

1/12/1899

The Police Commission has forwarded its report to the Premier. The contents have not been made public, but it is understood that the commission recommends reform in more than one direction.

Messrs. Sadler, of Victoria, and Gavin, of New South Wales, members of the commission, leave for the south to-morrow.

2/12/1899

The report and evidence of the Police inquiry Commission was presented to Parliament yesterday.

The greater portion of the evidence has appeared in our columns from time to time, and we now give the report in full. It is as follows: We have approached the subject matter of our inquiry with a full knowledge of the grave results that may arise if injudicious inquisition should lead to a continuation of disorganisation, which we submit the evidence abundantly establishes existed at the inception of our labours. A mass of correspondence has been received, dealt with; and replied to when considered necessary. We were met at the outset with the improbability that-as far as the members of the Police Force were concerned; any considerable number would come forward and give weight to our deductions. It was therefore determined-and we think with wisdom-to admit the Press in order to stimulate the timid. We think that our decision has been justified, as by the daily publication of a compendium of the evidence various witnesses who would otherwise have remained silent, were driven in defence to throw valuable light on the general administration of police affairs.

The protection which was promised to all witnesses we trust will be most rigidly observed. The fact that so few of the Brisbane public have come forward to prefer charges against the police in their individual characters warrants us to conclude that generally speaking the police behave with circumspection in their relations to the public. Most of the cases that have been reported to us have, when investigated, proved trivial, and not worthy special comment. The greatest latitude was granted to accused persons to cross-examine their accusers, as well as to accusers, to establish their cases.

The fact that discipline must be maintained in spite of abuses by those in authority was not forgotten, and we wish to point out that our commentaries in certain cases of alleged grievances distinctly bear out this allegation. It will seem that we have in one instance recommended a reinstatement after dismissal. We have been, impelled to this because we are of opinion -that nothing demoralises a disciplined force more than an act of harshness from which the victim has no appeal that can be prosecuted with any shadow of possible success. We regret that so few of the recommendations of the Civil Service Commission of 1889, which incidentally inquired into the working of the Police Force, were carried out.

The evidence will disclose that we have inspected localities and offices, and formed our conclusions from personal observations.

We have deemed it necessary to inquire into alleged acts of tyranny and inquire towards individual members of the Police Force, in order to enable us to gauge the verity of the correspondence stating that such acts had been committed. We have inquired into the three several murders which struck consternation into the community at the latter end of last

year and the beginning of this, but restricted ourselves to such evidence as would tend to show whether the Police Force was in such, a state of organised efficiency as to successfully cope with heinous crimes following in quick succession. We respectfully submit the following recommendations and criticisms:

ORGANISATION.

Deputy Commissioner. -We recommend that a Deputy Commissioner be appointed. From the evidence, it is apparent that the Commissioner, owing to multifarious office duties of a routine character, has not sufficient time at his disposal to properly supervise the working of the police throughout this large colony. It is obviously necessary that the Commissioner or his deputy should personally inspect, at least once a year, all police centres in Queensland if efficiency is to be maintained and abuses corrected. We deem, it imperative that the Deputy Commissioner should be chosen from outside the Police Force of the colony. We have come to this conclusion because serious reforms are required, and we are of the opinion that no man who has been. Working under the present system for years can so mould his mind as to condemn practises, which he himself has assisted to uphold.

INSPECTORS-SUB-INSPECTORS-ACTING SERGEANTS-FIRST-CLASS

CONSTABLES. -We recommend the abolition of the titles of chief Inspector and. senior Inspector; also, that the salaries of all first-class Inspectors be made equal. We consider that the rank of third-class sub-Inspector should be abolished, and that the old title of senior-constable instead of acting sergeant should be reinstated, and that no further appointments to the rank of first-class constable be made, as it is an empty title, without emolument.

CLERKE. -The number of clerks employed in some of the offices seems excessive, and we think calls for strict investigation on the part of the Commissioner. (Vide appendix No. 1.)

JURISDICTION OF OFFICERS. -We recommend that the jurisdiction of officers be extended to the whole colony.

RECRUITING. -We recommend that recruits should be enlisted at fixed periods; say, every three months. Inspectors in charge of districts should (be authorised to receive applications for admission, to the Force all over the colony, and at any time. Upon receipt of an application the candidate should be submitted to the ordinary medical and educational test. In the particular district where the application is made. The results should then be sent to the Commissioner, who would notify the Inspector if they were satisfactory, and order the recruit to be sent to Brisbane for drill and general training. When recruiting for the Mounted Police, the commissioners strongly recommend that men of lesser stature and chest measurement than at present should be accepted if otherwise suitable.

PAY AND ALLOWANCES. -Considerable difficulty is experienced in securing and keeping the best class of recruits during the probationary period owing to the inadequate pay; we recommend, therefore, that recruits be paid 6s. a day, as in Victoria and. New South Wales. At present the travelling allowance paid to the police when absent from home' or quarters on duty is altogether insufficient, and we are of opinion that not less than 5s. should be paid for every night a constable or sub-officer may be travelling on duty, with discretionary power to the Inspector to increase the amount when reasonable. We recommend that fixed annual travelling allowances to officers should be abolished,

and a fair daily allowance, when travelling on duty be substituted. The present system, in our opinion, tends to prevent efficient supervision, as an officer's private interests might clash with his duty if his annual travelling allowance proved inadequate. We think that, when long service pay and allowances are considered, the members of the Queensland police are on a fairly equal footing with those of New South Wales. (Vide appendix No. 2.) We further attach appendix No. 3, showing the cost of uniform at contract prices.

