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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE DAVID IPP AO, QC, COMMISSIONER

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AT 10.22AM

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THE COMMISSIONER: Yes, Mr Pike.

MR PIKE: I think there are two issues to be dealt with this morning. There are some further statements that I indicated at the close of play on Wednesday that I wish to tender, which I propose to do first. I understand from speaking to Mr Russell who appears for Mr Wade, that he has some objections to one of the statements which will need to be dealt with. And then I have (not transcribable) on to Commissioner Woodham and Mr Strickland will now give his own (not transcribable) to you.

10

THE COMMISSIONER: I'll note Mr Strickland's comments.

MR STRICKLAND: Thank you. I seek leave to appear for the Commission and the Department of Corrective Services.

MR PIKE: So there are nine further statements, Commissioner that I seek to tender. A list has been provided, I think Commissioner, to you, which hopefully is on the bench.

20 THE COMMISSIONER: Yes.

MR PIKE: So in order they - - -

THE COMMISSIONER: These are intended to be Exhibits commencing from Exhibit 36?

MR PIKE: That's correct.

30 THE COMMISSIONER: Yes. Shall we deal with the one about which there is an objection first?

MR PIKE: As I understand it, it is the first statement, which is a statement of Tracy Mannix, 29 March, 2010. I'm not sure what the objections are but perhaps Mr Russell can - - -

THE COMMISSIONER: Well, can I have the statement so I can - - -

MR PIKE: Yes. I've handed up with that statement, Commissioner.

40 THE COMMISSIONER: All right. Here, Mr Russell.

MR RUSSELL. Yes, thank you, Commissioner. Commissioner, if I can take you to paragraph 26 on page 7.

THE COMMISSIONER: Yes.

MR RUSSELL: This statement, it appears in possession of the Commission for some period of time. None of the information contained in that particular paragraph - - -

THE COMMISSIONER: Paragraph 26.

MR RUSSELL: - - - paragraph 26 was ever put to Mr Wade.

THE COMMISSIONER: No, all right.

10

MR RUSSELL: So I object to it on that basis.

THE COMMISSIONER: Yes.

MR RUSSELL: Paragraph 28 and 29, the objections to both those paragraphs - - -

THE COMMISSIONER: Just, just a moment, please. 28 and 29?

20

MR RUSSELL: Yes, Commissioner.

THE COMMISSIONER: And your objection to that?

MR RUSSELL: Well, the objection is, Commissioner, that these statements were, were served yesterday on my instructors who then passed them onto me. Despite attempts to contact - - -

THE COMMISSIONER: Who is this woman? Who is Tracy Mannix?

30

MR RUSSELL: She is the, she is the acting general manager of the Emu Plains centre but she was the acting - - -

MR PIKE: Paragraph 4 sets that out, Commissioner, that she was previously employed at the manager of security, known as the deputy governor, at John Morony Number 1.

THE COMMISSIONER: Yes. So your objection is to - - -

MR RUSSELL: Paragraph 28 - - -

40

THE COMMISSIONER: And 29, is there any other objection, Mr Russell?

MR RUSSELL: There's, there's no other objection, Commissioner.

THE COMMISSIONER: Can I just deal with 28 and 29.

MR RUSSELL: Yes.

THE COMMISSIONER: I, what I propose is that it be allowed in but nothing in it be used against Mr Wade.

MR RUSSELL: And would you also, Commissioner, be making the same ruling in relation to paragraph 26, bearing in mind that - - -

THE COMMISSIONER: Yes.

MR RUSSELL: Thank you, Commissioner.

10

THE COMMISSIONER: That's what I propose. I need to, I need to hear Mr Pike.

MR PIKE: I don't think I wish to be heard in relation to paragraphs 29 and, 28 and 29, Commissioner, they're not matters that we say were, were told to Mr Wade for example.

THE COMMISSIONER: Yes.

20

MR PIKE: It purely goes to the systems and procedures that were in place. In relation to 26, Mr Wade was questioned in relation to whether he was searched at all and his, his evidence in respect of that was simply that he was never even searched at all or asked to be searched.

THE COMMISSIONER: Yes. But it was never put to him that he refused was - - -

MR PIKE: No, I accept that.

30

THE COMMISSIONER: Yeah, well, I won't allow it against Mr Wade.

MR PIKE: May it please.

THE COMMISSIONER: So my order in relation to the matters to which Mr Russell objects is that paragraphs 26, 28 and 29 stand but nothing in them may be used against Mr Wade.

MR RUSSELL: Thank you, Commissioner.

40

THE COMMISSIONER: Yes. Is there anything else? The statements, the nine statements, well, firstly, the list of nine statements will be Exhibit 36.

### **#EXHIBIT 36 - LIST OF 9 STATEMENTS**

THE COMMISSIONER: The statements listed in Exhibit 36 will be Exhibits 37 to 46 respectively.

**#EXHIBIT 37 - STATEMENT OF TRACEY MANNIX DATED 29  
MARCH 2010**

**#EXHIBIT 38 - STATEMENT OF PETER RUSSELL DATED 24  
FEBRUARY 2010**

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**#EXHIBIT 39 - STATEMENT OF MICHAEL ROBERTS DATED 10  
FEBRUARY 2010**

**#EXHIBIT 40 - STATEMENT OF MARILYN WRIGHT DATED 18  
MARCH 2010**

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**#EXHIBIT 41 - STATEMENT OF MARK PETERU DATED 22  
APRIL 2010**

**#EXHIBIT 42 - STATEMENT OF ROBERT LANG DATED 23  
APRIL 2010**

**#EXHIBIT 43 - STATEMENT DAVID NAPPER DATED 19 MARCH  
2010**

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**#EXHIBIT 44 - STATEMENT OF ROD FERGUSON DATED 23  
FEBRUARY 2010**

**#EXHIBIT 45 - STATEMENT OF DAVID NOLAN DATED 22 APRIL  
2010**

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**#EXHIBIT 46 - EXTRACTS FROM THE KLOK REPORT PUT  
BEFORE THE COMMISSION**

THE COMMISSIONER: The statement of Tracy Mannix is admitted subject to the order I have made in relation to paragraphs 26, 28 and 29. Does that deal with that matter, Mr Pike?

MR PIKE: Yes, it does, Commissioner. The next witness is now Mr Woodham.

THE COMMISSIONER: Commissioner Woodham.

MR PIKE: Commissioner Woodham.

THE COMMISSIONER: Mr Strickland, do you wish me to make a section 38, it may not be - - -

10 MR STRICKLAND: No, Commissioner.

THE COMMISSIONER: - - - apposite but - - -

MR STRICKLAND: It's not apposite.

THE COMMISSIONER: No.

MR STRICKLAND: Thank you.

20 THE COMMISSIONER: Commissioner Woodham, would you, won't you be seated. Would you care to give your evidence under oath or would you like to affirm?

COMMISSIONER WOODHAM: Under oath.

THE COMMISSIONER: Under oath. Would you please swear Commissioner Woodham.

THE COMMISSIONER: Mr Pike.

MR PIKE: Commissioner, would you please tell the Commission your full name?---Ronald George Woodham.

And your business address, please?---Number 6 Lee Street, Sydney.

10

Right. And your current position, please, Commissioner?---Commissioner of Corrective Services.

How long have you been in that position, Commissioner?---Since 2001.

Prior to that were you employed by the Department of Corrective Services as it may have then been known?---Yeah, for 43 years.

20

Okay. I just want to ask you some general questions, Commissioner, in relation to the number of correctional facilities there currently are in New South Wales. How many correctional facilities are there?---31.

All right. Those correctional centres have different classifications, maximum, medium and low. Is that correct?---That's correct.

Approximately how many inmates are housed in those 31 correctional centres?---Today around 10,400.

30

And how many prison officers are there that are employed?---About 3,500 or 600.

I just need a rough number, Mr Commissioner?---Right.

All right. I just want to ask you some questions, Commissioner, firstly about the use of mobile phones in prisons?---Yes.

40

Are you aware of the evidence that has been given at this inquiry in relation to the use that has been found by this Commission of mobile phones at John Morony?---Yes.

And there were approximately over a three period about 1,023 calls used by 17 different inmates and about 48% of those calls related to criminal activity. Do you recall those figures?---Yes.

Does that surprise you, Commissioner?---Not really, when they can have access to a phone. Recently a prisoner at Lithgow made far many more calls then that and on a mobile phone that was smuggled into Lithgow gaol. And so that, it's alarming, but it doesn't surprise me.

Does it surprise you that the existence in use of the phone was not picked up at John Morony across that three month period?---Yes.

And what are the systems that are in place at the moment, as you understand is, regarding firstly preventing the bringing in (not transcribable)?---Well, currently we have, we're trialling two sniffer dogs that can sniff and detect mobile phones.

10 Right?---And to date they have been successful, however, they're not used on people. They're used on locations because nearly everyone carries their mobile phone, like if I went through a gaol, I carry my mobile phone in my pocket.

Yes?---But I don't carry it into the gaol, but a dog could still detect that the, the scent on me, so we don't use them on individuals.

Right?---And there's - - -

20 THE COMMISSIONER: Can a dog detect the scent of a mobile phone?---I beg your pardon?

Can a dog - - -?---Can sniff a mobile phone.

Can sniff?---Yeah. They've been quite successful in, in inmate cells.

MR PIKE: Yes?---And common rooms, where they hide these things.

30 Okay. So the dog, the dog passes through locations for the purpose of trying to pick up phones rather than it being, where a spot pass of a person? ---Yeah.

THE COMMISSIONER: Commissioner, there's something I don't understand. I assume, Commissioner, I assume mobile phones all contain some element of, of metal in them?---Yes.

