



DX: DX 40121 Brisbane

FAX: (07) 229 0993

TELEPHONE: (07) 22 7_ _ _ _

TELEX: AA 41878

FACSIMILE MESSAGE FROM CROWN SOLICITOR, QUEENSLAND

Crown Solicitor,
State Law Building,
50 Ann Street,
Brisbane, Queensland, 4000.

TO: Mr B STEWART TIME: 11.30

ATTN: _____ DATE: 9/2/90.

FACSIMILE NO. 2265522. OUR REF: Mr OSHEA.

RE: JOHN DOLLEY YOUTH CENTRE

NO. OF PAGES: 3 (including this page)

MESSAGE: _____

IF YOU DO NOT RECEIVE ALL THE PAGES PLEASE TELEPHONE OR
TELEX AS SOON AS POSSIBLE.

THANK YOU.

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Date: 3.12.2012

Exhibit number: 144



Crown Solicitor,
State Law Building,
50 Ann Street,
Brisbane, Queensland. 4000.

9 February 1990

Mr B Stewart
Director-General
Department of the Attorney-General
Treasury Building
BRISBANE Q 4000

Dear Mr. Stewart,

Re: John Oxley Youth Centre

Further to my letter of 8 February 1990 concerning this matter, I advise that the only written advice to the Department concerning the destruction of documents was contained in my letter of 23 January 1990 to Ms. Matchett.

Discussions have taken place on a number of occasions between Mr. Thomas of my office, Ms. Matchett or Ms. Crooke of the Department of Family Services and Aboriginal and Islander Affairs concerning that issue.

I am of the opinion that the tapes and transcripts and other documents created by Mr. Heiner are not public records within the meaning of the Library and Archives Act 1988.

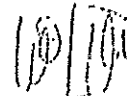
This is because Mr. Heiner was never an officer of the Department and was retained only to supply a report to the Director-General and Minister.

Therefore the documents were not brought into existence by a public authority but rather by someone in the position of a consultant. Also they were not to be records for future reference of the Department.

If the matter had progressed to the stage of a report being submitted by Mr. Heiner, that report may well be a public record of the Department, however his working papers gathered to allow him to compile that report are not in my opinion public records.

Discussions have been had as to whether any of the written complaints from staff which the Union supplied to the Department were addressed to the Director-General. Investigations were to be made by the Department and Ms. Crooke was advised if that were the situation, it may be necessary for the procedure under Section 55 of the Act to be followed to authorise the destruction of those particular complaints. No advice has been received from the Department concerning this item.

Yours faithfully,



(K. M. O'Shea)
Crown Solicitor.