



**QUEENSLAND CHILD PROTECTION
COMMISSION OF INQUIRY**

Statement of Witness

<i>Name of Witness</i>	Kenneth Peter LITTLEBOY
<i>Date of Birth</i>	09/09/1948
<i>Address and contact details</i>	Known to Det. Senior Sergeant Barber
<i>Occupation</i>	Retired
<i>Officer taking statement</i>	Detective Senior Sergeant Brett Barber
<i>Date taken</i>	14/01/2013

I, Kenneth Peter LITTLEBOY state;

1. I was the Principal Cabinet Officer of the Cabinet Secretariat for the Goss Government from 1989 to 1995. I reported directly to the Cabinet Secretary, Stuart Tait. Prior to being appointed to that position, I was the manager of human resources in the Premiers Department.
2. I was responsible for managing the Cabinet Secretariat which comprised of approximately 10 staff and I was the secretary for the Special Purpose Cabinet Committees mainly with Mr. Tom Burns. I also did budget review committee secretarial work and stepped in as acting cabinet secretary when Mr Tait was away.
3. The Cabinet Secretary reported directly to the Director General who I think at the time was Mr. Eric Finger. Mr. Tait remained the Cabinet Secretary until about 1994.
4. The role of the Cabinet Secretary was to ensure all cabinet documents were well written, succinct, and made sense. If they weren't, the Cabinet Secretary would have them sent back and advise the Minister they were not good enough.
5. If we received a submission with a recommendation that was unworkable there would usually be some back channel communication back to the minister. Stuart would look

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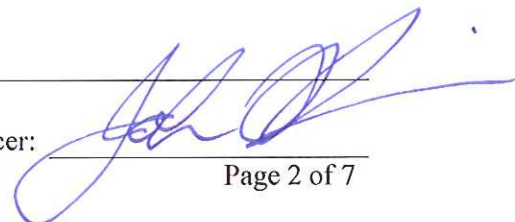
after that to keep the workflow moving. I worked with policy people and Stuart worked with Ministers and DGs.

6. As part of my role, I would read all of the draft Cabinet submissions and do any editing or provide comments to Stuart. Stuart would decide if they were sent back. Every cabinet draft would eventually progress through and I would monitor it and get all the documents together and make sure briefs were done through the premier's department.
7. When Cabinet was on, we got the documents in, I think, on the Tuesday. I would start preparing the decisions based on the recommendations and get everything ready for Cabinet the next Monday. Every Cabinet submission was supposed to have a recommendation, and based on that recommendation I would draft an appropriate Cabinet decision for consideration by Cabinet. Cabinet would then consider the submission and also the recommendation. Most of the time Cabinet would support recommendation and the Cabinet decision reflected this.
8. I first became aware of what has been referred to as the Heiner inquiry in about 1990. I don't know who told me about it, it may have been Stuart. It seemed to be the view of the government that the evidence acquired by Heiner was invalidated for some reason, so Cabinet sought advice from, I believe, the ^{Chairman of the} ~~Attorney-General~~. The end result seemed to be that the documents should be destroyed as the government could be sued by people involved.
9. The first material I saw regarding Heiner was a box which I believe contained documents. I believe the box was in Stuart Tait's office at the Cabinet Secretary office. My recollection is that I was directed by Stuart Tait to pick up the State Archivist from the State Archive Office at Dutton Park, who I think was McGukin; come back to the executive building; pick up the box of Heiner material; and take them over to the Department of Family Services. I took it that I was just a Cabinet office representative to officially walk with the state archivist and the documents to the Department. At Family Services, Kate went off with someone from the

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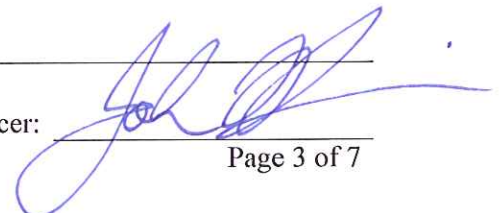
Department with the documents and I went back to the Cabinet office. I didn't see the documents destroyed and I didn't see Kate again that day.

