



**QUEENSLAND CHILD PROTECTION
COMMISSION OF INQUIRY**

Statement of Witness

<i>Name of Witness</i>	Trevor Reginald WALSH
<i>Date of Birth</i>	1 st July 1945
<i>Address and contact details</i>	Known to Queensland Child Protection Commission of Inquiry
<i>Occupation</i>	Retired
<i>Officer taking statement</i>	Detective Sergeant Fabian COLLESS
<i>Date taken</i>	21 st December 2012

I, Trevor Reginald WALSH state;

1. I am a former employee of the Department of Family Services, herein referred to as the Department.
2. I commenced employment with the Department in the 1970's. Around 1988, I was appointed Manager of Information Services. With the change in government in December 1989, Ruth Matchett, who was appointed to the new acting Director General, invited me to take a role as the acting Executive Officer to assist her to set up the new department.
3. As acting Executive Officer my role was to help coordinate the office, to be the point of contact between the Director General and the rest of government within the department and externally. It included a new role of Cabinet Legislation and Liaison Officer which had been created by the new government. There was one Cabinet Legislation Liaison Officer for each department to handle the cabinet bag and process the documents. I became the Cabinet Liaison officer. In my previous role of Information Services Manager I had been responsible for five different sections of the department, which included the library, front counter, records, and the statistics sections. At that time my Director General was Alan Pettigrew. John Hogan was the Executive Officer to Alan Pettigrew and George Nix, Myolene Carrick and Col Thatcher were Deputy Director Generals. Colin was responsible for Executive Administration, Myolene was responsible for Child Protection Services and Justice and George was responsible for Youth and Community Services.

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4. The John Oxley Youth Centre [JOYC] came under the responsibility of Youth and Community Services. That was run by George Nix, who had a deputy Ian Peers. Ian was the direct line manager to Peter Coyne who was the Centre's manager. I myself was under Colin Thatcher through the Director of Information Services Carmel Finn.
5. During my time as Manager of Information Services I did not have direct dealings with JOYC or Peter Coyne specifically. I do recall an occasion where I had met Peter Coyne and others who took me for a visit to JOYC. I cannot recall how this came to be or why however I recall it had been in an official capacity. The facility had been pretty new at the time.
6. I am aware of the term Heiner Inquiry. I did not have any direct dealings in relation to the setting up of the Inquiry or anything to do with the Inquiry at the time it occurred. The first I really learned of the Inquiry was when it became an issue after Ruth Matchett had been appointed. I was receiving correspondence and dealing with people involved in the process as acting Executive Officer.
7. My understanding of the purpose of the Heiner Inquiry was that the Queensland State Service Union [QSSU] had approached Alan Pettigrew concerned about a number of the management issues at the facility. Mr Pettigrew invited Mr Heiner to review the management and grievance processes associated with the facility. I knew this to be the case as I saw the terms of reference for the Inquiry however I do not believe I saw those terms of reference until I had become acting Executive Officer. After I had become acting executive officer I found out the background as to how it became established and by then the Inquiry itself had already occurred.
8. At the time the Inquiry was being set up I do not recall seeing any correspondence in relation to the Inquiry as Manger of Information Services. As records were part of my responsibility I cannot positively state whether I saw documents or not. I can say that my knowledge became much more specific once I became acting Executive Officer. Don Smith was another person in my office at the time. Don had been a senior officer of the department for many years and was actively involved in juvenile justice issues. I believe that Don was initially given the duties of Special Duties Officer. He had previously been the Principle Childcare Officer of the department.
9. When I became acting Executive Officer for Ruth Matchett my knowledge of the Heiner Inquiry increased. I recall that the immediate issue was that there were concerns by Peter Coyne. Peter wanted to know what the specific allegations were against him and he was very keen to have the information in terms of what Mr Heiner was going to be inquiring about relating to the operations of the facility. I was aware that Peter had engaged a firm of solicitors to represent him and that he had also sought advice from his union which was the Professional Officers Association [POA]. Both Peter and Anne Dutney had engaged the same solicitors. A lot of the contact was between me, Peter Coyne or his solicitors.

