

Introduction

Background to Volume Two

- 1.1 This Volume of the Inquiry into Crime in the Community: victims, offenders and fear of crime explores specifically the so-called 'Heiner Affair' - the shredding of documents by the newly elected Goss Government in Queensland in 1990. Allegations of child abuse at the John Oxley Youth Detention Centre (JOYC) more generally are also explored. This Volume also considers evidence of abuse at a respite and rehabilitation care facility at Bribie Island in Queensland.
- 1.2 In addressing the shredding of the documents that allegedly contained statements about mismanagement and child abuse at JOYC, the Committee concluded that it revealed a culture where protecting those responsible is more important than looking out for the welfare of those most vulnerable in our community.
- 1.3 The Committee contends that those responsible for shredding of the Heiner documents personify this culture, which continues to this day as evidenced by three central facts:
 - no-one has been held accountable for the shredding of the Heiner documents;
 - no-one has been held accountable for the abuse at JOYC; and
 - despite the Forde inquiry into child abuse in Queensland institutions, abuse is continuing in state-run programs, as well as

private but state oversighted institutions charged with the welfare of children.

- 1.4 The Forde inquiry examined child abuse in Queensland institutions dating back to 1911. However, much of the evidence presented to the Committee suggests that such abuse was rife throughout the 1980s and 1990s and left unchecked by the very institutions established to investigate and report criminal conduct and official misconduct.
- 1.5 Of grave concern to the Committee in the Heiner Affair and abuse at JOYC are the inadequacies of the investigations carried out by the then Criminal Justice Commission (CJC) in particular. The Committee notes that other Queensland Government bodies also appeared to have failed in their duty to protect Queenslanders and their children. Indeed, Queensland institutions appear to have collapsed around the executive government, and, in that sense, protected it.
- 1.6 The Committee has also been shocked by some of the revelations of mistreatment at a Bribie Island facility, and notes that the Forde inquiry's terms of reference did not extend to investigating abuse more broadly in Queensland institutions.

Evidence relating to the Heiner Affair

- 1.7 The Committee came to investigate the Heiner Affair or 'Shreddergate' as a result of receiving submissions from Mr Kevin Lindeberg, a former Industrial Officer of the Queensland Professional Officers' Association (QPOA).
- 1.8 Mr Lindeberg initially made two submissions to the Committee, prior to giving evidence to the Committee at a public hearing in Brisbane on 27 October 2003.¹
- 1.9 At that hearing, the Committee also heard from Mr Bruce Grundy, a journalist-in-residence at the University of Queensland and Editor in Chief of the newspaper *The Queensland Independent*. Mr Grundy had not made a submission to the Inquiry but had been invited to give evidence as a result of his newspaper's continuing investigation of the Heiner Affair. His opening statement at the hearing was accepted by the Committee as a submission to the Inquiry.² Mr Alastair

1 Mr Kevin Lindeberg, *Submissions 142 and 142.1*.

2 Mr Bruce Grundy, *Submission 171*.

MacAdam, a senior lecturer in law at the Queensland University of Technology, also gave evidence to the Committee.

- 1.10 Following the hearing on 27 October 2003, both Mr Grundy and Mr Lindeberg made further supplementary submissions³ and also provided the Committee with a number of exhibits. At a second public hearing in Brisbane on 16 March 2004, the Committee again heard from Mr Lindeberg and Mr Grundy, as well as from Mr Michael Roch, a former employee at JOYC. The Committee was also presented with a submission from Mr Desmond O'Neill, an Executive Member of the Queensland State Service Union (QSSU) from 1988 until 1994.⁴
- 1.11 The Committee summonsed Mr Noel Heiner to give evidence to the Committee at a third public hearing in Brisbane on 18 May 2004.
- 1.12 At a fourth public hearing on 18 June 2004, the Committee took evidence from Mrs Beryce Nelson, former Queensland Minister for Family Services, who established the Heiner inquiry into JOYC.
- 1.13 Mr Peter Coyne, the manager of JOYC during the period in question, was prepared to give evidence to the Committee; however, he was unable to do so at a scheduled public hearing due to work commitments interstate.
- 1.14 The Committee's hearings into the Heiner Affair received significant media coverage nationally, and particularly in Queensland. The Premier of Queensland, the Hon Peter Beattie MP, issued a press release following the October 2003 public hearing. However, the Committee did not receive any submissions from the Queensland Government on the matter, nor any submissions from any other parties involved in the issue, such as the Queensland Crime and Misconduct Commission.
- 1.15 The Committee invited former Minister the Hon Anne Warner as well as the Head of the then Department of Family Services and Aboriginal and Islander Affairs⁵ at the time, Ms Ruth Matchett, to give evidence, but without success. In the absence of a submission or evidence from the Queensland Government – allegedly the chief protagonist in the Heiner Affair – countering the evidence presented

3 Mr Kevin Lindeberg, *Submissions 142.2 and 142.3*; Mr Bruce Grundy, *Submissions 171.1 and 171.2*.

4 Mr Desmond O'Neill, *Submission 172*.

5 Hereafter referred to as the Department of Family Services, or the Department.

to the Committee, the Committee has made use of public statements by the Government and other parties, as well as evidence given to previous inquiries into the Heiner Affair, for the purposes of presenting the known facts of the Queensland Government's position.

Evidence relating to Bribie Island

- 1.16 The Committee received a number of exhibits in relation to a Bribie Island care facility and took evidence at a public hearing in Brisbane on 18 June 2004. Due to the nature of the matter, the Committee also received evidence on a confidential basis.