Further to our discussion yesterday, I have spoken to Ashdale about the availability and estimated costs for an independent investigation of the complaint matter you have. The scope I have described is interviewing the complainant, three witnesses NP_49-Sch4 and the subject officer, and preparing a report making conclusions as to whether the complaint is capable of substantiation.

Please see attached details of an available investigator and estimate of costs. If you are happy to proceed and this is within the approved expenditure, I will do the engagement etc.

Thank you

Natalie Homan
A/Executive Director
Ethical Standards Unit
Department of Justice and Attorney-General
Level 23, State Law Building
50 Ann Street, Brisbane

Ph: (07) 3225 2045 Fax: (07) 3225 2094

Email: Natalie. Homan@justice.qld.gov.au

From: Sam McNulty [mailto:sam.mcnulty@ashdale.com.au]

Sent: Thursday, 26 July 2018 9:18 AM

To: Natalie Homan < Natalie. Homan@justice.qld.gov.au>

Subject: Estimate of Costs

Good morning Natalie

Further to our conversation this morning, please find attached an estimate of costs based on what is known at this point. Should initial interviews indicate that additional work is required that is not included in this estimate then we will provide a revised version.

Attached also is Rebecca Russell's CV for your information. Rebecca is contactable at P: 1300 782 974 and E: rebecca.russell@ashdale.com.au

Should the department accept this estimate then could you please forward the TOR and any relevant file material and policies to myself and we will get the investigation underway as quickly as possible

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Regards

Sam



Sam McNulty Operations Manager

P 1300 782 974 | M NP_49-Sch4

E sam.mcnulty@ashdale.com.au

A P.O. Box 3059 Newmarket Queensland Australia 4051

W www.ashdale.com.au

The information contained in the above e-mail message or messages (which includes any attachments) is confidential and may be legally privileged. It is intended only for the use of the person or entity to which it is addressed. If you are not the addressee any form of disclosure, copying, modification, distribution or any action taken or omitted in reliance on the information is unauthorised. Opinions contained in the message(s) do not necessarily reflect the opinions of Ashdale Workplace Solutions. If you received this communication in error, please notify the sender immediately and delete it from your computer system network.

Sent: Thursday, 26 July 2018 9:26 AM

To: Leon Smith < Leon. Smith@justice.qld.gov.au>

Subject: FW: Estimate of Costs

Good morning Leon,

Further to our discussion yesterday, I have spoken to Ashdale about the availability and estimated costs for an independent investigation of the complaint matter you have. The scope I have described is interviewing the complainant, three witnesses NP_49-Sch4 and the subject officer, and preparing a report making conclusions as to whether the complaint is capable of substantiation.

Please see attached details of an available investigator and estimate of costs. If you are happy to proceed and this is within the approved expenditure, I will do the engagement etc.

Thank you

Natalie Homan
A/Executive Director
Ethical Standards Unit
Department of Justice and Attorney-General
Level 23, State Law Building

50 Ann Street, Brisbane Ph: (07) 3225 2045

Fax: (07) 3225 2094

Email: Natalie. Homan@justice.qld.gov.au

From: Sam McNulty [mailto:sam.mcnulty@ashdale.com.au]

Sent: Thursday, 26 July 2018 9:18 AM

To: Natalie Homan < Natalie. Homan@justice.qld.gov.au>

Subject: Estimate of Costs

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Attached also is Rebecca Russell's CV for your information. Rebecca is contactable at P: 1300 782 974 and E: rebecca.russell@ashdale.com.au

Should the department accept this estimate then could you please forward the TOR and any relevant file material and policies to myself and we will get the investigation underway as quickly as possible

Please let me know if there is anything further that you need at this point

Regards

Sam



Sam McNulty Operations Manager

- 1300 782 974 | **M** NP_49-Sch4
- E sam.mcnulty@ashdale.com.au
- A P.O. Box 3059 Newmarket Queensland Australia 4051
- W www.ashdale.com.au

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Ms Russell before approaching them to be your support person. An information sheet on the role of the support person is at **Appendix 1** and this must be given to your support person prior to your interview.

Investigation report

At the conclusion of enquiries a report outlining the allegation, the evidence adduced and conclusion will be prepared for management consideration. You will be advised of the report's conclusion and whether or not the allegations was considered to be capable of substantiation.

Possible outcomes include:

- Allegation not considered to be capable of being substantiated no further action.
- Allegation considered capable of being substantiated in part or in full local management action or initiation of disciplinary proceedings by the Director-General or his delegate.

