

Date: 2 1.2.2013

Exhibit number: 306



**QUEENSLAND CHILD PROTECTION  
COMMISSION OF INQUIRY**

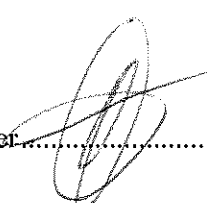
Our reference:

**Statement of Witness**

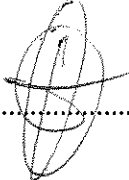
<i>Name of Witness</i>	Lesley Alexandria McGregor
<i>Date of Birth</i>	3/1/1946
<i>Address and contact details</i>	Known to Commission of Inquiry
<i>Occupation</i>	Retired
<i>Officer taking statement</i>	Detective Sergeant Fabian Colless
<i>Date taken</i>	17/12/2012

I, Lesley Alexandria McGregor state;


1. I am a retired female public servant and was formerly employed by the Queensland State Government as the State Archivist, where I worked at premises located in Dutton Park, Brisbane.
  
2. In 1990 the position of State Archivist was an evolving position with my initial duties primarily being to help identify records within government that might be required for future reference. This could be by researchers, historians, government or members of the public. I recall that this was just before the Freedom of Information legislation was introduced and the Archivist role was one of education and research, and that at this time records management was minimal.
  
3. At the time the management of documents was under the Libraries Act and a section within that act referred to Archives. The role of Archives has evolved over the last 50 plus years. State Archives also provided a research service where people could come in and be assisted to discover documents they were seeking. The State Archives did store some government records and provided a file issue service on them.

Witness signature.....*L. McGregor*.....Signature of officer..........


4. The destruction of documents was covered under another section of the Libraries Act. In this process Agencies would identify records they felt they did not need anymore and then they would come to us identifying the type of documents they were seeking to dispose of. The role of the Archivist was to then assess the types of documents and see if it was likely to be required in the future and provide advice to the relevant agency if the documents could be destroyed. This was not always an easy thing to predict into the future, but it was primarily the Department or Agency to sort out what documents they thought could be destroyed. The State Archivist today would have a wider role and scope of documents to consider.
5. In my experience the retention of records was very low, well below 5 percent in general. For example Births, Deaths and Marriages would be kept permanently but many others did not fall within this sort of consideration. Generally agencies kept the records and advised the Archivist of the types of documents they had. On some occasions these records would be viewed if necessary, but due to the size of government and expanse of the State it was not physically possible to view all records. Departments were in a better position to know what was going on in government and what could be significant into the future.
6. For those records that would not be required it was the agencies responsibility to manage their destruction. Agencies would seek authority to have documents disposed and on those occasions where the Archives determined the records should be kept permanently, often they would be then transferred to Archives by the Department. Some Departments did choose to retain the documents permanently for any number of reasons, for example a number of police records would not be transferred to Archives.
7. Any records or notes relating to documents would be held on the Archives file. This was a standard hard copy file. I did not make any notes in a private Diary and the process was still quite simplistic. There were many and varied requests from small amounts to truck loads of materials. Anything noted as being worthwhile to retain would be noted in consultation with the Department and kept on file. There was no formal paper work or forms at this time; it was quite an informal process.

Witness signature.....*L. M. Greer*.....Signature of officer..........

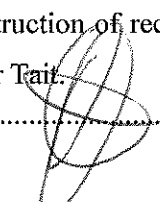
8. In essence Agencies would only contact the Archives when they wanted to dispose of documents. The destruction of the documents was the department's responsibility. In the early days, destruction requests were coming through regularly but I can't recall numbers each week. It was basically based on the knowledge and willingness of the department to identify records and seek destruction.
  
9. I am aware that at the time of me being the Archivist there were a couple of Commission of Inquiries that had occurred, but I recall that most would have ended in the Parliamentary Library, not at the State Archives.
  
10. At the time I was the State Archivist I had a staff of about 20 which consisted a number of Senior Archivists and archivists and the remainder were Administrative Assistants who were involved in the physical placement and storage of documents and other support staff. Initially there was storage at Dutton Park and later on more storage was made available at West End and Acacia Ridge.
  