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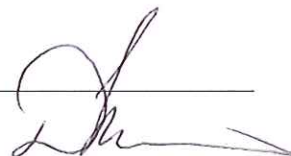


10. As soon as we received a letter from Peter's solicitor, it may have even been sooner than that, we sought advice from Crown Law office regarding what legal actions were appropriate. I believe one of the issues that we found was that there were questions about the establishment of the Heiner Inquiry itself. Mr Heiner was found not to be an officer of the department so he was operating as an external person. Peter was also very keen to know what documents were on his own personal file. I can recall at some stage we invited Peter to look at his file and there was nothing on his file at all related to this matter. To my best recollection, he came in and sat with someone and went through his personal file. I had seen Peter's file and know it contained only leave applications, appointment letters, but nothing about the Heiner Inquiry. Peter's file did not contain statements from the QSSU nor statements of support that had been given by staff members of JOYC.
11. We wrote to Crown Law and advised them of the situation. Crown Law wrote back and raised a number of issues about the way that the Heiner Inquiry had been established. One of the main reasons why we wanted to make sure that we did everything according to the legal requirements and had sought Crown Law advice was due to the threats of legal action. Despite the threats, no legal action was ever actually initiated.
12. I recall one of the documents that came in had some very tight timelines in things that either Peter Coyne or his solicitor was demanding. I can recall there was one letter from his solicitors and they wanted a response immediately. I recall having a conversation with Ken O'Shea of Crown Law as a result. I was drawing to his attention the timeline and what was he going to do. I recall asking if he going to respond or what we should do. I recall his words were 'Let them litigate if that's what they want to do'.
13. Crown Law advised that the decision was made that Mr Heiner was to be advised that he was not indemnified. That became an immediate issue to Mr Heiner and he stopped his inquiries. Ruth Matchett eventually concluded that the Inquiry would not continue; there would not be a finding; and we would be left with the situation as to what to do with the information Mr Heiner had collected. The advice from the Crown Law office was that as there was not going to be an outcome due to issues of potential defamation, the best course of action would be to destroy the documents.
14. There were three cabinet submissions in total, and an earlier verbal submission to cabinet by the previous government. Beryce Nelson had told cabinet that there was to be an inquiry, but there were only the three written cabinet documents.
15. I cannot comment about how verbal cabinet submissions worked as I have no understanding of that process. In relation to the written cabinet submissions the process was that written cabinet documents were placed in to a designated cabinet bag each week for delivery to cabinet for the submission to be considered. I saw all three cabinet submissions as I was the Cabinet Legislation and Liaison Officer. All cabinet documents came through me.

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16. The first cabinet submission was a consideration of options for a cabinet recommendation to indemnify Mr Heiner and destroy the documents.
17. The second cabinet submission put up a number of options; four in total, as to how the Heiner material could be dealt with. That one was signed under the hand of Myolene Carrick. I cannot confirm who would have prepared that document however I would have had some involvement in it to ensure it complied with the specific format of Cabinet Submissions. That submission may have been prepared by Don Smith in consultation with Myolene Carrick.
18. The third cabinet submission was also a cabinet recommendation. It was the third submission that had determined the documents be destroyed.
19. These were the first cabinet documents we had ever done under the new government, so we were not really aware of the process. I do not know, nor can I recall now whether Ruth would have been aware of the contents of the second cabinet memorandum as she was on leave.
20. At the end of Mr Heiner's Inquiry, I am aware that everything relating to it was boxed up and returned to the department. I do not believe any of it was ever examined within the department after it was received. I just have it in my mind that Derman Roughhead, another Executive Officer in the department, may have been the person who went out and got the box from Mr Heiner and brought it in to the office. I believe the material then went to the cabinet office with the first cabinet submission. As far as I am aware I never saw that material again until the day that it was returned to my office by the state archivist to be destroyed.
21. The documents subject of the Heiner Inquiry were destroyed by the state archivist in my office. My office being on the 7th floor, Family Services Building, Brisbane. It occurred in my office as the state archivist had contacted me advising that she did not have a shredder available to her. I feel that it had been in the morning when the State Archivist Lee McGreggor rang and said, 'Look we're going to destroy the documents, but we don't have a shredder'. I recall that we sort of laughed about the fact as she said, 'Oh you know, we're the archivists. We protect records'. She asked me if I had a shredder and I told her I did. She asked if she could use it and I agreed as I did not see any reason why she shouldn't. The cabinet had already approved for the documents to be destroyed and there still hadn't been any legal proceedings issued.
22. I do not know what information was contained in the box nor do I know what was on the tapes or discs. I would describe the box as being of plain cardboard approximately 15 inches square. It was not an official document storage box. It had been sealed however I cannot recall if it was sealed with tape or folded shut. I do not recall there being any writing on the box.
23. I recall Caite McGuckin, the representative of the State Archivist, and one of my senior secretaries Wendy Plunkett (nee Jones) being present on the day. Caite opened the box and we found a number of audio tapes and some 5 /14 inch