I mean I may be wrong, but - - -?---Yeah.

40 - - - that's my understanding. And don't all entrants into a prison have to pass through a metal scanner?---Yes.

How can they, how does that, how do people manage to get these phones past the scanner?---It can, scanner's can detect some mobile phones, not all. Some have got too many plastic, too much plastic in them.

So does the plastic mask the metal?---Yes, to a degree. And the, you can adjust the metal detector to come down to whatever level you want. Like, you can adjust some of our metal detectors down to the degree that would



pick up the fillings in your teeth. But that would pull everyone up and to search everybody, so a lot of it revolves around the operator and the effectiveness of the gatekeeper.

And I assume a lot of it revolves around the effectiveness of the actual physical search?---That's exactly right. And we've placed a number of x-ray machines which identify mass.

10 Yes?---And which would most definitely throw up an image of a phone in, in most of our maximum security gaols.

So do I understand you then to be saying that measures have been taken to make the scanning of phones more effective than they have been up 'til now?---Yes, they have.

MR PIKE: As I understand the position, Commissioner, and correct me if I'm wrong at some maximum security facilities there is x-ray equipment which is connected to a conveyor belt and items pass through the x-ray equipment. Is that correct?---Yeah, we have, that's true and we do that, like  
20 at John Morony now we've ordered three new metal detectors and three x-ray machines and one will be in the gate for laundry and food coming through because the x-ray machine we've had at Goulburn has detected a mobile phone coming in from the cook, from the kitchen to, to the main gaol and so we need one for the staff, we need one for anyone entering the prison, we need one for the items that come through the gate, the vehicle gate.

Yes?---And we need one in the reception room 'cause property is brought in on the escort vans so it's inside the gaol to scan the property before it's  
30 received and issued back to the prisoners at the receiving gaol.

But that x-ray machine is in respect of property as opposed to persons if I can use that distinction?---Sorry?

The x-ray machine is used in respect of property rather than physical people?---Yeah, yeah, yeah, but the gate one should be for people.

Okay. So you can have x-rays machines for individuals to pass through which identify if they're carrying for example a mobile - - -?---Yeah, well,  
40 there's a walkthrough metal detector and then if there's a signal from that there should be a handheld metal detector run over the person and their property should go through the x-ray machine, anything taken out of their pockets or in their bags.

Yes. So the effectiveness of an x-ray machine coupled with a metal detector is that the person is required to empty their pockets and that material passes through the x-ray machine?---That's correct, that's correct.

And then the person walks through the metal detector and if there are any items that's then - - -?---We have an (not transcribable) secure gaol at Goulburn where the Supermax gaol is we have what's called a portable metal detector and we're looking at introducing that type of metal detector in all our maximum security gaols because the machine does the detection not the officer.

10 Yes?---So you walk in one door that closes behind you, if you've got, it scans you and if you've got any metal at all the only door that opens is the one you came in, you cannot go on inside.

Right?---It takes you back out.

THE COMMISSIONER: Are these very expensive?---Very expensive.

And is there a problem in getting funding for them?---Well, there's always a problem in funding but you can't - at the end of the day, Commissioner, security can't be compromised by - - -

20 I understand that. I'm just trying to understand - - -?---There is a problem.

I understand whether you are content with the resources you've been provided to enable this kind of security to be provided?---Yeah, we do have some issues with that, with the budget but we just have to find the money.

And the security measures which you have described other than the ones in force at Goulburn how long have they been in force?---Many years.

30 Many years?---Yeah, many years.

40 All right. I mean the question that you'll appreciate immediately arises is how does Mr Wade bring in the stuff he brought in with such apparent ease and confidence?---Well, I'm not surprised when I assess that John Klok report that he could do what he, what he did. I've been concerned for some time that the shine had come off the ball so to speak with security right across the board with prisoners escaping that should not escape, some of the escape equipment we've found inside the correctional centres is some of the best made ladders and things like that just shouldn't be made, shouldn't be, should be detected and which cause me to discuss with my minister about bringing a very professional person in to review security in a number of gaols and I think at about 15 correctional centres Mr Klok has compiled reports on. We deliberately waited for John Morony knowing full well that Mr Wade might be intercepted.

All right. I mean, the question that you'll appreciate immediately arises is how does Mr Wade bring in the stuff he brought in with such apparent ease and confidence?---Well, I'm not surprised when I assessed the John Klok Report that he could do what he, what he did. I've been concerned for some

time that the shine had come off the ball so to speak with security right across the board with prisoners escaping that shouldn't have escaped, some of the escape equipment we found inside the correctional centres is some of the best made ladders and things like that, just shouldn't be made, shouldn't be, should be detected and, which caused me to discuss with my Minister about bringing a, a very professional person in to review security in a number of gaols and I think at about correctional centres that Mr Klok has compiled reports on. We deliberately waited for John Morony knowing full well that Mr Wade might be intercepted.

10

But, I mean, is it, there is an obvious concern that arises from Mr Wade's evidence, leaving aside the scanning equipment that there is and that concern is the fact that he said he came in with a see-through bag with all this contraband material in it - - -?---Yes.

- - - and he was never searched?---Yeah. Well, it's a total breakdown from - - -

20

I beg your pardon?--- - - - of procedure. That's a total breakdown of procedures of the officers in the gate.

Yes, but - - -?---And, and also, I might say, the security manager, who is the second highest ranking officer in the institution, should make sure that doesn't happen.

And he, he, I mean he knew that if he was caught he would be in serious trouble?---Yes.

30

But he nevertheless had the confidence to come in on three admitted occasions and he said that he, he really wasn't, I mean, my impression of his evidence is that he wasn't nervous about coming in because he said that people just never searched?---Yeah.

You just came in and you had your bag and you were never, never searched?---Mmm.

Now, for a layman and for a member of the public that is a alarming?---Of course it is, yes.

40

And I suppose the inquiry is is what can there be done to stop this happening?---Well, the John Klok reviews have thrown up a whole range of issues where security is not adequate. Deputy Commission Ian McLean is driving every recommendation right across the state, wherever Mr Klok's been, including John Morony, and he was at John Morony last week. So I've got a deputy commissioner, every week gets a report from the manager of all those correctional centres on the progress they're making on the Klok Reports.

And can you explain what - - -?---Then that's got to - - -

Sorry, I beg your pardon, I don't know what the Klok Reports are?---Oh.

MR PIKE: Can I assist, Commissioner?

THE COMMISSIONER: Yes.

10 MR PIKE: I have, we have a copy of it so I can take - - -

THE COMMISSIONER: Very well.

MR PIKE: - - - Commissioner Woodham to it if you want to, for now.

THE COMMISSIONER: Yes. Well, I don't want to go into anything that's confidential.

MR PIKE: No.

20 THE COMMISSIONER: But I, I know that ICAC itself has got some suggestions and I know, and you will be in due course - - -

MR PIKE: Yes.

THE COMMISSIONER: - - - asking the Commissioner about those.

MR PIKE: I am content to deal with the Klok Report now if, if that's convenient for both Commissioners.

30 THE COMMISSIONER: Well, what suits you, Mr Pike. I think you might do it as you wish.

MR PIKE: If you look at the screen in front of you, do you have a copy of the Klok Report with you, Commissioner?---Yes, I do.

40 But I think for the benefit of everybody else if you look at the screen, Commissioner, so as I understand the evidence that you've already given, Commissioner Woodham, at some stage in consultation with the relevant Minister you arranged to engage Mr Klok to conduct a review of a number of correctional facilities in New South Wales. Is that correct?---Yes, that's correct.

When was, when was the relevant discussion with the Minister, as best as you can recall, Commissioner?---Oh, it was with Minister Robertson so that was in the, well, the later half of last year.

And was the reason for you doing that, as you put it earlier, because you thought the shine had gone off the ball in relation to security at a number of centres?---Yes.

And one of those was the John Morony Correctional Centre?---Yes.

Was there any particular reason as to why you thought in relation to John Morony that things needed to be done?---Yeah, because I, I wasn't happy with, with what I was told and that the metal detectors particularly weren't  
10 working well. Drugs are bad enough getting into a gaol, but a firearm can be catastrophic.

THE COMMISSIONER: I beg your pardon?---I beg your pardon?

I'm sorry, I didn't hear what you said?---That a firearm, if a firearm - - -

A firearm would be catastrophic?---Yeah, it would be catastrophic and of course firearms have been conveyed into prisons in the past and that, I think your question was just about John Morony, wasn't it?  
20

MR PIKE: Yes, it was?---Yeah. I was concerned with John Morony as, as much as a lot of other prisons that the gate procedures weren't right, that, that, some of the security patrols weren't done inside the gaol. We want to put, as you can see in one of the recommendations here what's called For Guard.

Yes?---The For Guard system is in some of our correctional centres, it should be in them all, so what it does is you've got a wall on that you attach a microchip at certain positions around the gaol which ensures the officers  
30 patrol the gaol when they should be, you put them around the wings and by doing that you run the chance, and it has happened before, where you hear people using mobile phones.

Yes?---And, and then the management can come in the next day and download that information and make sure that they did conduct the patrols. Those sort of things are needed to be put on line in places like John Morony.

Just on that last bit of evidence that you gave, is it, is a crude analogy to the, to what you were talking about, that that is an electronic system similar to  
40 the security guards when they go and do checks leaving their card to show that they have in fact checked a particular area?---Yeah, but it's more, you get a print-out, print-out - - -

Yes?--- - - - so you can actually refer to it the next day.

