



**QUEENSLAND CHILD PROTECTION
COMMISSION OF INQUIRY**


Statement of Witness

<i>Name of Witness</i>	Catherine Mary McGUCKIN
<i>Date of Birth</i>	03/07/1958
<i>Address and contact details</i>	Known to the Queensland Child Protection Commission of Inquiry
<i>Occupation</i>	
<i>Officer taking statement</i>	Detective Sergeant Fabian COLLESS
<i>Date taken</i>	29/01/2013

I, Catherine Mary McGUCKIN state;

1. I am a current Queensland Government employee, formerly holding a position with the Queensland State Archives. I was employed with the State Archives between 1986-1992.
2. In 1990 I held the position of Senior Archivist, User Services Branch which looked after the research section of the State Archives. My principal role was to assist people in conducting research. At the State Archives I was in charge of the public search room, the staffing of the room, and ensuring the staff had an understanding of both records retained and the process of accessing them. I also oversaw projects such as the conversion of records to microfilm.
3. There were two other State Archivists who formed the management team. Anne Bergin who was in charge of record disposal and Lee [Leslie] McGregor who was the State Archivist and in charge overall. At some time during my period of employment at the State Archives I would have undertaken relieving on occasions in the position held by Lee McGregor. This would have occurred on different

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occasions when Lee was on holidays etc. Previously, from memory Ruth Kerr, who had been the deputy State Archivist would relieve in Lee's position.

4. In relation to the Heiner Materials I can recall the following events:

The first thing I recall is an occasion when Lee McGregor called me in to her office, positioned within the archive building Dutton Park. Lee had a box of documents there. I recall this being a single brown cardboard box in size similar to that of an archive box. I do not recall if the box itself had markings on it. I do not recall if the box was sealed or not at that time however material was contained within the box.

5. Lee gave me background information of an Inquiry that had taken place in relation to the John Oxley Youth Centre. She told me the Inquiry had been conducted by Mr Heiner and that there had been advice that the Inquiry had not been constituted correctly and therefore the evidence which was taken did not provide the staff with legal coverage. Lee indicated that Mr Heiner had kept the documents in his own custody however after learning that the Inquiry had not been properly constituted he did not want to keep them in his custody. As a result the documents had come in to State Government hands. After coming into the hands of the State Government they were then subject to the Queensland Libraries and Archives Act. Lee told me about the Crown Law advice. That advice from memory had referred to the Inquiry not having been properly constituted and that they had no objection to the documents being destroyed, however the matter was to be referred to the State Archives. Lee also indicated that Cabinet had considered the documents and they had no objection to them being destroyed. The State Archivist had been requested to look at the material for consideration of its disposal. This was a typical request of the State Archivist, as per the Queensland Libraries and Archives Act.

6. I recall the box containing a number of old style standard size cassette tapes and transcripts. As I recall, Lee and I basically divided the contents of the box

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between us to review the material. I recall looking at the documents from a research position considering whether the documents contained anything that may be of interest or required for historical purposes, and found that it certainly was not the case. We did not specifically consider the legal perspective as advice had already been received from Crown Law that there was no legal reason to retain the records. It was a pretty clear cut matter in that the records were not records that the Archives would usually keep and they were ones that could never be opened up to the public anyway. I believe I was involved as Lee wanted a second person to assist in the material review to consider if any of the contents needed to be retained under any particular section of the Archives Act. I assume Anne Bergin must have been unavailable because that would have usually been a task performed by her.

7. The documents were stored loosely within the box. My memory is that the tapes were labelled indicating that it was an interview with so and so. There could have been even up to 20 transcripts. I cannot be sure. I do not recall the box containing any diaries.
8. I recall the documents I reviewed as containing a lot of complaints about the management of the John Oxley Youth Centre. The complaints were very detailed even down to matters about the management giving people lifts home. It seemed from review of the records that the John Oxley Youth Centre was a very bad work environment, people complaining about each other and management, even about relationships with the management. Lee reviewed her share of the documents as I did mine. I do not recall Lee ever bringing to my attention there being any concerns in her half of the material containing anything different to mine. Lee and I did not listen to the cassette tapes as the transcripts appeared to match the tapes. I would describe the transcripts appearing as an interview, in so far as they were question and answer format. They differed in size in their thickness. I recall the interviewing was being done by Mr Heiner and the persons interviewed were staff members. I do not recall if there were any other persons listed in the transcripts as asking questioning during those interviews as that was not my focus

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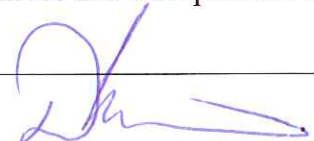
of the review. I recall that during their review I was thinking that the documents would not be required for historical purposes or public viewing. I recall the focus of those transcripts being centred on management of the John Oxley Youth Centre. I did not read every word of those transcripts however I could effectively scan documents and ascertain what type of material was contained within the document. At no time during the review of those documents did I see any references to sexual abuse. I believe if I had seen such references within the transcript it would have stood out and I would have picked it up. Should I have seen such entries I would have alerted Lee to the content of such document.

