



QUEENSLAND CHILD PROTECTION COMMISSION OF INQUIRY

Statement of Witness

<i>Name of Witness</i>	Kenneth John OTTER
<i>Date of Birth</i>	20/05/1948
<i>Address and contact details</i>	Known to the Queensland Child Protection Commission of Inquiry
<i>Occupation</i>	Educator
<i>Officer taking statement</i>	Detective Senior Constable Denise PARER
<i>Date taken</i>	04/02/2013

I, Kenneth John OTTER state;

1. I am a former employee of the Department of Family Services and Aboriginal and Islander Affairs [herein referred to as the Department]. I commenced employment with the Department in 1974 and retired from the Department in October 2003. During my period of employment within the Department I held various positions and titles. I initially commenced as a Child Care Officer before attaining a position of Supervising Child Care Officer. After undertaking periods of time in those positions I was promoted to the position of District Manager and later in 1991 I attained the position of Regional Manager for South West Queensland (Brisbane and Ipswich Districts). I continued in that position until 1997 before taking up the position of firstly, Operations Manager, then Regional Director, Gold Coast up until my retirement.
2. As Regional Director for the South West District, I oversaw 7 Departmental Area Offices, which I would liken to the current Child Safety Service Centres and two

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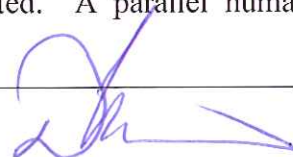
youth detention centres: John Oxley Youth Detention Centre and Westbrook Youth Detention Centre. During my time in the position John Oxley Youth Centre was managed by Tim Evans (briefly) and later Ian McIntyre. Westbrook Youth Detention Centre was managed by Geoff Schultz (Acting), Martin Lea and later Mick Shearer.

3. My daily functions as Regional Director included overseeing the managers of the area offices and detention centres. I was to ensure standards of service delivery throughout the areas; attend to the implementation of policy and programs; ensure compliance with legislation and oversight budgets, human resourcing and training.
4. When I commenced the position as Regional Director I recall that the Department had recently undergone a significant structural change. I reported during the initial period to Division Head, Leigh Carpenter and also worked closely with Program Directors, Carol Peltola (Child Protection) and Margaret Allison (Juvenile Justice). The Director General was Ruth Matchett. Although I had the ability if needed to report directly to the Director General, typically I would follow line management and forward any report to my direct manager Leigh Carpenter.
5. In relation to any reports or allegations of sexual abuse within youth detention centres, I have no personal recollection of such from my own memories.
6. Upon review of a document dated 14th May 1991 authored by Ian McIntyre, produced to me by Detective Parer; I have some recollection of the information contained within the document however I am not able to remember the outcome of that process.
7. As with all serious incidents, including allegations of sexual abuse, I believe that I would have been likely to have received a verbal briefing from the centre's manager almost immediately after an event was reported. A parallel human

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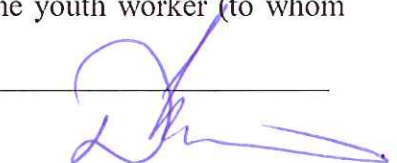
resource process would have been in place addressing the issues of the staff member against whom a complaint was laid. In the case of serious allegations (particularly those potentially constituting a criminal offence) police would have been contacted by the centre's manager so an investigation could occur.

8. My role then as Regional Director would have been to ensure that the proper reporting processes were followed and that my direct manager was informed. I would confirm with the centre manager that the matter had been reported to police and that the child was appropriately supported and represented. Depending on the circumstances it was sometimes the case that an external (to the centre) investigator would commence an independent investigation where it did not interfere with any police investigation. This would usually be discussed with and determined by the Divisional Head or Director General.
9. Matters that were serious including those of a sexual nature were considered high priority and I would have expected that after I briefed my direct manager, the matter would then have been reported to the Director General and possibly the Minister.
10. Upon review of the document produced to me I can speculate that the matter was dealt with by the centre manager with my knowledge. I am unable to explain the gap in time between the reporting of the incident and the date on the memo addressed to me. However I believe that I would have received some sort of verbal briefing following which I would have requested that a memo be prepared and forwarded to me. Within the new structure detention centre managers were being encouraged to communicate more frequently and directly with Regional Directors.
11. As a function of my role as Regional Director I would have ensured that the Policy and Procedures Manual of the Department was followed and adhered to. I believe there was also a detention centre manual and internal detention centre guidelines. As I review the content of the document I note that the matter was reported to police; the matter was reported by both the youth worker (to whom

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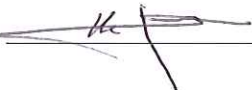
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the child laid the complaint) and manager in accordance with reporting obligations; the manager advised the child that the matter would be reported to police even though she did not wish to make a complaint. Further, the child was provided with legal support ensuring her rights and her mother was advised. Best practice would have also included further community follow up after the child's release which appears to have occurred. Also I believe a review of outing (activities outside the centre) practices would have occurred. I cannot recall what happened with this case, however after review of that document I believe that the correct and appropriate responses were followed and the manager and youth worker who reported the matter acted in the interests of the child involved. This included facilitating access to independent legal representation.

12. In relation to the actual correspondence produced from the said incident I believe the document shown to me would be likely to have been placed on the central file held at head office unless I re-drafted a more detailed report for the Divisional Head. However, in such an event, it is likely that the original report from the Manager would have been sent to head office as well. I believe that the Criminal Justice Commission would have also been advised by the Director General's Office or Principal Legal Advisor, as the matter also fell within the parameters of being an allegation of misconduct. I do not recollect whether or not a medical examination of the child occurred. I believe a medical examination of the child would have been unlikely to have been undertaken due to the time lapse between the incident itself and the report of the incident. Such medical examination would have been determined by the police investigation and should only have occurred with the consent of the child.
13. During my time of employment within the Department I had no personal dealings with any matters related or pertaining to the Heiner Inquiry. Upon taking on the role of Regional Director in 1991 I had no brief in relation to these matters. My role involved participating in the development of an open and accountable management structure, involving constructive relationships with staff and young

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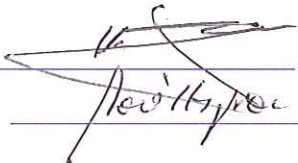



people. My only perception of the matter was that the Inquiry related to management and staff of the John Oxley Youth Centre and not sexual abuse.


Kenneth John OTTER

Declaration

This written statement by me dated 04/02/2013 and contained in the pages numbered 1 to 5 is true and correct to the best of my knowledge and belief.

 Signature
Signed at  this 6th day of February 20 13

Witnessed:  Signature
Name Denise Parn Rank DSC Reg. No. 10736

Signature of Witness: 

Signature of Officer: 