Confidentiality and contact officer details

You are **directed** to maintain the confidentiality of the information contained in this letter and of what is discussed at the interview or through further communication with you about the matters the subject of the investigation. This information must not be discussed with or disclosed to anyone else unless they are your approved support person or you are seeking formal advice or assistance regarding the investigation or otherwise as required by law. This is to ensure the integrity of the investigation. If, however, to assist you during the investigation process, you wish to approach particular colleagues, please discuss this with **Ms Michele Lane**, Executive Officer, in the first instance, who will refer your request to me for consideration. Ms Lane may be contacted by email Michele.Lane@justice.qld.gov.au or by telephone on (07) 3225 2059.

In regard to this direction, I take this opportunity to remind you of the provisions of the Public Service Act 2008-

- s. 187 Grounds for discipline
- (1) A public service employee's chief executive may discipline the employee if the chief executive is reasonably satisfied the employee has—
- (d) contravened, without reasonable excuse, a direction given to the employee as a public service employee by a responsible person;

In this regard, I have the authority to provide the directions in this letter by virtue of a specific delegation from the Director-General (refer 21.1 of the Human Resource Management Delegations Manual).

Employee Assistance Program

Please be advised that the departmental Employee Assistance Program provided by Benestar is available to all employees free of charge. This service is a confidential counselling and support service and is available on telephone 1300 360 364.

Reprisal is a serious matter

Officers of the department have obligations to report suspected corrupt conduct, misconduct and breaches of the Code of Conduct for the Queensland Public Service (Code of Conduct) of which they become aware. Failure to report wrongdoing is a breach of obligations which may result in disciplinary action.

If it is proven that an officer:

- has taken reprisal action against a person because, or in the belief, that the person has made a report about alleged corrupt conduct, misconduct or a breach of the Code of Conduct; or
- encouraged another person to take reprisal action;

the officer may be found liable for disciplinary action for misconduct and a criminal charge of reprisal.

Interview enquiries

If you would like any further information about the interview process please do not hesitate to contact Ms Russell at Rebecca.Russell@ashdale.com.au or by telephone on 1300 782 974.

Yours sincerely

NATALIE HOMAN

A/Executive Director

Ethical Standards Unit

01/08/2018

ROLE OF A SUPPORT PERSON

The role of a support person is as the name suggests, to provide support for the person being interviewed. Many people find the interview process stressful. The presence of a third party may help the person feel more comfortable.

RESPONSIBILITIES OF A SUPPORT PERSON

If you agree to be a support person you must be aware of your responsibilities. These include:

Attendance at the interview

The support person is present at the interview to observe the process. You do not participate in the interview. You must be aware that you cannot suggest answers for the person being interviewed or advocate on their behalf.

Confidentiality

You must respect the confidentiality of the issues that will be discussed during the interview. The information that you will be privileged to cannot be discussed outside the interview with anyone other than the person who invited you to be his or her support person.

Conflict of interests

If you are requested to be the support person for more than one person during an investigation this may cause you to have a conflict of interests. Also, if you think you may be requested to be interviewed during the investigation or otherwise involved, you should not be present during another person's interview. You must disclose either of these instances, as failing to do so may compromise the investigation.

9/008



By email

PRIVATE AND CONFIDENTIAL

Dear				
Workplace inve	place investigation			
		49-Sch4		

Interview arrangements

Accordingly you are directed to participate in an interview in relation to this allegation and to provide a full, detailed and honest account of your observations, knowledge or participation in the matters the subject of this allegation. I must caution you that if it is established during the investigation that you have provided untruthful or incomplete evidence despite the direction above, you will expose yourself to the prospect of disciplinary proceedings for breaching this direction.

The interview will be conducted by Ms Rebecca Russell, Senior Investigator, Ashdale at 10.00am on Wednesday 1 August 2018, at the office of the Ethical Standards Unit, Level 23, State Law Building. The interview will be digitally recorded. This provides an accurate record of what has been discussed during the interview and protects all parties from the risk of errors. A copy of the recording will be made available to you if you ask for it.

Telephone: +61 7 3225 2059

Support person

You are encouraged to bring a support person with you. This should be someone who is **not** involved in any aspect of the investigation. As there are a number of people being interviewed <u>you **must check**</u> your proposed support person's name with <u>Ms Russell before</u> approaching them to be your support person. An information sheet on the role of the support person is at **Appendix 1** and this must be given to your support person prior to your interview.

Investigation report

It is important you are aware that any information you provide may be referred to in a report on the matter. You should also be aware that the *Right to Information Act 2009* makes it possible for interested parties to gain access to documents in some circumstances which includes interview material.

Confidentiality

You are **directed** to maintain the confidentiality of the information contained in this letter and of what is discussed at the interview or through further communication with you about the matters the subject of the investigation. This information must not be discussed with or disclosed to anyone else unless they are your approved support person or you are seeking formal advice or assistance regarding the investigation or otherwise as required by law. This is to ensure the integrity of the investigation.