All right. Well, if we just go to the Executive Summary of the Klok Report, please, Commissioner Woodham, I just want to direct your attention if I could please to the second paragraph, "The review assessment process was

reliant on each of the key issues as required by the Commissioner.” Sorry, do you have the, I think it’s page 1, it’s headed page 1 at the bottom and it’s about five pages into the document. Do you have that, Commissioner?  
---Yeah, Executive Summary.

So could I direct your attention to the second paragraph, “The review assessment process was reliant on each of the key issues as required by the Commissioner,” and there are a number of bullet points - - -?---Yes.

10    - - - that are set out below. So they are the bullet points or the matters that you asked Mr Klok to assess John Morony in relation to?---Yeah, and the other correctional centres.

That was the - - -?---John Morony, yes.

Okay. So this is a system-wide checklist as it were?---Yes.

20    Okay. Right, can I then direct your attention, on the next page you’ll see, Commissioner, there are a number of recommendations. I don’t want to go to those at the moment, I’d ask if you could please to go across to page 8 at the bottom of the document and you’ll see that there’s a heading about two-thirds of the way down the page, Staff Entry and Exit?---Yes.

Do you see that? This is the section of the report, is it not, that deals with what Mr Klok found on his review relating to staff entry and exit?---That’s correct.

30    I just want to direct your attention to a couple of the matters. So go over the page to where the word Issues appears as a heading. Can you see that, Commissioner?---Yes.

I just want to direct your attention to the first paragraph, staff lockers exist beyond the screening point at the downstairs gate area and also above the gatehouse. Do you see that?---Yes.

And as I understand it, the issue that is being identified there is that after staff go through the metal detector screening point, there are staff lockers beyond that point in which they put certain items. Correct?---That’s right.

40    And the criticism that Mr Klok is making is it not, that those lockers should be on the other side of the screening point. Correct?---Yes.

So that when the officer goes through the screening point they’ve really got nothing of a personal or other nature on them. Is that correct?---That’s correct.

All they’d need to have on them is that which is required for work. Correct?---That’s correct.

So they should be properly dressed, have whatever equipment they need and then they go through the detector?---Yes.

Right. And you'd agree that, that having the staff locker on the other side so that the staff are taking items in and then putting it in their locker is not a very good system?---No, not, no.

All right. And so it should be changed. Correct?---Yes.

10

And do you understand this problem, this problem of staff lockers existing beyond the screening point, existing in any other correctional facilities in New South Wales?---I can recall it coming up in an ICAC inquiry.

Yes?---Either, I think it might've been the, the Hughes inquiry. I'm not sure, but it definitely came up in one of the other inquiries. And it has happened in some of the other, the other gaols and they've been moved (not transcribable) and the metal detector is not in front of it. Yeah.

20

And so the basic philosophy is that beyond the screening point is a secure area where you're not meant to be taking any personal items, et cetera? ---Yes. To me that's a common sense security thing that shouldn't need doing (not transcribable)

Okay.

30

THE COMMISSIONER: But the question does arise, is why is it, why is it being allowed to happen until now?---Well, I can't explain that, Commissioner. It's got to be a breakdown of, of the, the real person in charge of security at John Morony is an executive officer, second in charge of the gaol with the title, manager of security. The Deputy Governor General of security should check those things and, and ensure that they're corrected.

40

And I hope you don't mind me asking you, but I think that it would be helpful to have an assurance that this system will be put into application in all prisons throughout the state?---Ian McLean is viewing every correctional centre in line with the Klok recommendations, because they vary from gaol to gaol to make sure that there is a consistent process for security screening and scanning and observation in all our correctional centres.

But how long do you think it would take for all this to be accomplished, just the lockers et cetera being outside - - -?---Oh, the lockers are a thing that could be done in, in a couple of days.

So it shouldn't, all right, thank you.

MR PIKE: Then we can just go down to the next paragraph. There is no electronic surveillance of the screening point area to give management confidence that staff searching particularly on watches is being enforced. Do you see that?---That's correct. Yes.

And so what one needs is some CCTV system of the search area which then would feed back into the manager's office. Correct?---Yes. And I've called the security managers together.

10 Yes?---And by the way they're coming down in another couple of weeks and, to make sure they don't, that they actually physically go there.

Yes?---And implement that.

THE COMMISSIONER: Is it possible for the CCTV to be recorded and kept?---Yeah, it could be recorded.

And kept so that management can have a look to see whether the searches, do random searches to see whether the searches themselves are being properly carried out?---Yes, sir.

20 They both could be done?---That could be done and further to that in (not transcribable) Queensland, they can bring all their cameras back to one spot at their head office. And we're looking if we can have that capability on key cameras. You wouldn't want, some of these gaols have got 200 cameras in them.

Yes?---But the key cameras could come back to one spot and they could be monitored remotely by somebody that has not connection to that gaol.

30 Yes.

MR PIKE: And that's currently being explored is it?---That's being explored.

THE COMMISSIONER: So perhaps we could be confident but need to be reasonable, within six months this should be in place?---Yes.

40 MR PIKE: This dealing though with what I'll call local monitoring which is having a feed all over monitoring - - ?---They should be done as well.

Okay. So you don't have a difficulty with there being some CCTV system put in at John Morony, which then feeds back into the governor or the deputy governor's office or whatever it may be?---Mmm.

And there's not likely to be any budgetary issues in that regard is there, Commissioner?---No.



All right. Then we go to the next point. The walk through metal detector has been moved out of its original partitioning surroundings. Staff and authorised visitors can now bypass the screening of their personal items. Firstly, you agree that that's not a good practice?---A terrible practice.

All right. And it can easily be fixed?---In more than gaol, the actual metal detector has been moved not to in a corrupt sense - - -

10 Yes?---for convenience, where people can walk around it. And even in one of our newer gaols, it wasn't enclosed properly.

Yes?---And Mr McLean had to recently put (not transcribable) glass into the metal detector at (not transcribable) to make sure that, the metal was, the actual metal detector is only about that wide.

20 Yes?---If you've got nothing, no barriers around the outside of it, you can, if the officers aren't really observant, someone could hand something to somebody, go through the metal detector and it not alarm and have it handed to them.

Yes?---And so there is a real major security issue and that's, Mr McLean's fixing that right across the state now.

And would be particularly so where there are a number of people as it were, queuing at the metal detector at any particular time?---Yeah.

Which often happens at the start of shift, for example?---Yes.

30 Right. But just in relation to moving or putting the metal detector back in its right place at John Morony, if it hasn't already been done it will be done. Is that correct?---Yes. The new going in will be totally done properly.

Thank you. Now the next point, reaction from the handheld screening process is not checked effectively, ie, metal buckles, metal shirt pocket buttons are not checked further?---Yeah.

Do you see that?---Yes.

40 That's largely a personnel issue if I can use that expression. Is that correct? ---No. It's a major security issue.

Yes, I agree with that. But it's because the person who was in doing the handheld security screening is not doing their job properly?---See, when I go to Goulburn I've got to take my belt off and my shoes off and everything.

Yes?---I get done properly. But the, the, some of the, some of the women are wearing buckles that big and if the person with the handheld metal

detector just runs it over and says, oh, it's a buckle, it's okay. That's what it is. Without taking the belt off you don't know what's behind the buckle.

Yes?---And I can tell you now there's firearms that big.

10 Yes?---And they've got more than one bullet in them. And that's what Mr Klok was concerned about. He came to me and talked to me about it and I passed it on to Ian McLean, the Deputy Commissioner monitoring all this now and to make sure that, that the staff get them to take the belt buckles off to make sure that they search behind them.

Is that throughout the state?---Yes.

So is the effect of your evidence that there now is a standard procedure that requires belt buckles to be removed, sorry, belts to be removed?---Sorry?

20 Is it your evidence, Commissioner that there now is a standard procedure across all correctional facilities that all belts are to be - - ?---Yeah. (not transcribable) are doing it just yet, I don't know, but that's what Mr McLean has told he's doing.

THE COMMISSIONER: All right. So by, within six months that should be standard practice throughout the state?---No, within a month.

Within a month. Right.

30 MR PIKE: All right. Can we move further down, the next point. The review did not witness any personal effect or clear plastic bags being scrutinised by gate staff. Do you see that?---Yes.

That's consistent is it not with the evidence that Mr Wade has given in relation to his personal situation that he was never searched. Correct?---I'm just looking for the plastic bag - - -

Sorry, it's the next paragraph down, Mr, Commissioner Woodham. The review did not witness any personal effects or clear plastic bags. Oh, five paragraphs down from the heading Issues on page 1, Commissioner?---Oh, yes, I'm with you.

40 And what I want to put to you again is that what is there written is consistent with the evidence that Mr Wade has given to this Commission that he was never searched as he went in. Correct?---Yes.

And the plastic bags that he had over his shoulder even though they were clear no one ever looked in them?---No.

THE COMMISSIONER: They were clear with stuff in them and no one looked at the stuff?---That's correct. They should do, can do. Firstly, the clear plastic bags were a good idea.

MR PIKE: Yes?---And that was a result of an ICAC inquiry and - - -

It's no good unless anyone, someone looks in them. Correct?---No, you should have a look in them as well and see what, what is in, in, in beside the bag.

10

THE COMMISSIONER: There actually should be some, I assume that there should be a table or something on which people are required to take out whatever's in the bag so for an officer to go through and open - - -? ---Yeah.

I mean Wade brought in canisters in which there were drugs so - - -

MR PIKE: Were they metal?---No, they were plastic.

20 THE COMMISSIONER: But they were in the plastic bag?---Yeah, yeah.

MR PIKE: (not transcribable) in his pocket?

THE COMMISSIONER: One would have to have a system where - I mean the guards would have to take out what's in the bag and unscrew these containers and look inside them?---Yeah, yeah.