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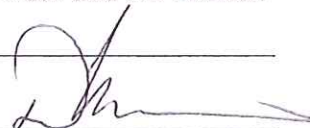
computer discs inside. There would have been approximately 12-15 audio tapes and maybe 4 or 5 computers discs. I can not recall there being anything written on the tapes or discs themselves or on their casings. I think the tape casings may have been disposed of in the waste paper bin. Although the disposal was Caite's responsibility I had felt a bit silly just standing there watching her so I helped. Officially though it was Caite destroying the documents. Caite and I physically pulled the tapes out of their plastic casings and put them through the shredder. We put the computer discs through as well. I had been aware that Mr Heiner had taped his interviews, but that is all I know about the tapes or discs as I did not physically examine them myself.

24. The box also contained some departmental paperwork, such as annual reports, policy documents that were just generally used at John Oxley in terms of management style and grievances. They related to the processes at juvenile detention centres. It further included Administrative Memoranda's (AM's) and Procedural Memoranda's (PM's). Some of the paperwork, such as annual reports and policy documents, that had nothing to do with the Heiner Inquiry specifically, were just returned back to the library or to the records section. I do not recall there having been any transcripts in the box. There may have been however I do not recall seeing them. I am sure if there had been typed transcripts I would have recognised them as such. I do not recall there being hand written notes inside the box either.
25. Caite and I remained in my office together until the destruction of the documents was completed. I guess I saw myself as a witness and I can recall saying to Caite to report back to the cabinet office. I know she did. I also wrote a document at some stage confirming that the documents had been destroyed. The whole process may have taken only about half an hour. I think the thing that surprised me was that there was very little in the box. It contained only the items mentioned. The tapes didn't take up a lot of space nor did the discs. After we finished Caite left and I returned to my other duties.
26. I do not recall advising anyone in the department that the documents had been destroyed, nor do I believe that their destruction had been rushed as it was some 18 days or so after the Cabinet's decision. Had I advised anyone about their destruction it would have been Carmel Finn, however I do not believe that was the case. The only person I was interested in making sure they knew of the documents destruction was the Cabinet office who were advised by Caite.
27. To the best of my knowledge the Cabinet office staff were never briefed in relation to the proposed destruction of the Heiner material other than via Cabinet submissions, which went in to the cabinet bag to the Minister, Anne Warner. I am aware that there were meetings held between Mr Heiner and Ruth Matchett prior to the closure of the Inquiry. I was not present in those meetings nor do I know of the conversations in those meetings. I am aware that those meetings took place as I may have been the person who had contacted Mr Heiner's secretary Jan Cosgrove arranging suitable times. From memory I believe that at one meeting Sue Crook, the Principal Relations Officer was present with Ruth and Mr Heiner.

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Sometimes if I was present for a meeting I would do the recording, other times Ruth would make her own file note of meetings or have an entry in her diary. It varied depending upon the meeting. I myself did have a diary which I kept. I have since reviewed this diary and have located no relevant entries pertaining to this matter. My normal practice was to make file notes and put them straight on the departmental file.