10. I don't recall who we delivered the documents to, but my recollection is that it was a male person high up in the department. Detective Barber suggested the name Trevor Walsh. I knew Trevor Walsh at the time. It may have been Trevor Walsh that we delivered the documents to.
11. I never viewed the contents of the box of Heiner material. I can't say for certain, but I assume the box was sealed due to the controversial nature of the contents. I would describe the box of Heiner material as an ordinary cardboard document box. The box wasn't particularly heavy and I recall that it rattled like it could have contained cassette tapes. I believe the first time I saw the box of Heiner material was the day I took to the box to the Department of Family Services with Kate.
12. I believe Cabinet had sought legal advice through the ^{Chowen Law} Attorney General and made the decision. I also believe there was some urgency surrounding the documents and, once the decision had been made, to destroy them. I believe the decision was then also made to have the State Archivist manage or be involved in the destruction. I don't know why.
13. Detective Colless then showed me a document that appeared to be a copy of a Cabinet submission dated 23 October 1989 to the previous government prior to the Goss Government coming to power in December 1989. I had never seen the document before.
14. The Cabinet Secretary's office stopped people looking at the previous government's Cabinet records. If the new Government wanted to look at last Government we wouldn't let them. They would have to ask and we would write a letter to the leader of the previous government for authority to release the records.
15. Detective Colless then showed me a document that appeared to be a copy of a Cabinet submission dated 12 February 1990. I recall seeing this document in 1990. I

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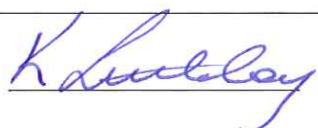


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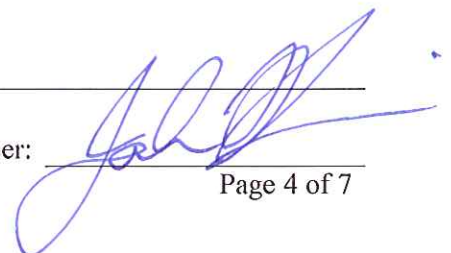
changed some of the wording at the end of the Cabinet decision and put a proper finish to the document. I would have drafted the Cabinet decision based on the recommendations. The decision and further action would have been returned to the relevant department to follow up.

16. Detective Colless then showed me a document that appeared to be a copy of a Cabinet memorandum dated 19 February 1990. I don't specifically recall seeing this memorandum before however I observed that the memorandum was signed by a Ms Carrick on behalf of the Director General and not by the Minister. From memory, I believe the Cabinet handbook, at that time, allowed for Director Generals (DGs) to sign a Cabinet memorandum but they weren't permitted to sign a Cabinet submission. The principle was that the Ministers owned the system. Ministers took responsibility and we reminded everyone that the DGs and bureaucrats didn't own the system. We ran the system for the Ministers. The DGs had the submissions done through their policy people and submitted them to their Ministers for consideration. When the submissions were received by the Cabinet Secretaries office, Stuart had the final control and he would have me ensure a submission was in a suitable format and contained appropriate recommendations before it was put before Cabinet. If necessary, I would liaise with the respective departmental policy people to achieve this. If the Minister needed to be consulted, Stuart would speak to the Minister. Stuart kept things pretty close to his chest and fed them out when he needed to.
17. Detective Colless then showed me a document that appeared to be a copy of a Cabinet submission dated 5 March 1990. I recall this document and the decision. I think I would have prepared the decision.
18. Detective Colless then showed me a document from the (then) state archivist, Miss Lee McGregor dated 23 February 1990, titled phone call from Ken Littleboy, Cabinet office. I saw that in the document McGregor stated a number of cards and records were delivered to her office and Kate McGukin and McGregor went through them. I recall that Lee McGregor was the state archivist and Kate McGukin was a senior archivist.