So I assume that that's going to be changed and - - -?---Oh yes.

30 I mean that could also happen in a couple of days?---Of course it can, yeah.

MR PIKE: Commissioner, just correct me if I'm wrong but if you move the lockers that we've discussed previously to outside the screening point there should be no need should there for anything to be brought in by the correctional officer?---You know, in this case I think there was vodka in the water bottle wasn't there?

Yes?---Well, you know, - - -

40 THE COMMISSIONER: It's very strange - sorry, I beg your pardon.

MR PIKE: You go on?---I was just going to say that sorry state of affairs got to tell an officer they can't bring a bottle of water to work but I mean - - -

THE COMMISSIONER: But why would a bottle, why would you want to bring a bottle of water into the prison?---Yeah.

There must be water in the prison?---But anyway we've, we've got to stop that as well.

MR PIKE: Can I just ask - - -

THE COMMISSIONER: Because the water being brought in is actually very often vodka isn't it?---Yeah, well, in this case it was wasn't it?

10 It seems to be standard practice. You'd get a Mount Franklin or some other container and you put vodka in and you walk in and everyone thinks that's fine?---Yeah, 'cause it's clear.

Because it's clear?---Yeah.

MR PIKE: Commissioner, what - - -

THE COMMISSIONER: So I mean it could be really easy to have a rule that no water should be brought in?---That's, that's what's going to happen.

20 Right. Thank you?---We're meeting with the union, we're meeting with the unions next week for two days and all this was going to be put to them. By the way I, I did meet with the union, the POVB Union some weeks ago for two days and the Wade matter came up.

MR PIKE: Yes?---And they've got no, they've got no objection to my knowledge of tightening security up at the gate, likewise they've got no respect for anyone like Wade or by what he did.

30 THE COMMISSIONER: Mr Pike, you are later going to ask the Commissioner are you about the qualifications of the people doing the searches at the gate?

MR PIKE: Yes. We can do that now.

THE COMMISSIONER: Yes.

40 MR PIKE: You're aware are you not, Commissioner, that one of the other aspects of Mr Wade's evidence was that the same people seemed to be on the same gate for the same shift everyday?---Yeah.

And indeed that certainly the senior position there was a coveted position and I think Mr Wade agreed that semi-retirement wasn't a bad analogy in respect of what that person was doing?

THE COMMISSIONER: That's what all the person did, had no other duties except stay, to be in charge of searching at the gate?---Yes.

And yet he never did any searching. So I mean semi-retirement was not an exaggeration?---Well, I'm sure some - - -

And he said, he said it - - -?---Some gatekeepers wouldn't agree with that.

He said it was a coveted position for officers to get into the search position, it was because there was very little work, it wasn't dangerous and you just had to sit there and do nothing all day?---Well, - - -

- 10 You know, it is, it is, I mean I'm sure you'll, I know you do accept that the general public - this is quite distressing and it's something that really needs to be remedied?---Yes.

MR PIKE: I mean obviously the people who are manning the gate need to perform their duties. You obviously agree with that proposition?---If they perform their duties they'd be quite busy.

And they should be performing their duties?---They should be.

- 20 THE COMMISSIONER: And do you accept that they should be, that there should be some form of rotation so that the same people do not man the gates all the time?---Yeah. Well, I do and just at John Morony the current gatekeeper's been there for two and a half years and the one before him three years and the one before him two years. So in the last seven and a half years there's been three different gatekeepers.

- But why? I mean this raises a question of principle I suppose. Should there be a gatekeeper who is there everyday and in charge everyday or leaving aside a gatekeeper the officers who assist the gatekeeper should they be the  
30 same people - - -?---No. And at John Morony they aren't - - -

They're not?---No. And, and I'm told that the assistant gatekeeper rotates with the person in charge of the control room and they rotate very two to three hours. So they're different people and they would be the people really probably that the gatekeeper could, should be telling to use the handheld metal detector - - -

- What is the size of the pool of people working at the gate?---Well, that  
40 varies on correctional centre to correctional centre.

Well, let's take John Morony?---John Morony there'd be at least two.

A pool. I mean - - -?---The pool?

Yes?---Well, could be anyone on the roster could rotate through there.

MR PIKE: Can I ask this question? Does the position of gatekeeper require special training?---Sorry?

Does the position of gatekeeper or assistant gatekeeper require any special training as far as you're aware?---Yeah, well, everyone gets trained in the duties of a gatekeeper in their, in their, in their initial training.

10 Now, any correctional officer would be or is trained in relation to the activities of a gatekeeper?---The person in charge would be a senior correctional officer which would have some, quite some experience and so any senior prison officer at John Morony in my opinion could manage the gate.

THE COMMISSIONER: It doesn't seem a very difficult class?---No.

20 According to the evidence of Mr Wade - you may say that it's not accurate - he said that the same - if I could summarise, this is not his exact words but this is my understanding of his evidence put in my words. That the pool of people, of guards, of officers at the gate was small and the same people - and there were I think three shifts a day at the gate but the same people were on these shifts, not necessarily the same people on the first shift and the second shift and the third shift - - -?---No, no.

- - - but the same people were on the three shifts and so that they would, the other guards would always know that the person on the gate would be one of say six people. Is that right?---No.

30 No?---It isn't correct because on the afternoon shift and the night shift officers normally only do nine, nine, five shifts in a row on both those watches, both those shifts and they rotate from the central roster unit and everyone should go through, that rank should go through those positions.

And would it be possible to just to take measures to ensure that that occurs and - - -?---Yes.

Yes?---We now roster centrally - - -

40 MR PIKE: Yes?--- - - - which is one of the reform packages we were involved in last year and those, that rotation process is something we talk with the unions about next week, that rotation process is operable now anyhow - - -

Yes?--- - - - but it could be done better and these key, key points.

And do you expect to get any union opposition to the rotation?---No, I don't expect to have union opposition to that at all because they don't want another Wade.

Right. Now, if we can go back to the Klok Report, it's a couple more of the matters that I just want to direct your attention to, Commissioner, so if we go back to page 9 of the Klok Report.

THE COMMISSIONER: Sorry, can I just, Commissioner, we usually adjourn for 15 minutes, you're the last person to give evidence in this inquiry, we usually adjourn at about now, we can also go on and make sure that we finish before lunch?---Yeah, that would (not transcribable).

10 Can you tell me what you would prefer?---I'd rather go on.

Yes, very well.

MR PIKE: Thank you, Commissioner.

20 So can we go back to page 9, please, Commissioner, and I think I was asking you some questions about, that Mr Klok did not witness any personal effects or clear plastic bags being scrutinised. I just want to ask you in relation to the next matter that there's no biometric system processing staff and authorised visitors. Can you explain what a biometric system is please, Commissioner?---Yeah, we have mainly in, firstly, John Morony is a medium security correctional centre.

Yes?---In our maximum security correctional centres there's, biometric systems is an iris scan that identifies people by their eye.

Yes?---And there's a biometric system with thumbprint and it's mainly used on the visitors - - -

30 Yes?--- - - - but in our discussions with the, my discussions with the unions recently we brought up how important it is for staff to use biometric systems, particularly in secured institutions. If something goes wrong, a major emergency, the first thing the commander wants to know of that response is who's in the gaol, who's out of the gaol and, and have a record of it.

So that, that enables an accurate record to be kept of who is in the gaol at any particular time?---Yeah.

40 Right, okay?---But it also tells you what time they - - -

Yes?--- - - - they entered it and left.

But is it particularly relevant to stamping out the smuggling of contraband? ---Yes.

In what respect?---Well, someone reading the print-out from the biometric could question if someone like Wade came to work - - -

Yes?--- - - - just to say, make sure that no sniffer dogs were there or no searching was really going on, actually start work and then return to his vehicle or somewhere and pick something up and bring it back in.

Right. Okay. Now, and what is, as you understand it, what is to be done in relation to putting a biometric system in at John Morony?---There's one going in. They are expensive - - -

10 Yes?--- - - - and we are a bit under budget - - -

Yes?--- - - - to cover the works so we're going to ask the Minister if he'll sign of the capital works money over to the minor works - - -

Yes?--- - - - so we can get it done.

All right.

20 THE COMMISSIONER: May I say that you'll certainly have ICAC's support in this.

MR PIKE: Can we then go, I want to skip over the next one about a photographic register of approved contractors and just deal with the next one. "There's no x-ray machine to screen staff and authorised visitors' bags and personal effects." As I understand it, from what you have said, there will be shortly?---Yes.

30 "The gatehouse configuration is not conducive to effective staff screening and does not have modern screening technology installed." As I understand from what you've said earlier, the screening technology will, modern screening technology will be installed?---Yes.

And the next point, "The review questions the predictability of staff searches. There are inconsistencies in the recording of random staff searching and no recorded evidence exists to indicate that nightshift staff or any person exiting the centre has been screened or searched. There is no evidence to suggest that targeted staff searches have occurred at JMCC in previous years." Do you see that?---Yes.

40 So that the issue that is raised there is that of record-keeping?---Is that, sorry?

Is that of record-keeping, do you see that?---Yeah, and it's also, it's also a, yeah, it should happen.

Yes?---Yeah, and it's record-keeping but also I can remember some instances at Long Bay and other places where staff were pilfering, I'm talking, by the way, I'm talking about a very small number of staff.



Yes?---The majority of our staff are good, honest, hard-working people.

Yes?---But they were pilfering items from inside the gaol so some of the searches should be done on people leaving the gaol and on one occasion I can recall years ago where if officers wanted to trade drugs between one another, one of the safest places would be inside a gaol and, and the, at that time we, we started to look at people leaving the gaol as well but that was many years ago.