28. I recall having conversations with Ken Littleboy about the Heiner matters. I believe those conversations related to either the Cabinet submission documents or some of the legal implications relating to the letters from Crown Law.
29. I do not have any recollection of ever asking for or receiving any files from George Nix or papers relating to the set up of the Heiner Inquiry.
30. I do recall seeing the QSSU statements that were provided in relation to Peter Coyne and the management of JOYC. There may have been approximately eight or nine different people, some of them anonymous, one of them was Mr D Lannen, who had provided statements to the QSSU. I viewed the original documents. I recall those containing allegations about management issues. The closest they came to anything to do with children was I think a reference to misuse of handcuffs. The majority of them were more about the staff being unhappy with the management style. I first recall seeing them was when I was in information services and been provided them by Allan Pettigrew. I believe I saw them again when I was in the Director General's office as well. I saw these documents as anything that came through the Director General's office, that was considered significant, came through me as Manager Information Services. Further, I would have seen them in relation to the documentation sent to the Crown Law office as would of course Don Smith. The last time I recall seeing those documents was after advice from Crown Law to have them returned back to the QSSU. I have no personal knowledge as to whether they were returned or not. I know those documents were at one stage passed on to Mr Heiner as part of his Inquiry, and Mr Heiner agreed that they be treated confidentially and not passed on to Peter Coyne. The recommendation was to return the originals to their authors. Somewhere along the line I believe someone made photocopies of them. I am aware that those photocopies were later openly destroyed by Don Smith and he made such notation on file to that effect. I believe this was done as Don knew that we could no longer possess the documents and as copies exited we didn't have a right to have those, so they were destroyed after the originals were returned.
31. On the 21st December 2012 I was shown a series of documents by Detective Colless which appeared to be QSSU documents. From review of those documents I believe those are the QSSU documents referred to in my statement which I believe I had had in my possession at some stage around October 1989. I specifically recall the document's coversheet. I am not able to indicate who the author of that cover sheet was, however clearly remember it being a summary of the other documents attached to it.

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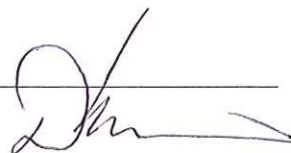
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32. I was shown by Detective Colless a copy of a document dated 18th January 1990 on Department of Family Services letterhead titled 'Private and Confidential' addressed to Ms R L Matchett Director General from N O Heiner. I can confirm that the notation on the top right hand side of that document was made by me. I recall that I rang Jan Cosgrove and said Ruth wanted to meet with Mr Heiner.
33. I was shown by Detective Colless a copy of a memorandum dated 9th February 1990 to Acting Director General John Oxley Youth Centre under my hand. I believe this was a conversation I actually had with Kevin Lindeberg, about the issue of industrial strike. I recall the conversation having been reasonable however Lindeberg was upset. There was a debate between the two unions, the Professional Officers Association [POA] and the QSSU as to who was running the show and who was being told or not told things. He was annoyed that they had made some action to arrange for a meeting and the QSSU had arranged for a meeting after Ruth's visit to the centre. I did not go to that meeting with Ruth Matchett at JOYC.
34. I was shown by Detective Colless a copy of a memorandum dated the 9th February 1990 to the acting Director General authored by me. From recollection Peter Coyne was ringing me fairly regularly and his emotions were very different on many occasions. Sometimes he was confused, other times he was rambling, crying, angry, or friendly. One minute he was stating he was backing off from legal action, the next he stated he was going to commence legal action. Also he advised that his solicitor was representing him, and then he wasn't. Everything kept changing. It was a very confusing time for everybody, however there was no legal action taken. Nothing ever went beyond threats to take action.
35. I was shown by Detective Colless a two page document dated 14th February 1990. This document was addressed to the acting Director General under my hand. I both recall that document and its contents. The document mentions Sue Crook as being present during the conversation. From memory her attendance during that conversation had been coincidental and unplanned.
36. I was shown by Detective Colless a document dated 15th February 1990 from Rose Berry Jensen Solicitors. I confirm that on the bottom of the document I made a personal notation indicating it to be forwarded to Crown Law as a matter of urgency. I recall we wrote to Crown Law in relation to it however I cannot recall how quickly that happened. Around that time I cannot recall having a lot of conversations personally with Crown Law however Barry Thomas was the Crown solicitor who was handling the day to day requests. I did not have meetings with Barry. I believe he met with Ruth Matchett on occasions.
37. I was shown by Detective Colless a copy of a document dated 2nd April 1990. I confirm this document was authored by me confirming the destruction of the Heiner documents in accordance with Cabinet's decision. I do not believe that this notation necessarily was forwarded on to anyone, just placed on departmental file.