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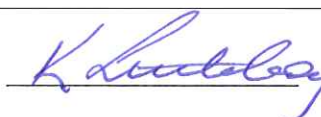
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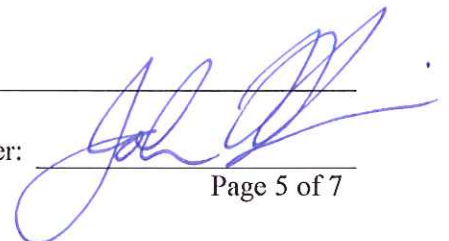
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19. I advised Detective Colless that I may have been the one that delivered the box to McGregor. I have no specific memory of this. It might have been then that I remember the box rattling. All I remember is picking up McGukin to destroy the material.
20. Detective Colless then showed me a document which appeared to be from Kate McGukin dated 23 March 1990 outlining events on the 23 March. McGukin stated she and I went to the executive building, collected the Heiner material she and McGregor had inspected on 23 February 1990. McGukin stated she and I took the box of material to the Family Services building where she and Trevor Walsh from the Department destroyed them. I stated to Detective Colless that her account seemed to be accurate.
21. I knew Trevor Walsh at the time. He may have been a cabinet legislation liaison officer.
22. Detective Colless then showed me a document which appeared to be dated 23 February 1990 to the state archivist from SB Tait regarding the Heiner material. I advised Detective Colless that normally I would do a basic draft of correspondence for Stuart and then he would put his special flair to it. This document appeared a document like this. I noticed that the document explored the possibility of attaching the Heiner material to a Cabinet submission in an attempt to restrict access to the documents. My understanding is this particular draft was given to the crown solicitor to make sure the legal technicalities were addressed. The state archivist was consulted because that position is in charge of all government records under the State Libraries Act and she would have had the final say on the proposal to destroy the documents.
23. Detective Colless then showed me a document which appeared to be from the Queensland State Archivist, Miss McGregor addressed to Mr. Tait regarding approval to destroy the Heiner material. I advised Detective Colless that I had not seen the document before but the advice contained in the document would have been what we

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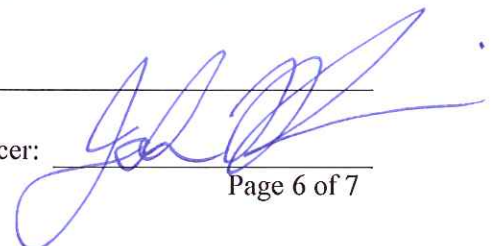
were after at the time. McGregor was the person in charge of the Act, so it was OK to destroy the material.

24. Detective Colless then showed me a document which appeared to be from Mr Tait to Ms McGregor dated 22 March 1990 regarding the Heiner material. I advised Detective Colless that I did not recall seeing this document before. I could have easily have drafted it, it's a simple one, but I don't recall.
25. Detective Colless then showed me a document which appeared to be from Mr Tait to Mr O'Shea dated 13 February 1990 seeking advice regarding what action might be taken should a writ be issued to obtain the information that's considered to be part of the official records of Cabinet. I observed that Mr Tait included my name as the contact officer within the Cabinet Secretaries office. I advised Detective Colless that I did not draft this document for Stuart and I have not seen it before. It is possible I may have been contacted by Mr O'Shea as indicated, but I have no recollection of that taking place.
26. Detective Colless then showed me a document which appeared to be from the Acting Director General for Family Services, Ms Matchett to Mr O'Shea, and for attention of Mr Barry Thomas, dated 22 February 1990 regarding a Cabinet decision being deferred pending consultation between the secretary of cabinet and the state archivist. I advised Detective Colless I had not seen this document before. Stuart probably would have liaised with the state archivist himself. I don't recall doing it.
27. Detective Colless then showed me a document which appeared to be from the Mr O'Shea to Mr Tait dated 22 February 1990 regarding the appropriateness of a draft letter to the state archivist. I advised Detective Colless that I had not seen the document before and do not recall ever discussing it with Stuart.
28. Detective Colless then showed me a document which appeared to be from the Acting Director General for Family Services, Ms Matchett to Mr O'Shea, dated 19 March 1990 regarding employee statements forwarded to Mr. Pettigrew, former Director General of Family Services by the Queensland State Service Union. I advised

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Detective Colless that I had not seen the document before however from the contents it would seem that cabinet was not aware of the documents. I do not recall any other documents apart from the box of material ever being considered by cabinet.

29. In all of my dealings with the Heiner material in the Cabinet Secretaries office, I do not recall allegations of child sexual abuse ever being associated with the Heiner Inquiry or raised as an issue associated with the destruction of the Heiner material, however the material related to a youth centre investigation and I assumed this inquiry/investigation would relate to some level of abuse at the centre.
30. I have never been asked provide a statement or been call to give evidence in any other inquiry or investigation regarding the Heiner Inquiry or allegations of child sexual abuse at the John Oxley Youth Centre.
31. I have never been approached by the media or other person to discuss the Heiner Inquiry or allegations of child sexual abuse at the John Oxley Youth Centre.


Kenneth Peter LITTLEBOY

Declaration


This written statement by me dated 14/1/13 and contained in the pages numbered 1 to 7 is true and correct to the best of my knowledge and belief.

 Signature

Signed at EAGLEBY this 8TH day of February 20 13.

Witnessed:  Signature

Name John Mison Rank Detective Sergeant Reg. No. 8065
6382

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