10

So is it, in your view is this a problem with the existing procedures or ensuring that those existing procedures are in fact followed?---Well, in most, in most gaols people cease duty in dribs and drabs as well, not like when they start work, you can line people up before they go on parade to receive their keys and to commence duty, and a lot of places when people are on nightshift or afternoon shift, as they're relieved they leave the gaol.

Yes?---But there should be a process of random searching bags and, and staff leaving work not only coming to work.

20

Right. And there'd be no difficulty doing that, would there, Commissioner?  
---Correct.

All right. Now, you're aware, are you not, that, that Mr Klok makes a number of recommendations which are set out at the start of his report?  
---Yes.

And they, they run, so if you just go to page numbered 2 at the bottom of the report?---Yes.

30

And you'll see that they run to some four pages?---Yes.

And there's, I think there's 29 in number but a number of those have sub-recommendations, do you see that?---Yes.

And is it, is it your intent to implement each of these recommendations?  
---Every one.

Right, as soon as can possibly be done?---Yes.

40

All right. And if I can just direct your attention, do you agree that, that on page 3, number 8 and then the following appear to be the recommendations that are specifically related to staff entry and exit that deal with the problems that I've taken you to a little while ago?---Yes, correct.

Commissioner, I think I should perhaps tender the Klok Review.

THE COMMISSIONER: Yes. Well, we don't need the whole report I assume. Is there any objection, Mr Strickland?

MR STRICKLAND: There's no objection but if the report is to be tendered I'd ask there to be a non-publication order because there are a couple of sensitive (not transcribable) in that.

THE COMMISSIONER: No, no, I understand that.

10 MR STRICKLAND: I don't object.

THE COMMISSIONER: What about only tendering those parts of the Klok report about which Mr Pike has examined the Commissioner?

MR STRICKLAND: I have no problem with that.

THE COMMISSIONER: Well, I think that's what we should do. Can we say, Exhibit 37 will be a bundle of extracts of the Klok Report about which Mr Pike, counsel assisting, has examined the Commissioner.  
20

MR PIKE: Yes, I think it's mean to be 47, it might be 47.

THE COMMISSIONER: Sorry, 44, exhibit, that will be Exhibit 44.

MR STRICKLAND: I have just received instructions, we have no problem with it being tendered, but my instructions are to ask that there be a non-publication of it in relation to that.

THE COMMISSIONER: Even the extracts?  
30

MR STRICKLAND: Even the extracts.

THE COMMISSIONER: Why is that?

MR STRICKLAND: Well, it does, it contains information about the (not transcribable) the current deficiencies of correctional centre.

THE COMMISSIONER: I think that's important for the public to know about that. Why is that not something that should be, well, that's the whole point of ICAC, why is that, why - - -  
40

MR STRICKLAND: It's important for you as the Commissioner to know the details of that, but not for the public to, to know the details of whether a particular current system is failing or not. It is sensitive material. I understand, I have no problem - - -

THE COMMISSIONER: The Commissioner has said all of this is about to be fixed up within a month.

MR STRICKLAND: That's the problem, within a month.

THE COMMISSIONER: What's the problem?

MR STRICKLAND: Well, it's not going to, it's a current issue as of today.

THE COMMISSIONER: My understanding from Wade's evidence is this is public knowledge in the prison.

10

MR STRICKLAND: Well, it may not be, it's a question of how (not transcribable) define public, Mr Commissioner.

THE COMMISSIONER: I'm not prepared to make that order.

MR STRICKLAND: As you please.

THE COMMISSIONER: So Exhibit 44 will be a - - -

20 MR PIKE: I think we're actually up to 47, Commissioner. I don't want to be difficult about it, I'm just trying not to get the incorrect. I thought this morning the nine statements that I - - -

THE COMMISSIONER: Look, I'm lost, I'm lost with the numbers. I'm sure you know better than me.

MR PIKE: We're up to - - -

THE COMMISSIONER: 47?

30 MR PIKE: Yes. The nine statements were 37 to 46.

THE COMMISSIONER: Yes.

MR PIKE: So, I think we're 45. 36 to 44 were the statements from this morning.

THE COMMISSIONER: All right. Exhibit 45 will be the extract from the Klok Report which extracts from the Klok Report which have been put to the Commissioner.

40

MR PIKE: Yes.

THE COMMISSIONER: Nothing else?

MR PIKE: Yes.

THE COMMISSIONER: Right. Now - - -

MR PIKE: Do you wish me to identify those now or - - -

THE COMMISSIONER: No, I don't think it's necessary because that, the transcript will show that.

MR PIKE: Correct. Thank you. Can I just very briefly Commissioner Woodham, take you back to the issue of mobile phones. Do you agree that we dealt with the issue of what can be done to prevent mobile phones being brought into the prison, into a prison. There's then the issue that if they do  
10 get in, can anything be done to stop their use in the prison. And you're aware are you not that from prior ICAC investigations and the like there is, there is the potential for a technological solution?---Yes.

And that involves what they call mobile jamming technology or something to the like affect. Is that correct?---Yes.

And I think those issues are currently being actively pursued aren't they by your department in relation to getting regulatory approval to do trials and the like. Is that correct?---That's correct.  
20

And do you understand, is there a trial that is either underway or will be underway at Lithgow? What's the position in relation to that?---Well, hopefully it will be (not transcribable) so an exemption from (not transcribable)

And that's even in relation to Lithgow, Commissioner Woodham?---Yeah, that's correct.

All right?---But that's been on the agenda for seven or eight years.  
30

Yes?---The Commissioners of Corrective Service have a conference every year and they set the agenda for the Ministers. And many years ago I brought this issue up and it resulted from a prisoner that was charged for threatening to kill, conspiring to kill a witness against him.

Yes?---From inside the prison. And ever since then I think it's been on the agenda of the Commissioner's yearly conference from Australia and New Zealand and, and on the Minister's conferences. Now New Zealand have implemented phone jamming quite effectively.  
40

Right?---So the technology is there and it can't be done.

The technology is there and it can be done, yes?---It can be done. So no one can say it can't be done. And it works quite effectively there.

Yes?---So, we believe we're quite close to getting an exemption for a trial at Lithgow. Lithgow's been picked because there's no one living close to it and the company (not transcribable) are concerned about spillage going over

the sides of the wall and going out on the road and into the community being jammed as well.

Right?---But we believe the technology, we know the technology is available to stop that.

From your observation have there ever, has there been any particular reason for the delays that have occurred?---My answer could have political ramifications.

10

THE COMMISSIONER: What is it? Is it a matter of resources?---No.

No.

MR PIKE: Is it a matter of getting regulatory approval from, well, a Commonwealth Government department?---Well, some of the companies, the telephone companies are now more onside with this trial.

20

Right?---At first they didn't want to have anything to do with it.

Right. Is it your expectation that mobile phone jamming in relation to Australian prisons will happen it's just a question of when?---Yes.

And do you have any idea as to when it's likely to happen?---No. We believe it will be this year.

That's in terms of the trial at Lithgow?---(not transcribable)

30

THE COMMISSIONER: Is there anything, is there anything that a body such as yourself or ICAC can do to expedite that?---A recommendation would be great.

All right. We will make that recommendation. We will make that recommendation in our report?---Yes. Because none of the officers being investigated by the ICAC have been involved in mobile phones.

MR PIKE: Yes?---And you know, it was, I was absolutely astonished when mobile phones got taken in the super max.

40

Yes?---Of all places. And we knew straight away it had to be an officer, because no property goes in. You can't throw anything over the wall. No visitor can bring anything in.

Yes?---So it had to be an officer, which led us fairly quickly to, and particularly with ICAC's assistance of narrowing down who it was.

Yes?---But to get a mobile phone through the security system of a gaol like Goulburn was bad enough in itself. But to give the inmates that are in that

facility a mobile phone is highly dangerous. It could've put a lot of staff at risk, in organising an escape attempt, systems from outside, which you'd have to have to attempt an escape from that facility. And keep the criminal enterprises going.

Yes. Do you agree that the mobile phones are really one of the root causes of the corrupt conduct that's been found to exist?---Yes.

10 Now just one other matter in relation, Commissioner, to the processes that exist at the gate when prison officers present for work. As you understand it at the moment, what is the process that exists, if any, in relation to requiring prison officers to empty their pockets? Are they, are prison officers, as you understand it, required to empty their pockets?---I know I do.

What about the procedures that exist, Commissioner?---Well, most officers do a good job.

20 Yes?---The absolute majority of officers do a great job in my opinion and I've got nothing but admiration, but admiration for them. But if there's an officer there that's not doing their job, it doesn't happen.

Are there any impediments as far as you're aware, Commissioner, to requiring prison officers when they present for work to empty their pockets before they go through the metal detector?---Yeah. And there was some opposition to that at the start.

Yes?---But I don't think that opposition exists today.

30 And so you would expect that it - - ?---I empty mine, I empty mine and, you know, and it's exactly what you have to do at the airport.

Yes. So there shouldn't be any opposition to it.---No.

And it should be done. Do you agree with that?---Yes.

40 All right. I want to ask you some questions now, Commissioner, in relation to passive alert or sniffer dogs, if I could. Now, do you agree, Commissioner, that passive alert dogs are quite effective in relation to deterring the smuggling in of contraband?---Yes.

There are limitations. Correct?---Yes.

But they have a very significant deterrent effect.---But the people being scanned aren't aware of them.---Yes.

But they have very significant deterrent effect.---Yes.

And you're aware, aren't you, that there have been two previous recommendations by this Commission that Corrective Services implement in effect a program, a regular program of random searches at correctional facilities using sniffer dogs?---Yes.