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Interview enquiries

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Yours sincerely

NATALIE HOMAN
A/Executive Director
Ethical Standards Unit

27 / 07 / 2018

Appendix 1

ROLE OF A SUPPORT PERSON

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Our Ref	2018-2019/008



By hand	delive	rv

PRIVATE AND CONFIDENTIAL

Dear	
Workplace investigation	
	49-Sch4

Interview arrangements

Accordingly you are <u>directed</u> to participate in an interview in relation to this allegation and to provide a full, detailed and honest account of your observations, knowledge or participation in the matters the subject of this allegation. I must caution you that if it is established during the investigation that you have provided untruthful or incomplete evidence despite the direction above, you will expose yourself to the prospect of disciplinary proceedings for breaching this direction.

The interview will be conducted by Ms Rebecca Russell, Senior Investigator, Ashdale at **11.00am** on **Wednesday 1 August 2018**, at the office of the Ethical Standards Unit, Level 23, State Law Building. The interview will be digitally recorded. This provides an accurate record of what has been discussed during the interview and protects all parties from the risk of errors. A copy of the recording will be made available to you if you ask for it.

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NATALIE HOMAN
A/Executive Director
Ethical Standards Unit

27 / 07 / 2018

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Our Ref	2018-2019/008



Department of Justice and Attorney-General

By hand delivery

PRIVATE AND CONFIDENTIAL

Dear				
Workplace invest	stigation			
		49-Sch4		

Interview arrangements

Accordingly you are requested to participate in an interview in relation to this allegation and to provide a full, detailed and honest account of your observations, knowledge or participation in the matters the subject of this allegation.

The interview will be conducted by Ms Rebecca Russell, Senior Investigator, Ashdale at 12.00pm on Wednesday 1 August 2018, at the office of the Ethical Standards Unit, Level 23, State Law Building. The interview will be digitally recorded. This provides an accurate record of what has been discussed during the interview and protects all parties from the risk of errors. A copy of the recording will be made available to you if you ask for it.

Support person

You are encouraged to bring a support person with you. This should be someone who is **not** involved in any aspect of the investigation. As there are a number of people

being interviewed you **must check** your proposed support person's name with Ms Russell **before** approaching them to be your support person. An information sheet on the role of the support person is at **Appendix 1** and this must be given to your support person prior to your interview.

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Employee Assistance Program

Please be advised that the departmental Employee Assistance Program provided by Optum is available to all Queensland Corrective Services employees free of charge. This service is a confidential counselling and support service and is available on telephone 1800 604 640.

Reprisal is a serious matter

Officers of the department have obligations to report suspected corrupt conduct, misconduct and breaches of the Code of Conduct for the Queensland Public Service (Code of Conduct) of which they become aware. Failure to report wrongdoing is a breach of obligations which may result in disciplinary action.

If it is proven that an officer:

- has taken reprisal action against a person because, or in the belief, that the person has made a report about alleged corrupt conduct, misconduct or a breach of the Code of Conduct; or
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the officer may be found liable for disciplinary action for misconduct and a criminal charge of reprisal.

Interview enquiries

If you would like any further information about the interview process please do not hesitate to contact Ms Russell at Rebecca.Russell@ashdale.com.au or by telephone on 1300 782 974.

Yours sincerely

NATALIE HOMAN
A/Executive Director
Ethical Standards Unit

27 / 07 / 2018

Appendix 1

ROLE OF A SUPPORT PERSON

The role of a support person is as the name suggests, to provide support for the person being interviewed. Many people find the interview process stressful. The presence of a third party may help the person feel more comfortable.

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Our Ref	2018-2019/008



PRIVATE AND CONFIDENTIAL

Dear
Workplace investigation
49-Sch4

Interview arrangements

Accordingly you are directed to participate in an interview in relation to this allegation and to provide a full, detailed and honest account of your observations, knowledge or participation in the matters the subject of this allegation. I must caution you that if it is established during the investigation that you have provided untruthful or incomplete evidence despite the direction above, you will expose yourself to the prospect of disciplinary proceedings for breaching this direction.

The interview will be conducted by Ms Rebecca Russell, Senior Investigator, Ashdale at **9.00am** on **Wednesday 1 August 2018**, at the office of the Ethical Standards Unit, Level 23, State Law Building. The interview will be digitally recorded. This provides an accurate record of what has been discussed during the interview and protects all parties from the risk of errors. A copy of the recording will be made available to you if you ask for it.

Support person

You are encouraged to bring a support person with you. This should be someone who is **not** involved in any aspect of the investigation. As there are a number of people being interviewed you **must check** your proposed support person's name with Ms Russell **before** approaching them to be your support person. An information sheet on the role of the support person is at **Appendix 1** and this must be given to your support person prior to your interview.

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Yours sincerely

NATALIE HOMAN

A/Executive Director

Ethical Standards Unit

27 / 07 / 2018

Appendix 1

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