COMMISSIONER: Yes, Mr Copley?

MR COPLEY: In connection with Ms Mumford's statement, exhibit 36, there is nothing in it that would require to be removed so it can be published as it is, in my submission. 20

COMMISSIONER: I direct that Ms Mumford's statement, which is exhibit 36, be published.

MR COPLEY: When we adjourned at morning tea time I was under the assumption, entirely of my own making, not contributed to by anybody else, but it was a mistaken one, that everyone was available before lunch.

COMMISSIONER: Yes. No, I knew that wasn't - - - 30

MR COPLEY: Yes, well, you have the drop on me. There is one gentleman, Mr Bruce Cassidy, who can't be here until - - -

COMMISSIONER: 2.15.

MR COPLEY: - - - 2.15 pm, so could we adjourn until then?

COMMISSIONER: Is he the last witness?

MR COPLEY: Unless the police manage to rustle up some more for today I expect him to be the last one. 40

COMMISSIONER: Are they out rustling now?

MR COPLEY: I can't tell you. I can't say for sure.

COMMISSIONER: Okay.

MR COPLEY: But they are watching this.

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MUMFORD, J.V. XN

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COMMISSIONER: Yes, they are watching it. Okay, well, in that case we will adjourn until quarter past 2. 1

MR COPLEY: Thank you.

THE COMMISSION ADJOURNED AT 12.19 PM UNTIL 2.15 PM

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6/12/12

COPLEY SC, MR

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THE COMMISSION RESUMED AT 2.24 PM

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COMMISSIONER: Yes, Mr Copley?

MR COPLEY: I call Bruce Henry Adam Cassidy.

**CASSIDY, BRUCE HENRY ADAM** sworn:

ASSOCIATE: For recording purposes please state your full name and your occupation?---Bruce Henry Adam Cassidy, pensioner.

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MR COPLEY: Could Mr Cassidy see exhibit 8, please?

Mr Cassidy, could you look at that to see whether or not it bears your signature on each page and to confirm that you signed it on 20 September 2012?---Yes.

Thank you. Mr Cassidy, you stated in there that you joined the John Oxley Centre in 1987?---Yes.

Yes, and you had a health difficulty in July of 1989 which caused you to be off work until November of 1989?---That's correct.

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And when you returned in November of that year, you state that you performed light duties?---Yes.

Were you working full-time though or just - - -?---Yes.

You were?---Yes.

Okay; and what was full-time? How many days a week were regarded as full-time?---Full-time at that point of time was seven - sorry, five days a week.

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Okay?---I was at that point of time under light duties. I was only allowed to spend that five days doing menial tasks.

All right. Now, in paragraph 9 you say that in about 1990 you were called, with others, into a meeting with a magistrate?---Yes.

You can't remember who else was called into the meeting, but you were pretty sure. "The senior working that day asked me to go along and meet with the magistrate"?---Mm.

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So did you meet with the magistrate on your own or with other workers?---I believe I was by myself.

Okay; and you described the magistrate as a man?---Yes.

And you recognise now that his name may have been Mr Heiner?---Yes.

6/12/12

CASSIDY, B.H.A. XN

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When you met with him, did you meet with him at John Oxley? 1  
---Yes, it was.

Do you recall if there was anybody else present at your meeting with the magistrate?---I think he had some assistant with him.

Do you recall whether that assistant was a man or a woman?  
---I believe it was a woman.

All right. Did you meet her?---No.

10

Was your conversation with the magistrate recorded, as far as you know?---Not that I'm aware.

You state that you were sure there was a tape-recorder in the room but you don't - are you saying that you don't know if it was activated or not?---True.

Did you see the magistrate of your own free will?---No, there were others also invited to see him that same day that I can recall.

Yes. It's just that you say there were others invited to see him. By using the word "invitation" it suggests that it was a matter for you whether you saw the magistrate or not so I'm just trying to clarify whether, when you went to see the magistrate, you did so pursuant to what you regarded as an order or whether you did so pursuant to what you took to be an invitation?---It was an order. There were a number of us that were required to go. 20

Okay; it was an order?---Yes.

Do you remember who gave you the order?---I can't, no.

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Okay, but someone higher up the chain you?---Yes; yes.

Now, in your statement you state at paragraph 11 that you cannot recall what exactly was said at the meeting with the magistrate. However, you stated, "I do seem to recall it was something to do about the manager of the centre Peter Coyne"?---Yes.

Has your memory got any better on that point since you gave your statement?---No.

Okay. In paragraph 12 you state that you don't recall making any complaints to the magistrate about anything in particular. Is that still the position?---That's still the same, yes. 40

Okay; and, to the best of your recollection, you did not raise any concerns, nor provide any information concerning sexual abuse of detainees of the John Oxley Youth Centre. Is that still your recollection?---Yes, it is.