I think firstly it was in November 2004 in relation to Operation Montessa. Correct?---Yes.

10 And most recently in relation to Operation Killick in November 2008. ---Yes.

And you're aware, are you not, that as part of a twenty-four month review in relation to Montessa, so two years after November 2004, ICAC was told that Corrective Services had implemented a program. Correct?---Yes.

20 And you are aware, are you not, that since November 2008 when Operation Killick, or the recommendation was made in respect of Operation Killick, that ICAC has been constantly corresponding with Corrective Services to find out what has been done?---(NO AUDIBLE REPLY)

THE COMMISSIONER: Mr Pike, I think Mr Vasan has some instructions to you on this issue. Just please pass that along.

MR PIKE: I don't propose to deal with this in any detail, Commissioner.

THE COMMISSIONER: I just, I think we should just get proper full instructions from Mr Vasan.

30 MR PIKE: All right. I just want to ask you about the future use of passive alert dogs in corrective facilities. You've agreed with me that you think it's, sniffer dogs are good.---Yes.

Do you agree that the program needs to be a regular program- -?---Yes.

- - -across all correctional facilities- -?---Yes.

- - -whether they be maximum, maximum first obviously. Correct?---All, all classifications of gaol.

40 So you're happy for it to be maximum, medium and low security.---Yes.

And it's got to be random obviously?---Yes.

Right.---Some targeted.

But there at least has to be random searches using sniffer dogs.---Yes.

Now, as you understand it at the moment, when sniffer dogs are used at a correctional facility in relation to random searches, what is done, are the sniffer dogs at the gate and what, a person is pulled out, a prison officer is pulled out randomly, taken to a particular area and the dog passed around them? Is that what happens?---Yeah, and into a discreet area.

Yes.---And the dog walks around them and the officer in charge, the executive officer in charge should ask that staff member to, well, search their bag if they've got one- - -

10

Yes.- - -and to empty their pockets, and in some cases that I'm aware of, to take their shoes off.

Yes.

THE COMMISSIONER: Commissioner, there's something I would just like to say to you about this issue of the dogs. We do not want to ask you questions which will in any way compromise the effectiveness of the dogs. We are, however, interested in general terms in the operation of the dogs and to really if possible obtain your assurance that the dogs will be properly used. And there has been correspondence between ICAC and yourself about this and I do not want to raise that correspondence because that is unnecessary for this inquiry, and I'm not going to. We, ICAC will not do that. The point of me raising all this now is to explain to you that it is open to you in the course of your evidence today to say in relation to the dogs, or in fact anything else, that you do not wish to say more because it will compromise the operation of the prisons in doing their job in preventing contraband from being brought in, which is really what we are looking at. ---Yes.

20  
30

Do you understand that?---Yeah.

Very well.

MR PIKE: Commissioner, I might just put certain proposed or certain suggestions to Commissioner Woodham for his comment.

THE COMMISSIONER: Yes.

40 MR PIKE: I think you've agreed with me at the moment that the dogs are, when a random search is done, it's done in respect of an officer that is chosen at random when they present for work, taken to a particular area and searched.---Yeah.

What I want to suggest to you is perhaps a more effective solution may be to use the dogs when each of the officers present for parade at the start of the shift. What do you say to that suggestion:---Well, I'm sure that has been done in the past where a number of officers were scanned- - -



Yes.- - -at the one time. We had one real bad experience of that which did cause industrial action where a line of officers were scanned at Wellington in 2008 and there was a reaction to an officer which was by all accounts a false reaction from the dog.

Yes.---And it really embarrassed the staff member.

10 THE COMMISSIONER: But that does happen. I mean, it happens to all citizens, Commissioner. If you go into an airport, I mean, it's- - -?---Yeah.

It's happened to me personally, going to an airport where a dog has- - -?  
---Yeah.

- - -looked for fruit or something and given indications and- - -?---Yeah.

- - -the dog had made a mistake.---Yeah. I'm not saying we shouldn't do it, I'm just saying we had one bad experience with it. And there's no reason why that a number of officers can't be scanned together.  
20

MR PIKE: And wouldn't the appropriate time to do that be when they present for parade at the start of each shift?---Yes.

THE COMMISSIONER: I mean, what I'm saying is, I understand that individual officers could take offence and be angry, just as individual passengers in aircraft going through security could take offence, but do you think, I mean, I get the impression that you don't think that that is a good reason not to do it.---No, it can be done.

30 MR PIKE: Right. Are you aware of, apart from the potential for a false positive leading to embarrassment, are you aware of any other reason why it couldn't be done in the way that I've suggested?---No, I was just saying that we did have one bad experience with it and there's no, that doesn't, shouldn't impede us implementing it.

Right. What about using the dogs whilst they are at the particular correctional facility to search other areas, such as lockers, change areas, car parks?---Well, that, that has been done.

40 Yes.---And I remember, I think it was at John Morony actually, where a drug dog was put through an officer's car after reaction and I got a bill for the, for vacuum-cleaning the car to get the dog hair out of it. But, I mean, the, the, that has been done. But with the work location, the locker- - -

Yes.- - -and the car, vehicle.

Are you aware of whether the instructions that exist to date in relation to the use of sniffer dogs require that to be done?---Sorry?

Are you aware - I'll ask this. Do the existing instructions that exist or procedures that exist in relation to sniffer dogs require the other areas to be searched as far as you're aware?---Well, with the visitors we do a lot of searching.

10 But in relation to staff?---With staff? I think the main areas are the individuals coming to work and if there's an indication and we really believe there's something there that we'd move on to their location where they work in the gaol if they're not on different posts everyday and their locker and if necessary their vehicle and then if necessary the police and a strip search.

That's only in respect is it not of where there is something to - - -?---Very, very strong Intel probably backed up by an indication from the dog and - - -

20 Yes. But this is part of a random search, there would be no difficulty would there, Commissioner, in whilst the dogs are at the correctional facility running them through the locker room?---No.

Looking at all lockers or running past all lockers and running around the car park, the staff car park there wouldn't be any difficulty with that would there?---No.

All right. Are you prepared to give an instruction that that should be done? ---Yes.

30 All right. In relation to the parade issue that we spoke about earlier are you prepared to give an instruction that sniffer dogs should be used in respect of parades?---Yes, I'll, I'll raise it with the unions at my meeting next week as well and find a way of doing it.

Do you expect that there will be union opposition to that?---Beg your pardon?

Do you expect that there will be any union opposition to that, Commissioner?---There may be but I'm sure we can work it out.

40 All right. Do you agree that the frequency of random searches should be increased from that which has occurred to date?---The?

The frequency of random searches using sniffer dogs should be increased - - -?---Yes.

- - - from that which has occurred to date?---Yes.

Are there sufficient resources at the moment to do that?---We have 26 passive alert dogs.

THE COMMISSIONER: 26?---26.

That seems - - ?---Got 40 dogs all up.

That seems in relation to the number of prisons very small?---Yes, it does but we've got them stationed at Grafton and Goulburn and Junee. Junee's got their own dog, they're a private gaol. They, they were scanning staff as well.

10

MR PIKE: Yes?---So whatever procedure we adopt private companies have to adopt as well and the - can I just have the question again, sorry?

I think I asked you - - -

THE COMMISSIONER: Could you increase the frequency?---Yes.

MR PIKE: Yes. And I think - - -

20

THE COMMISSIONER: The problem where, the problem that you've raised of increasing the frequency is the small number of dogs?---Yeah.

MR PIKE: So would having more dogs - - ?---The best scenarios, the dog handlers, some dog handlers don't like doing it, you know, got to be honest about that.

THE COMMISSIONER: They don't like doing it?---They don't like searching other staff.

30

Because they're staff?---Yeah, yeah, yeah. And the best thing to do though is have a group like State Emergency Unit and we're talking about attaching dogs back to them so the people that - if we've got a dog at Grafton Gaol they get very familiar, the staff get very familiar with one another, the dogs in the gaol everyday they're better off doing, to stop allegations of, you know, someone told them it was about to happen to bring an independent group in that's got a roving commission across the state, do what they have to do and then move on. And that dog probably wouldn't even get involved at that gaol.

40

THE COMMISSIONER: That, if I may say so, seems a very good idea?---Yeah, yeah.

MR PIKE: And you have no difficulty with trying to implement that?---Yeah, yeah, Deputy Commissioner Rodgers is in the process of doing it now.

I might move on, Commissioner, to another topic which is that of what I think has been euphemistically called intrusive management?---Yes.

Now, you're aware are you not that the Police Integrity Commission in I think September 2009 produced a report entitled Project Odin identifying and managing high risk officers in the New South Wales Police Force. You're aware of that aren't you?---Yes.

Have you had an opportunity to read the report or part of the report by the Commission?---Yes.

10 Do you agree that at present Corrective Services doesn't have a similar system to that which was recommended by the Commission for the police force?---That's correct.

Do you agree that it would be a good idea that a system is put in place to identify and manage high risk officers in the Corrective Services Department?---Yes, I do.

THE COMMISSIONER: Is that another matter of resources?  
20 ---Commissioner, you know, I can readjust the staffing profiles to create what we have to create.

Yes, thank you.

MR PIKE: Do you have any idea as to how long it would take to set up such a system?---Probably very quickly but we'd need to have proper policies and we need to have the processes in place. I'd say three months.

Yes. And do you agree that the work that's been done by the Police Integrity Commission provides a useful springboard?---Yes.  
30

And are you at the moment either yourself personally or those who report to you doing things to try and implement a system?---Yes, we are, we, I'm just trying to find it here. Yes, we are and we, like in the Odin Report we, with high risk staff we are more reactive then proactive and if somebody we think is really corrupt like Wade we manage them more in a covert way than an overt way and we haven't had the proper intervention strategies in place to get to a Wade much earlier.