9. Lee and I went through the documents. When we had finished we had a discussion about the contents and agreed that there appeared to be no reason for the State Archives to retain any of the documents, nor was there any obvious reason as to why they couldn't be destroyed. After our discussion I left. I am aware that after Lee wrote advice permitting the records to be destroyed. If any allegations of child sexual abuse had been identified within those documents I believe that Lee would have sought clarification from Crown Law and the other relevant parties seeking clarification and further advice on the issue.
10. I do not recall how, but I am aware that those documents were later returned to the Cabinet office in the Executive Building.
11. Approximately one month later when Lee was away and I recall getting a telephone call from Ken Littleboy from the Cabinet Office. Ken advised me during this call that they [Cabinet] were ready for us to destroy the documents. I told Ken that it was not usual practice. The State Archivist gave permission to destroy documents but those in possession of the documents, not the State Archives, usually carried out the destruction. I understood that Ken wanted to make sure that the documents being destroyed were the same ones the State Archivist had given permission to destroy. That is why he had wanted me to destroy them so I could verify they were the same documents. We then made arrangements for him to pick me up from the State Archives and transport me to

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the Cabinet Office in the Executive Building. There I observed Ken to pick up the box, which I observed to be the same box I had seen on the first occasion. We then walked across the road to the old Family Services Building on the corner of George and Elizabeth Streets. We went upstairs where Ken introduced me to Trevor Walsh. I had not previously met Trevor and understood him to be the one responsible for the records on behalf of the department. Trevor and I went to a room somewhere, which contained a shredder, and destroyed the documents. I can confirm that those documents that were being destroyed were the same documents I had reviewed on the initial occasion in company with Lee McGregor. I recall having difficulty in opening up the cases of the cassettes themselves and Trevor assisted me with that. In total I recall there being more than 5 cassette tapes. Maybe even up to 15. I cut the tapes up with scissors and I believe I also placed the cut up tape in the shredder. I am guessing that the hard cases of the tapes were just placed in a bin. The transcripts were also shredded. Some of them had to be pulled apart, as they were too thick to go through the shredder. I cannot recall other documents being in there, however whatever was in the box I shredded. There was nothing different to the contents of the box on the day I shredded it than the contents I had originally examined in Lee's office. I do not have recollection of there being floppy computer discs in the box. I do not have recollection of Trevor Walsh taking possession of certain departmental documents as the only destruction approval related to the transcripts and tapes and the other records would have been departmental records anyway. My memory is that this entire process did not take very long, less than an hour perhaps. I do not recall Ken being in the room at the time, but he may have stayed in the vicinity as I believe he gave me a lift back to the Archives afterwards. I do not recall anyone else present in the room during the destruction of the materials.

12. As it was not a typical practice of destroying documents ourselves, and the fact that Lee was not present, I wrote a file note about the event and thought nothing more of it. I believe that after Lee had returned back to work I would have also verbally advised her of the incident.

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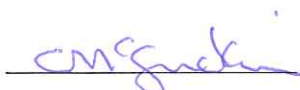


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13. The disposal and retention of records was not included in my usual duties at the State Archives. However, my recollection of the usual disposal approval process around 1990 was that government departments usually sought approval for disposal of documents by preparing disposal schedules. These disposal schedules would be forwarded to the State Archivist for approval. Disposal schedules typically contained categories of items such as correspondence, registers etc which had a nominated time frame of retention prior to their destruction or transfer to the Archives. That was how the bulk of things were managed. Some records would be directly forwarded to the Archives which would then be assessed in accordance with the Libraries and Archives Act to make decisions on its retention or disposal. This decision would depend on issues such as it being needed for legal or historical reasons or the like. There were different categories and reasons considered in making decision for a document's retention or disposal. The State Archivist would give permission for a document's destruction and it would be up to the actual department referring the matter that would ultimately make decisions about when and how the destruction would take place. The area of disposal was not my specialised area as it was usually the responsibility of Lee and Anne Bergin, however as it was such a small office, I was familiar with typical practice conducted at the Archives.
14. On the 29th January 2013 I was shown a copy of a document by Detective Colless dated 23rd February 1990 authored by Lee McGregor to Mr Stuart Tait. This appears to be a standard type letter. I cannot recall previously seeing that document.
15. I was shown a copy of a document dated 23rd February 1990 relating to a phone call by Lee McGregor to Ken Littleboy. I do not recall that correspondence referred.
16. I was shown a copy of a document dated 22nd March 1990 addressed to Lee McGregor from Stuart Tait. I do not recall ever previously seeing that document.

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17. I was shown a copy of a file note dated 23rd March 1990 authored by me which I confirm as relating to the destruction of the documents. I see typed within that file note the mention of computer discs. This must have been the case at the time although I do not have current memories of those discs.
18. I do not have recollection of ever having to prepare a formal advice to Cabinet confirming the destruction of the documents.
19. I have never previously been interviewed about my involvement in this matter.
20. I was never made aware from any person that persons from John Oxley Youth Centre may have been attempting to access those documents prior to their destruction.

Catherine Mary McGUCKIN

Declaration

This written statement by me dated 29/01/2013 and contained in the pages numbered 1 to 7 is true and correct to the best of my knowledge and belief.

 Signature

Signed at Brisbane this 5 day of February 2013

Witnessed:  Signature

Name Devise Parer Rank DSC Reg. No. 10736

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