6/12/12

CASSIDY, B.H.A. XN

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Thank you. Do you still adhere to the view that the meeting with the magistrate lasted between five and seven minutes?---Yes, it was very brief.

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Thank you. You state at paragraph 15 that you are not aware presently of an incident involving a detainee called Annette Harding?---True.

Just to be sure of this - and the answer might be implicit in your statement, but if you are not aware of it at the moment, were you aware of it when you were speaking with Mr Heiner?---No.

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No further questions, Mr Commissioner.

COMMISSIONER: Mr Bosscher?

MR BOSSCHER: Thank you, commissioner, I have no questions for this witness.

COMMISSIONER: Mr Harris?

MR HARRIS: I just have one question.

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Mr Cassidy, in paragraph 15 of your affidavit you say:

*I am aware of an incident involving a detainee, Ms Harding. The incident occurred on an excursion. I was not present at the actual incident but I do remember being (sic) a commotion when everybody had come back to the centre from the excursion.*

Were you present at that commotion?---I was present at the centre, yes.

But were you present at the commotion, what you call a commotion?---No.

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When you say a commotion, what do you mean by that?---There seemed to be quite a bit of excitement about things that had happened on that excursion when they came back to the unit.

Do you recall what the excitement was?---No.

No further questions.

COMMISSIONER: Thank you.

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MR HANGER: I have no questions.

MR COPLEY: No re-examination. May the witness be excused?

COMMISSIONER: Yes.

6/12/12

CASSIDY, B.H.A. XN  
CASSIDY, B.H.A. XXN

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Thank you very much for coming. I appreciate it would have been inconvenient for you. You are formally released from your obligation to attend?---Thanks very much.

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Thank you again.

MR COPLEY: Exhibit 8, in my submission, can be published as it is.

COMMISSIONER: I direct that exhibit 8 be published.

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MR COPLEY: Mr Commissioner, I have some further statements to tender and I will hand them up, original copies, signed in one document or one bundle and then I will read out the names of the people that provided the statements and ask if you would make each statement a separate exhibit and just number them after the number that has last been employed so far this week.

COMMISSIONER: Thank you.

MR COPLEY: So I tender a statement from Raymond Charles Bentley.

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COMMISSIONER: Exhibit 217.

ADMITTED AND MARKED: "EXHIBIT 217"

MR COPLEY: I tender a statement from Colin William Bray.

COMMISSIONER: 218.

ADMITTED AND MARKED: "EXHIBIT 218"

MR COPLEY: I tender a statement from Janine Maree Brimstone.

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COMMISSIONER: Exhibit 219.

ADMITTED AND MARKED: "EXHIBIT 219"

MR COPLEY: I tender a statement from Lex John Clements.

COMMISSIONER: Exhibit 220.

ADMITTED AND MARKED: "EXHIBIT 220"

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MR COPLEY: I tender a statement from Brendan Sean Collins.

COMMISSIONER: 221.

ADMITTED AND MARKED: "EXHIBIT 221"

MR COPLEY: I tender a statement from Christopher Donald

6/12/12

COPLEY SC, MR

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06122012 13/CES(BRIS) (Carmody CMR)

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COMMISSIONER: 222.

ADMITTED AND MARKED: "EXHIBIT 222"

MR COPLEY: I tender a statement from Fiona Frances Foley.

COMMISSIONER: That will be exhibit 223.

ADMITTED AND MARKED: "EXHIBIT 223"

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6/12/12

COPLEY SC, MR

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06122012 14/ADH (BRIS) (Carmody CMR)

MR COPLEY: I tender a statement of David Anthony Gold. 1

COMMISSIONER: 224.

ADMITTED AND MARKED: "EXHIBIT 224"

MR COPLEY: I tender a statement of Decia Guttolmsen.

COMMISSIONER: That will be exhibit 225.

ADMITTED AND MARKED: "EXHIBIT 225" 10

MR COPLEY: I tender a statement of Lorraine Joan Hayward.

COMMISSIONER: That will be exhibit 226.

ADMITTED AND MARKED: "EXHIBIT 226"

MR COPLEY: I tender a statement of Stephen John Hayward.

COMMISSIONER: That will be exhibit 227.

ADMITTED AND MARKED: "EXHIBIT 227" 20

MR COPLEY: I tender a statement of David William Hurikimo.

COMMISSIONER: 228.

ADMITTED AND MARKED: "EXHIBIT 228"

MR COPLEY: I tender a statement of Gloria Dawn McNeven.

COMMISSIONER: Exhibit 229.

ADMITTED AND MARKED: "EXHIBIT 229" 30

MR COPLEY: I tender a statement from Peter Roy McNeven.

COMMISSIONER: Exhibit 230.

ADMITTED AND MARKED: "EXHIBIT 230"

MR COPLEY: I tender a statement from Simon David Nance.

COMMISSIONER: 231.

ADMITTED AND MARKED: "EXHIBIT 231" 40

MR COPLEY: I tender a statement of Gradus Cornelius Olde-Wolbers.