40 Yes?---And what we've been looking at - and I might say and this is no reflection on - the greater, far greater majority of the prison officers that work for us, but the bigger we get with the growth as I said earlier the more of everything will occur including in my opinion, hopefully not but possibly corruption.

Yes?---And unfortunately we have a small majority of officers that have joined our job for the money not a career and I've been talking to my senior officers for some weeks before I knew I had to appear here that, that we've got to do something else and we've got to get prepared because some of our

officers have committed themselves financially to the level of overtime and penalty rates they were getting two years ago. And to give you an example today in one day the overtime would be running between 45 and \$60,000 a day less than what it was two years ago.

Yes?---And I think there could be a few officers that could look elsewhere to make that money up and we need to move particularly, to be quite honest I wasn't aware of that report until ICAC sent it to me.

- 10 Yes?---And reading it really fitted in with what we'd been talking about but we've got to create, in my opinion, in a high risk unit have proper policies, proper ways of identifying the high risk officers, have the proper intervention and early intervention in some cases in place - - -

Yes?--- - - - and operable and have a long-term management plan installed.

Yes?---And, so we, we believe we've got to create a dedicated unit so that, we want to do more than what we're doing now.

- 20 Yes?---And we believe it's worth a try to create, we don't refer, firstly we don't refer to high-risk officers really, the term used around the gaols is high maintenance because Ivan Milat's high risk to us and all, we've got high-risk prisoners and extreme high-risk prisoners are restricted. So all the high-risk with prison officers is associated with the criminals we have to look after so I don't know whether there's some other terminology we can use or whether it should be just high-risk but if we could get away from high, the words high-risk it'd be good but we believe we should create a unit dedicated to this purpose reporting directly to a deputy commissioner and, and with reports coming to me as well so I know. I was not aware and I  
30 shouldn't have to be and I, I don't think anyone expects me to be aware of every single bit of intelligence on Wade on what communication was going back between ICAC and, and my staff. I haven't, until we put our documents together I'd never seen some of those emails - - -

Yes?--- - - - and, and the, so I, I believe that, that, getting back to this unit, that this unit is, is very important, it's worth, we've got a basic idea of how it should be structured. In my opinion a lawyer should be running it.

- 40 Yes?---It should have a psychologist in it and instead of referring someone to a psychologist like, well, Wade got referred to a psychologist at one stage, instead of referring somebody to a psychologist, every psychologist in this high-risk unit that can, and some of our psychologists are used to working with very high risk people but generally on the other side.

Yes?---But I, I think they could contribute a lot to the group if it's put together and structured properly with proper policies developed, proper interventions in place. I think it would very beneficial and hopefully we can stop a Wade getting to the, to the stage that he got.

What you're talking about here, Commissioner, is, is a separate unit which is separate to the existing committees and, and the like that exist within Corrective Services, correct?---Yes.

All right. So it's something different to the Risk Assessment Committee or the Professional Conduct Management Committee?---Yes.

10 Now, I just want to ask you a couple of questions if I may just about the, the processes that exist, if, if a, if a corrupt officer is identified in, in effect getting rid of them out of the force. As I understand it at the moment, and correct me if I'm wrong, Commissioner, there is, there are, there is a reasonably long process in the Public Sector Management Act that kicks in if disciplinary processes are to be taken in respect of a Corrective Services officer?---That's right.

20 Do you have a view in relation to whether those processes are appropriate to apply to Corrective Services officers?---Well, I, I, you know, I think it's geared more for the clerical side of the Public Service.

Yes?--- - - - and I think we should be more in line with paramilitary organisations like the police.

THE COMMISSIONER: Sorry, your procedures are not like the, are not similar to the procedures that apply to the police?---Sorry, Commissioner?

The procedures that apply to the prison officers are different to the procedures that apply to the police?---Oh, yes, yes, yes.

30 And you are of the opinion that from the nature of the work and the high security involved and the public interest involved - - -?---Yes.

- - - the procedures for dealing with officers who are suspected of corruption or illegal conduct should be similar to those relating to the police?---Yes.

Yes, thank you.

40 MR PIKE: Just to explore that a little bit further, as you understand it, Commissioner, the processes that need to be undertaken by Corrective Services in relation to taking disciplinary action against a Corrective Services officer are the same process that apply to other government, state government departments other than the police force?---Yes. Can I just say why I think we get closer to the police is we probably deal with criminals more than they do and we need - - -

THE COMMISSIONER: There's a very great need for integrity in the Prisons Department - - -?---Yes.

- - - and the risks, the risks to the public from lack of integrity in the Prisons Department is so great - - -?---Yes.

- - - that you need special procedures to deal with people who are suspected of lacking that integrity. Is that your opinion?---That's, that's correct, yes.

MR PIKE: You're familiar with the power that the Commissioner for Police has, aren't you, under section 181D of the Police Act?---Yes.

10 And that allows the Commission in writing to remove a police officer if the Commissioner does not have confidence in the police officer's suitability to continue as a police officer, correct?---Yes.

Having regard to the police officer's competence, integrity, performance or conduct?---Yes.

So in effect gives you the power to fire?---Yes.

20 Right. Well, do you think that - - -?---I also know that's appealable.

THE COMMISSIONER: Yes.

MR PIKE: There would have to be safeguards to these matters but do you accept what, are you suggesting, Commissioner, that having a power such as that given to the police under section 181D would be a useful weapon in trying to stamp out corrupt conduct by correction officers?---Yes.

30 Is there any, is 181D sufficient or are there any additional powers that you think you need or - - -?---I think dismissal's always the last resort - - -

Yes?--- - - - in any case. It shouldn't be just geared to that. I, can I give you an example?

40 Yes?---We had an officer recently that, in the last few weeks, that went to an international drug trafficker in one gaol, picked up a large number of documents, took them out of the gaol and took them home. The next day he brought those documents back to Long Bay into another maximum security gaol and caused those documents to go to the co-accused of the international drug trafficker. Now, the decision was made by one of the deputy commissioners to move that officer to Silverwater while the inquiry was being conducted and that got into the Industrial Commission. Now, there was an agreement reached between the departments and the unions and the Commissioner, that this officer would work in a court close to home instead of Silverwater Gaol - - -

Yes?--- - - - until the inquiry is finished so it got resolved that way. The way I understand it, the Police Commissioner's powers, if he or she makes a

decision like that it can't be channelled, challenged by any other prior to the hearing and it just happens.

THE COMMISSIONER: And you would like the same powers?---Yes, yes.

MR PIKE: Yes. I don't have - - -

THE COMMISSIONER: Well, as far as I'm concerned we'll do our best to help you there, Commissioner?---Sorry?

10

As far as I'm concerned we'll do our best to help you there?---That would be very appreciated, Commissioner.

MR PIKE: Now, I think there's one further matter. I think you said that dismissal should be the last thing that you do in respect of an officer, but do you agree that if you have a system in place, such as the Project Odin model for firstly identifying the high-risk officer and then managing it- - -?---Yes.

20

- - -through that process, hopefully you will avoid the need for dismissal?  
---Yes.

Right. And then if it doesn't work, and as a result you've lost confidence in the officer- - -?---Yes.

- - -you always have the power to- - -?Yes, to dismiss.

Yeah. That's all I have, Commissioner.

30

THE COMMISSIONER: Mr Strickland, do you have any questions?

MR STRICKLAND: No, thank you.

THE COMMISSIONER: Commissioner, that's the end of your evidence. I think you for- - -

MR RUSSELL: Commissioner, Commissioner, could I just ask a couple of questions, seek leave to ask some questions?

40

THE COMMISSIONER: Well, I'll hear your question first.

MR RUSSELL: Thank you. Commissioner Woodham, questions, there are a couple of questions I wish to ask you. First of all- - -

THE COMMISSIONER: I think you should just explain to the Commissioner who you, this is counsel for Mr Wade.

MR RUSSELL: Counsel for Mr Wade, Commissioner Woodham. Thank you. You said that you had a meeting recently with the members of the



union and they expressed to you their view of the conduct of Mr Wade. Would you agree that most decent hard-working officers would find Mr Wade's conduct offensive and be quite angry with a person like Mr Wade? ---Yeah. And I know the State Executive think exactly that way.

But you agree with me.---Yes.

10 Right. Just in relation to what's called the gaol intelligence system, and broadly speaking, that's a system which operates on many different facets, does it not, of information that's provided within the gaol system as to the happenings or goings on within a prison?---Ah hmm.

You agree with that. And part of that gaol intelligence system is in fact from time to time, inmates providing information to officers about things that they've heard about or events that might be about to happen or have happened within the prison system- - -?---That's correct.

- - -which could constitute very serious offences?---That's correct.

20 And would you agree that from time to time over the years, prisoners have provided information to officers that have prevented very serious assaults or even murders happening?---Yeah, even on staff.

And on staff officers as well. There is a standard operating procedure which all prison officers are aware of, and that is that they are prohibited from forming relationships with prisoners or their families or close friends of those inmates. And they're, you agree with that?---Yes.

30 And that's for good reason. But of course, would you agree, that to obtain information from a prisoner, who is often reluctant to speak to an officer, you have to foster some sort of relationship. Would you agree with that? ---Not necessarily.

40 What do you disagree with?---Some, well, some, I can give you plenty of examples. A prisoner gets into trouble, they may think they can work a deal (not transcribable) they might offer information. In other cases, prisoners might offer information to get rid of their opposition. And you've got to be very careful in handling informants. But what I will say is that ten years ago, if you walked up to a prisoner in Long Bay with a clipboard in your hand in front of everybody else and took notes off a prisoner talking to you, he'd probably get killed. Today, because officers and responsible officers case manage prisoners, you can walk up with a clipboard to any prisoner in a gaol at any time and no one takes any notice of it. And that has added to intelligence gathering, that process.