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38. I was shown by Detective Colless a copy of a document dated 23rd March 1990 authored by C McGuckin, Senior Archivist. I do not recall ever having seen that document before at the time. The contents of that document seem to be an accurate account of events as I understood them.
39. I was shown by Detective Colless a copy of a facsimile transmission dated 18th May 1990 from the Queensland State Archives. I can confirm both having received that document and making notation at the bottom of it. I confirm that I advised Lee McGregor to direct any further enquiries from Mr Coyne to me as the matter was being handled by the Crown Solicitor.
40. I was shown by Detective Colless a copy of a memorandum dated 18th May 1990 to Acting Director General authored by me in relation to Mr Peter Coyne. I confirm this document outlines a conversation I had with Mr Coyne. During this conversation I was careful not to say anything relating to the destruction of documents until documents from Crown Law had been prepared advising Mr Coyne of what was happening. We had to keep in mind that Peter was using every effort to try and find out what was happening, either through myself, his solicitor, and his union and we wanted to be fair to everyone and tell everyone in the right away exactly what had happened. I certainly didn't feel it was my responsibility to tell him.
41. I was shown by Detective Colless a copy of a document dated 18th May 1990 from the Queensland State Archivist Lee McGregor. I am not familiar with that document; however confirm its contents relating to me having conversations with Ms McGregor and Mr Coyne appears to be an accurate account of events. I advised Ms McGregor not to directly talk with Mr Coyne as I was attempting to limit her involvement with Peter due to his emotional state.
42. I was shown by Detective Colless a copy of an undated memorandum addressed to the acting Director General authored by me outlining that Peter Coyne was no longer being legally represented. I cannot recall when this document would have been created however as typical practice I would make notes of conversations with people and prepare them in to a document within a day or so of the conversation having occurred. I would then place those documents on departmental file.
43. I was shown by Detective Colless a copy of a document dated 24th May 1990 addressed to acting Director General in relation to Peter Coyne. I can confirm that this is a copy of a document authored and signed by me relating to advice received from Mr Berry indicating, to his knowledge, he was still legally representing Mr Coyne.
44. At no time, prior to or after the destruction of the Heiner documents, did I know or suspect that any of the materials of Mr Heiner contained any allegations of sexual abuse. I only recall a reference to handcuffing in QSSU documents.
45. I do not recall ever receiving any documents from the Australian Workers Union [AWU] during that time period to which this matter relates.

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46. I recall that correspondence at some later time was forwarded to the Queensland Teachers Union [QTU] and other parties advising them of the destruction of the documents.
47. In relation to Public Service Management and Employment Regulations 1998 Act, regulations 46-65 I describe them, in the broadest terms as making reference to a person being entitled to know if there is allegations against them on their file. Normally appointments, personal reports about behaviour, disciplinary action and leave entitlements would be placed on a person's personal file. Documents such as the QSSU statements were placed in a separate file as they related to the management, policy and industrial relations issues between two unions and their employees of JOYC. That file focused on the management not the manager. If there was some disciplinary action determined as a result of the management inquiry, for example he was guilty of mismanagement, then that would then be placed on his personal file.
48. Should there have been allegations that the Heiner Inquiry documents contained evidence about child sexual abuse that information should have been contained within those Cabinet submissions. I am absolutely not aware that such sexual allegations existed. At no time did I see from Cabinet to department request for advice in relation to any sexual abuse allegations.
49. On the 22nd January 2013 Detectives Parer and Mison showed me a photocopy of a series of hand written notes containing various dates. Upon review of those documents I recognise that they contain a series of hand written notes authored by me. I also recognise those documents to contain hand writings of Ruth Matchett. Those documents can best be described as inter office correspondence between myself and Ruth in relation to tasks or follow up enquiries being made in relation to this matter at that time.

Trevor Reginald WALSH

Declaration

This written statement by me dated 18/12/2012 and contained in the pages numbered 1 to 9 is true and correct to the best of my knowledge and belief.

T.R. Walsh Signature

Signed at Brisbane this 22 day of January 2013

Signature of Officer

[Signature] Signature

Name Denise Parer Rank DSC Reg. No. 1036

Signature of Witness: T.R. Walsh

Signature of Officer: [Signature]