



Justice
Corrective Services

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CASE: 14-0227
TRIM: 15/1171
DOC: D15/736842

22 December 2015

Elliot Duncan
Correctional Officer
Lithgow Correctional Centre

Dear Mr Duncan,

I refer to my letter to you dated 6 October 2015 in which I advised that I had formed the opinion that you engaged in misconduct as follows:

That on 19 February 2014 you:

Failed to use a video recorder to record the targeted intelligence based search of Cell 208 at Lithgow Correctional Centre, contrary to the requirements of section 13.7 of the Custodial Corrections Operations Procedures Manual, Using Force on Inmates.

and:

Made a false report on the Incident Reporting Module relating to the targeted intelligence based search of Cell 208 at Lithgow Correctional Centre on 19 February 2014, contrary to the requirements of section 13.1 of the Custodial Corrections Operations Procedures Manual, Serious Incident Reporting.

I also advised you that in relation to this matter the severest penalty I would conceivably impose is a fine of \$500. I requested your response to the proposed misconduct action within 14 days. I have not received a response from you to date.

I have made a final decision with respect to misconduct action pursuant to section 69(4) of the *Government Sector Employment Act 2013*. The misconduct action is:

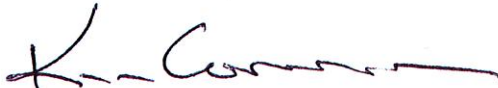
A fine of \$500.

This amount will be deducted from your pay in the pay period ending 24 January 2016. If you wish to pay the fine in instalments, please contact Payroll to negotiate a reasonable payment per fortnight.

Any enquiries in relation to the misconduct process should be referred to the Professional Standards Branch on 8346 1083.

Should you require support in relation to this matter, you are encouraged to contact the Employee Assistance Program on 1300 363 202.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Kevin Corcoran', with a long horizontal flourish extending to the right.

Kevin Corcoran
Assistant Commissioner
Custodial Corrections