Certainly.---But all prison officers know they should remain aloof, there's a boundary, and you don't step over that line.

I appreciate there is a boundary, but would you agree with me that the prison officer needs to at least obtain the trust of that other, that prisoner to obtain information from him?---Sorry?

The prison officer needs to obtain the trust of that other prisoner to obtain information.---That's correct.

10 All right. Look, just one final question. I may have misheard you, but did you say that at one stage Mr Wade was referred to a psychologist?---Yeah. I'm sure the psychologist, can I refer to my notes?

Yes, please.---Yeah, Wade allegedly threatened to shoot someone (not transcribable) if given a gun.

THE COMMISSIONER: I beg your pardon?---Sorry?

Sorry, I beg your pardon? I didn't hear.---This is some information- - -

20 Yes.- - -received on the 1<sup>st</sup> of May, 2007.

Yes.---That Wade allegedly threatened to shoot someone if given a gun. Removed from the armed post and he was referred to the Risk Assessment Committee and subsequently returned to full duties on the advice of a psychologist.

MR RUSSELL: And that psychologist, was that a prison, a prison system psychologist that prepared a report- - -?---Yeah, we have a- - -

30 - - -or was it an external psychologist?---We have a dedicated psychologist for staff.

And can I just ask you this if I could. I wonder if you'd be, the witness would be able to be shown exhibit 37, a copy of exhibit 37. Perhaps I can assist, Commissioner. There you go.

THE COMMISSIONER: Now, what is the document, Mr Russell?

40 MR PIKE: It's the statement of Ms Mannix. I think a copy was handed up to you, Commissioner, earlier. A copy's also on the- - -

THE COMMISSIONER: I have a copy.

MR PIKE: A copy is also on the audio/visual.

THE COMMISSIONER: Right.

MR RUSSELL: Mr Commissioner, I just want to refer you to a small part of that statement, paragraph 28 on page 7.

THE COMMISSIONER: If you cross-examine about this, you're letting it in.

MR RUSSELL: Well- - -

THE COMMISSIONER: I'm just warning you.

MR RUSSELL: Really, I'm doing- - -

10

THE COMMISSIONER: And that's a matter for you.

MR RUSSELL: Mr Commissioner, I'm doing this, well- - -

THE COMMISSIONER: Well, it's a forensic decision and I'm just warning you that if you cross-examine about it, it goes in against Wade.

MR RUSSELL: Perhaps it depends on the cross-examination.

20 THE COMMISSIONER: It does. All right. I accept that. There's a risk though.

MR RUSSELL: I'm raising this, Mr Commissioner, to assist the Commission.

THE COMMISSIONER: Very well. Well, it's a - - -

MR RUSSELL: Hopefully the question will- - -

30 THE COMMISSIONER: I appreciate that, Mr Russell, but it is a matter in the end- - -

MR RUSSELL: Yep.

THE COMMISSIONER: I thought it was my duty to warn you, but what you've said is correct.

MR RUSSELL: I'm grateful to Your Honour. I hope that this question will assist the Commission.

40

THE COMMISSIONER: Yes. Thank you.

MR RUSSELL: Thank you. Sir, did you read paragraph 28?---(NO AUDIBLE REPLY)

THE COMMISSIONER: I think you should explain to Commissioner Woodham who made the statement.

MR RUSSELL: This is a statement from the then security manager at the John Morony Centre where Mr Wade was operating as a prison officer, and her name is Tracy Mannix.---Yeah, I've read that.

10

You've read that. Now, with, with the view of asking you some questions concerning what counsel assisting asked you about managing high-risk officers, you didn't appreciate the term, high-risk, but managing high-maintenance officers perhaps, can you tell me whether you have any information that the information that Ms Mannix was in possession of was used to counsel Mr Wade or to manage him in some way prior to his arrest in January of 2010?---Have you got any idea of the date?

20

THE COMMISSIONER: Mr Strickland, if you know the answer to that question you may be able to assist the Commissioner and Mr Russell.

MR STRICKLAND: I don't know the answer to the question. I also, paragraph 28 isn't date specific.

THE COMMISSIONER: Do you have a date Mr Pike?

30

MR PIKE: I think the way it works, it can only be, Ms Mannix was only there from 16 September, 2006 onwards and Mr Wade, I think was only at John Morony from some time later. We don't have any more specific explicitly in relation to the date or dates.

THE COMMISSIONER: What date did, did Mr Wade arrive at John Morony?

MR PIKE: It's John Morony 1 that is talked about in paragraph 28 and I think that was some time in 2009.

THE COMMISSIONER: Right.

40

MR PIKE: And it's one that (not transcribable)

MR STRICKLAND: What I have been instructed since I gave the answer is that information referred to in that paragraph was passed on to ICAC and not for the purposes of use for counselling, and therefore that is, it was referred to ICAC in the May, 2009 referral was made.

THE COMMISSIONER: Yes, thank you. Does that answer your question, Mr Russell?

MR RUSSELL: I didn't quite get that, your Honour. Is that - - -

THE COMMISSIONER: I beg your pardon?

MR RUSSELL: I didn't quite catch that.

THE COMMISSIONER: All right. Would you mind repeating it - - -

10 MR STRICKLAND: Of course, the phrase confidential information in that paragraph was information that was passed on to ICAC when the matter was referred to ICAC in late April, early May, 2009 and was not used for the purposes of counselling him.

MR PIKE: Can I just assist further in relation to the date.

THE COMMISSIONER: Yes.

20 MR PIKE: Mr Wade, I think started at John Morony 1 on 4 February, 2008. So it must be post 4 February, 2008.

THE COMMISSIONER: Right.

MR RUSSELL: All right. Well, that assists me, the, are you aware of that situation, Mr Woodham, that the information had been passed on to ICAC? That's what counsel, your counsel is suggesting?---Yeah, I agree.

30 The information that was apparently in the possession of Ms Mannix was, according to your counsel, passed on to ICAC in April of 2009.

THE COMMISSIONER: And wasn't used for counselling.

MR RUSSELL: It was not used for any counselling purposes?---No.

Would there be any difficulty in an officer such as Ms Mannix speaking to Mr Wade about gaol whispers, so to speak, concerning his conduct so as to prevent any future conduct by Mr Wade?---I'm not aware of any.

40 So Mr Wade was not spoken to at all as far as you're concerned?---Oh, he was spoken to, he was referred at one stage for a performance management plan. And I know that the general manager had discussions with Mr Wade and, and that after that discussion and deliberation with him, I believe his sick leave improved. So he was talked to about those sorts of issues by the management of the gaol.

Yes, certainly, but not the issues that are raised in paragraph 28, correct?

---In my opinion, if I was in Tracy Mannix's place, at that stage I wouldn't have raised it with Mr Wade either, I'd have passed it on to Taskforce (not transcribable) and hopefully to ICAC.

THE COMMISSIONER: Yes, I don't think Commissioner Woodham can be asked those questions because he wasn't involved.

MR RUSSELL: No, I just thought he may have (not transcribable).

10 THE COMMISSIONER: I understand the point that you're making, Mr Russell, and I think that the information that has come out does assist the Commission.

MR RUSSELL: Thank you, Mr Commissioner.

MR PIKE: Can I just ask a couple of questions - - -

THE COMMISSIONER: Yes.

20 MR PIKE: - - - of Commissioner Woodham just arising out of those questions?

THE COMMISSIONER: Yes.

MR PIKE: I think you agreed, Commissioner, with the proposition put to you by Mr Russell that in order for a prison officer to obtain information out of an inmate it was necessary for the prison officer to get the trust of the inmate. Do you recall that?---Yeah.

30 You don't suggest though, do you, Commissioner Woodman, that it would be appropriate for a prison officer to engage in illegal conduct on behalf of the inmate in order to get the inmate's trust?---Definitely not.

No, and certainly it would be most inappropriate, for example, to bring drugs into the prison for the inmate in order to get the inmate's trust?  
---That's correct.

Thank you, sir.

40 THE COMMISSIONER: Yes. I think that concludes the evidence and, Commissioner Woodham, I thank you for your evidence, it was candid, helpful and constructive, thank you?---Thank you.

**THE WITNESS EXCUSED**

**[12.15pm]**

MR PIKE: Can I just raise one matter?

THE COMMISSIONER: Yes.

MR PIKE: I probably should tender the Project Odin report.

THE COMMISSIONER: Is there, is there any objection, Mr Strickland?

MR STRICKLAND: No, it's a public document. I don't understand it to contain any (not transcribable).

- 10 THE COMMISSIONER: Yes. All right. That is Exhibit 46, will be the Project Odin report.

**#EXHIBIT 47 - PROJECT ODIN REPORT FROM POLICE  
INTEGRITY COMMISSION**

MR PIKE: Thank you, Commissioner.

- 20 THE COMMISSIONER: Thank you. Mr Strickland, you weren't here on the last occasion when we determined times for submissions. Do you know about those?

MR STRICKLAND: I read the transcript, Commissioner.

THE COMMISSIONER: Yes. So there's no oral submissions.

MR STRICKLAND: I understand.

- 30 THE COMMISSIONER: But you, it's open to you to make written submissions but if you wouldn't mind complying with the time periods.

MR STRICKLAND: I will do so.

THE COMMISSIONER: Yes, thank you.

**AT 12.16pm THE MATTER WAS ADJOURNED ACCORDINGLY[12.16pm]**