COMMISSIONER: 232.

ADMITTED AND MARKED: "EXHIBIT 232"

6/12/12

COPLEY SC, MR

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MR COPLEY: I tender a statement from Bradley Mark Parfitt. 1

COMMISSIONER: 233.

ADMITTED AND MARKED: "EXHIBIT 233"

MR COPLEY: I tender a statement from Janelle Podlich.

COMMISSIONER: 234.

ADMITTED AND MARKED: "EXHIBIT 234" 10

MR COPLEY: I tender a statement from Rodney Lee Reston.

COMMISSIONER: Exhibit 235.

ADMITTED AND MARKED: "EXHIBIT 235"

MR COPLEY: I tender at statement from Michael Joseph Ormond Roch.

COMMISSIONER: Exhibit 236.

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ADMITTED AND MARKED: "EXHIBIT 236"

MR COPLEY: I tender an addendum statement from Michael Joseph Ormond Roch.

COMMISSIONER: The addendum will be 237.

ADMITTED AND MARKED: "EXHIBIT 237"

MR COPLEY: I tender a statement from Jacqueline von Lossberg.

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COMMISSIONER: That will be exhibit 238.

ADMITTED AND MARKED: "EXHIBIT 238"

MR COPLEY: And I tender a statement from Kym Adele Yuke.

COMMISSIONER: That statement will be exhibit 239.

ADMITTED AND MARKED: "EXHIBIT 239"

MR COPLEY: In connection with those statements I submit that you should make an order in the same terms as you made in connection with the statements that were admitted 5 to 55. I hand up a draft order for your consideration. The intention is that as each of those persons is called to give evidence next week, that at the end of their testimony the question of the publication of the exhibit will be considered on a case by case basis. 40

COMMISSIONER: Thank you.

6/12/12

COPLEY SC, MR

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MR COPLEY: And all those present will be given copies of these exhibits when we adjourn and they will be able to make a submission about that next week. 1

COMMISSIONER: Thanks, Mr Copley. Anyone want to be heard before I make the order?

*I order pursuant to section 16 of the Commissions of Inquiry Act 1950 that until further order exhibits 217 to 239 inclusive shall not be published except to this extent: that each of those persons who have been granted authority to appear in relation to paragraph 3(e) of the order in council dated 1 July 2012 are provided with a copy of each of the exhibits numbered 217 through to 239 inclusive subject to the condition that apart from obtaining instructions from their client or clients, they will not publish, give, distribute or otherwise make these exhibits available to any person or persons.* 10

MR COPLEY: That's - - -

COMMISSIONER: That's our business today? 20

MR COPLEY: - - - proceedings for today.

MR HARRIS: Could I just seek one moment - - -

COMMISSIONER: Yes, Mr Harris.

MR HARRIS: - - - of the Commissioner's time? Commissioner, tomorrow I'm to appear at the Holden Park Magistrates Court in part of a domestic violence trial. I seek leave to have Mr Bosscher to act as my agent tomorrow. I've already spoken with counsel assisting and Mr Hanger with respect to it and they have no objections. 30

COMMISSIONER: I don't either. There's no conflict or potential conflict?

MR BOSSCHER: Not that I'm aware of.

MR COPLEY: The only matter I should point out for the benefit of each of Mr Harris and Mr Bosscher is this, that I'm not yet 100 per cent sure who the witnesses will be tomorrow so I haven't been able to provide them with a list. Whether they want to bear that in mind. 40

COMMISSIONER: All right.

MR COPLEY: But, I mean, as soon as we are able to provide them with tomorrow's list it will be emailed to them.

COMMISSIONER: Okay. If anything arises from that then they can contact you and we can sort it out.

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MR COPLEY: Yes.

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COMMISSIONER: But yes, certainly, Mr Harris, Mr Bosscher will have leave to appear as your agent for the proceedings tomorrow until you are available.

MR HARRIS: Thank you.

MR BOSSCHER: Commissioner, there's one other matter I should raise. I have received correspondence today from the attorney general's office in relation to a matter I raised with you on Monday so far as funding is concerned. I intend to take some instructions on that overnight, but I anticipate that at some point in tomorrow's proceeding I will be making - or I may be making an application on behalf of Mr Lindeberg to be given authority to appear on his own behalf during certain parts of the proceeding. But I'll refine that. I just wanted to put you on notice that that's what I intended to do.

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COMMISSIONER: Yes, thanks. All right.

MR HARRIS: If I can, I've received correspondence in the same manner - - -

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COMMISSIONER: And are you in the same position?

MR HARRIS: Yes.

COMMISSIONER: Yes, all right. We'll cross the bridges when we come to them.

MR HARRIS: Thank you.

THE COMMISSION ADJOURNED AT 2.39 PM UNTIL  
FRIDAY, 7 DECEMBER 2012

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