11. I recall that in 1990 there was an Inquiry referred to as 'The Heiner Inquiry' conducted by retired magistrates Mr Noel Heiner. I can't recall the first contact on this but I became involved from my best memory when I got a phone call from Mr Stewart Tait the Cabinet Secretariat. Mr Tait explained to me that the Inquiry was about the management, staffing and inter staff problems of the John Oxley Youth Training Centre. That the Inquiry had been aborted as it had not been set up in such a way as to offer the protection for people who had given statements. That the government no longer wished to retain the records and that I was asked to see if the Archives required them for permanent retention under our legislation.
  
12. I recall these records were delivered to us and I would have discussed this with someone in the Department. I would have looked for the types of records, the category and getting a feel for what the documents represented and working out if they may be required for retention for any of the reasons I have earlier identified. Generally staffing issues and management problems I recall were what was recorded in these documents and would not be something that we would be interested in retaining for permanent use. I definitely recall picking out and examining some documents at random, enough to satisfy myself of the type of records they represented, as this was one of my functions as the State Archivist.

Witness signature.....*L. M. Greer*..... Signature of officer..........

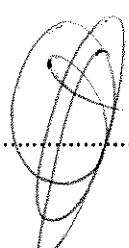
13. I recall that I issued a Disposal Authority and the records were returned to the Department. I recall that some time later I was contacted by an individual which could have been either Mr Coyne or Lindeberg expressing some interest in the documents, and I recall that I referred the person back to the Department as they were departmental records, and not something for me to comment upon to another individual.
14. It would have been about a month later I had a telephone call from some-one in the department to have a staff member present while the Heiner documents were destroyed. I recall that one of my staff Kate McGuckin went to the destruction of the documents as it was the department's responsibility from there.
15. I was recently contacted by Detective Sergeant Colless from the Commission of Inquiry who arranged for me to attend an interview at the Commission of Inquiry office. The interview formed the basis of this formal statement. In the course of the interview Detective Sergeant Colless showed me a number of documents and I provided comment on these to the best of my recollection.
16. I was shown a 2 page document dated 23/2/1990 directed to me as the State Archivist from Mr Stewart Tait Cabinet Secretariat. I recall this document and can say that Mr Tait was the Acting Secretary to the Cabinet. The document sought my advice about some public records under the provisions of the Libraries and Archives Act. I believe that Mr Tait was saying that the documents were a public record and not Cabinet materials and was seeking my advice about the possible destruction of documents. I do not recall any conversations outside of the information mentioned in the document. I recall that I subsequently made a decision from an Archivist position that there was not a need for permanent retention of these types of records.
17. I was also shown another document dated 23/2/1990 titled 'Phone call from Ken Littleboy, Cabinet Office.' I recall that this was a copy of a document I prepared after receiving a phone call from Mr Littleboy of the Cabinet office. I am unsure which of the 23<sup>rd</sup> February 1990 documents came first and I do not have any further knowledge of the conversation outside of this file note. I can say that this is consistent with the sort of conversation I would have around such an issue about document retention and disposal. I remember that in the policy platform of the new government, freedom of information was proposed.

Witness signature.....*L.M. Greer*..... Signature of officer..........

