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Date: 3. 12. 2012

Exhibit number: 134

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31 JAN 1990



QUEENSLAND PROFESSIONAL OFFICERS' ASSOCIATION

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Answer Back PUBLX

29th January, 1990.

KL: TG

Ms. R. Matchett,
Acting Director-General,
Dept. of Family Services and
Aboriginal and Islander Affairs,
G.P.O. Box 806,
BRISBANE, Q. 4001.

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Dear Ms. Matchett,

Re: Investigation of complaints by certain members of staff at John Oxley Youth Centre

The Association wishes to protest in the strongest possible terms the way in which the investigation at John Oxley Youth Centre was established and conducted and seeks immediate clarification and resolution of the following issues.

At the time the previous Government appointed Mr. Noel Heiner to carry out the investigation in accordance with certain Terms of Reference, the Association's Organiser, Mr. Kevin Lindeberg, contacted the then Director-General, Mr. Alan Pettigrew, to express surprise and concern that such an investigation had been established.

Mr. Pettigrew informed the Association that such a process was deemed to be necessary by the Minister and that the officers named in the letters of complaint (outlined in the Terms of Reference) would be given the opportunity at the appropriate time to respond to allegations relating to them. From that conversation, it was accepted by the Association that Mr. Heiner was a properly appointed officer under the relevant provision of the Public Service Management and Employment Act and that "natural justice" would be afforded our members throughout the process.

Shortly after the process commenced, our members, Mr. Peter Coyne and Ms. Anne Dutney, became concerned that the investigation appeared to be concentrating totally on their managerial behaviour, with particular emphasis on Mr. Coyne. Other features of the Terms of Reference concerning security, etc. appeared to be of little consequence.

This matter was related to Mr. Pettigrew by Mr. Lindeberg and it was recommended that he (Mr. Lindeberg) contact Mr. Heiner and point out these concerns acting as their industrial agent. Mr. Pettigrew believed that if he were to do so, it could be interpreted as interfering in the process.

This was done, out of which Mr. Heiner said that "natural justice" would be upheld and that Mr. Coyne and Ms. Dutney would be given an opportunity, after he had spoken to staff wishing to contribute to .../2.

AFFILIATIONS INCLUDE:
AUSTRALIAN COUNCIL OF TRADE UNIONS &
QUEENSLAND TRADES AND LABOR COUNCIL

Ms. R. Matchett,
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the investigation, to respond to the allegations made about and against them. This opportunity, in the minds of our members, was not forthcoming.

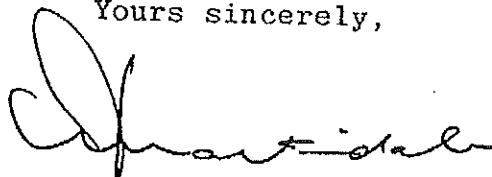
It has now come to the Association's attention that Mr. Heiner's appointment was not within the provisions of the Public Service Management and Employment Act and during the course of his investigations, he not only came into possession of Departmental documents, but made it abundantly clear that he was indeed carrying out a grievance in addition to the other considerations of security etc. at the Centre.

Accordingly, the Association believes that our members are entitled to see what the specific allegations are that have been laid against them and who made them. It is unacceptable that unknown persons be allowed to make allegations against other officers in the Public Service without such persons having to substantiate their claims. The claims, in this case were apparently, in the opinion of Mr. Pettigrew, not vexatious and therefore it makes our demand all the more imperative, especially as the previous administration saw that the matters were serious enough to seek the services of a retired magistrate, notwithstanding doubts over his actual appointment.

A breach of Regulation 63 of the Public Service Management and Employment Regulations has occurred and it must be remedied forthwith.

The Association also seeks assurances that whatever redresses of this injustice that Mr. Coyne and Ms. Dutney have undertaken will not be used in any way to jeopardise their future career with the Department as it was not of their making.

Yours sincerely,



DON MARTINDALE
General Secretary