18. In reviewing this file note about the phone call to Mr Littleboy I can see the advice that I was providing was consistent with my philosophy as the State Archivist. I advised that if the document is worthy of preservation you should always keep the document but control access. It was never my view or advice about documents to destroy them to prevent access to those documents. I also note that my note indicates only one carton of documents was brought to me, and these documents were examined by myself and Kate McGuckin.
19. When I refer to categories of documents to determine what to do with them I refer to my process of examining the documents to ascertain in general what they are relating to. I identified in my notes and from my memory now that the records related to tapes, transcripts, letters and documents in general. I know that I did not listen to the tapes; I may have looked at the Transcripts, letters or other hard copy documents to get a sense of what category and subject they related to in order for me to provide advice about destruction.
20. I note from this document I had informed the State Librarian who was my boss. There was a Library Board which met each month and I would normally keep my boss apprised. I remember the State Librarian was Mr Des Stephens. I remember that I reported to the Board Monthly just on more significant matters. I did recall making reports to the Board after this matter as it became quite topical at certain times. There was usually a written report which I then went in and spoke to as required.
21. I was also shown another document dated 23/2/90 which was on Queensland State Archives letterhead signed by me and addressed to Mr S Tait. This document relates to the approval for the destruction of the documents relating to the enquiry conducted by Mr N J Heiner. This was a standard disposal letter giving authorisation for destruction by the Department. My understanding of the act was that in general terms it was still up to the Department to dispose or retain documents should they believe a need would later arise which would require records to be retained. I also arranged for the documents to be returned.
22. The next document shown to me by Detective Colless was a letter dated 22 March 1990 addressed to me by Mr S Tait Secretary of Cabinet. This letter outlined a Cabinet Decision dated 5 March 1990 that the Heiner documents were to be handed back to the State Archivist for destruction under the terms of Section 55 of the State Libraries and Archives Act. I don't recall this letter but if I did receive it, it would be on file at the State Archives. We had no facilities at State Archives for destruction of records and the records were not returned to State Archives for destruction by Mr Tait.

Witness signature.....*L.H. Greer*..... Signature of officer.....

23. The next document shown to me by Detective Colless I recognise as a file note under the hand of C McGuckin dated 23 March 1990. This now assists my recollection that I was asked to supply a staff member to oversee the destruction of the Heiner documents. I don't recall if the telephone call came from the Cabinet office or the Department. I recall that I asked Kate to attend to this. I remember that Kate spoke to me when she returned and confirmed the documents had been destroyed.
24. The next document shown to me by Detective Colless was a letter addressed to myself as the State Archivist dated 17<sup>th</sup> May 1990 from P Coyne on Departmental letter head. I recall this letter and person. I have not ever met Mr Coyne but know that as a result of him contacting me with this letter I referred him back to his own department.
25. The next document shown to me was a one page Facsimile dated 18/5/90 to Trevor Walsh from Queensland State Archives. This document is signed by me advising that Mr Peter Coyne had spoken to me and had sent the letter dated 17/5/90. I don't have a specific recollection of this, but do recall speaking to Peter Coyne on the phone but am unsure if that was on this occasion or another.
26. The last document shown to me is a two page typed document titled 'Disposal of records – John Oxley Youth Centre'. I saw that there is a file number on this document and I recognise this as a copy of a report similar to what I would have presented to the Library Board, reporting on the state of what had happened about the documents. This is like a summary of what had occurred with the documents. In looking at the 2 page document I see that it has been copied badly and it is actually a single document.
27. I am aware that there was a Review after the government changed but am not sure who completed this review. Detective Colless showed me the document which I believe was the Howard/Morris review which indicated that my decision to authorise the destruction of documents was made legally but may not have been informed of all matters pertinent to this decision. I can say that I was not aware that any person was seeking to access the Heiner related materials prior to their destruction. I can say that if I was aware of the documents being sought I would have provided advice to the department that the documents should not be destroyed.

Witness signature.....*T. H. Gregor*..... Signature of officer..........


28. I do recall the name Peter Coyne from when I examined the Heiner records, I remember that he was the Manager at John Oxley and was quite young, and there was staff dissatisfaction with his style of management. I can say that in the documents I reviewed that there was never any mention of sexual abuse at the John Oxley Centre. I would never authorise destruction of this type of information. I would also say that if I was aware that legal action was occurring or pending about any matters within the department that I considered it was the department's responsibility to seek legal advice (which I understood they were at that time doing) and to act accordingly.

*L. McGregor*  
**Lesley McGregor**

**Declaration**

This written statement by me dated 21/12/12 and contained in the pages numbered 1 to 7 is true and correct to the best of my knowledge and belief.

Signed at *L. McGregor* Signature  
Brisbane this 21 day of December 20 12

Witnessed:  
 Signature  
Name F. Collesi Rank 21/12/12 Reg. No. 9634