RENT ALLOWANCE. -We see no reason for altering the present rent allowances, except in remote places, where reasonable increases should be granted at the discretion of the Commissioner.

FUEL AND LIGHT. -We recommend the abolition of fuel and light allowances to officers and all other ranks.

EXPENSES OF TRANSFER. -We concur with the Commissioner in his liberality in dealing with married men on transfer when, travelling with their wives and families on steamers. We think his powers should, if necessary, be increased in this direction.

EXTRA COST OF LIVING. -We recommend a more liberal allowance for extra cost of living in outside places, and that the scale be periodically adjusted as circumstances demand.

EXTRANEIOUS DUTIES. -The evidence discloses that there are many places where the police perform other than police duties (vide appendix No. 4), which might well be performed by other Government officials. In such places we recommend that these duties be performed by such officials. The performance of duties other than strictly police duties should as far as possible be discontinued, as it interferes with patrol duty, renders transfers difficult, and generally puts difficulties in the way of the efficient control and supervision of the police by their superior officers.

UNIFORM. -We recommend that police be allowed to wear khaki uniform in Brisbane and throughout the colony during the summer months. We also recommend that mounted men be allowed £3 per annum for extra cost of uniform.

MEDICAL ATTENDANCE. -We recommend that medicine be supplied free to every member of the force, but not to their families (Vide evidence of Dr. Wray).

FATIGUE DUTY. -Complaints have come before us of improper employment of the police in fatigue duties. We have been unable to take evidence in the various cases, but think that strict investigation should be made by the Commissioner into the alleged abuse of the system.

TRANSFERS -From the evidence given, and a return before us furnished by the department, it would seem that transfers are too numerous, especially of married men. This means hardship to the men, and unnecessary expense to the country. Transfers should not be too readily resorted to as a means of punishment.

PROMOTIONS. -Complaints with regard to deferred and improper promotions have been made to us, but none (excepting in the case of Sub Inspector Nethercote) have been substantiated as having occurred under the regime of the present Commissioner. The present system seems based on reasonable lines. We are unanimously of opinion that no man should be promoted to the rank of sergeant without having passed a prescribed examination in police duties.

INCREASE IN THE FORCE. -The evidence before us is conclusive that there is urgent necessity for a substantial increase in the force both of officers and men. We recommend three extra sub-Inspectors and twenty-five men at least. These would be exclusive of any extra men that might be wanted should the police be made entirely responsible for the control of the street traffic in Brisbane.

We attach appendix No. 5, showing: -

- (a) The changes in the Police Force during the five years, 1894 to 1898;
- (b) the strength and distribution of the Police Force as throughout the colony,
- (c) the proportion of officers to men in various colonies;
- (d) the proportion of police to population and area in various colonies;
- (e) the proportion of police to population and area in the several divisions of the colony of Queensland;
- (f) list of police stations attached to Brisbane and South Brisbane and strength of each.

LEAVE. -The leave at present granted is altogether too short. We recommend that twenty-one days leave be granted yearly to all ranks. This to be cumulative, but not to exceed forty-two days at any one time in all cases the leave should date as if from Brisbane. This would place men in remote districts on an equal footing with the Brisbane police.

2/12/1899

ADDENDUM BY FRED. W. DICKSON, ESQ.

At the outset of this my addendum to the report of the Commissioners on the Police Commission I wish (Mr. Dickson writes as an addendum) to strongly represent my opinion that the sphere of usefulness of the commission was greatly minimised by the fact that the sittings of the commission were, by the resolution of the majority of the commissioners, confined to the Southern portion of the colony, and that no investigation of the matters into which we were directed to inquire can be considered complete, as relating to the whole force of the colony, until an opportunity be given to the members of the force and the public generally resident in the Central and Northern portions of the colony to assist the commission by their evidence.

In arriving at this opinion I, of course, bear in mind that the commission has had the evidence of Inspector Douglas of Townsville, Inspector Meldrum of Rockhampton, and a few members of the force at one time stationed in the Central and Northern parts; but it is, in my opinion, unreasonable to expect that the grievances of the men and sub-officers, through any defects in the administration of the force or otherwise, would be disclosed by the evidence of their superior officers, or that the public could be expected to incur the loss of time and expense consequent on coming to Brisbane to give evidence.

Mr. Dickson then goes on to say that he has been unable to agree with the rest of the commission in their recommendation with regard to the continued occupancy of his office by Mr. W. E. Parry-Okeden. In the first place he regards Mr. Okeden's appointment as a mistake, principally from the fact that he previously had had no experience of the working of the Police Force. Mr. Okeden, while in his reports manifesting a sensitiveness of the defects of the force and a laudable perception of necessary reforms, had completely failed in the practical carrying out of those reforms.

As examples illustrating his contention, Mr. Dickson quotes the removal of nearly all the old detective officers when the Criminal Investigation Branch was established, and the substitution of men of no particular experience in the work required of the branch under a

man who had held previously third detective rank, and who, in the opinion of the commissioners, had largely brought about the disruption in the branch.

Mr. Dickson also quotes the displacement of First-class Sub-Inspector Nethercote by Second-class Sub-Inspector Urquhart, "an officer who had absolutely no experience of the detective force, and had little or no experience of general police duty except as a native police officer until 1891." This method of carrying out the "reorganisation" has resulted, Mr. Dickson considers, "in the present disorganisation" so abundantly established from the evidence as existing at any rate in the Criminal Investigation Branch, and is, in my opinion, responsible to a very great extent for the absolute and apparently helpless inability of the force to discover the perpetrators of the diabolical outrages that have lately taken place at Gatton, Oxley, and Woolloongabba, as well as the enormous number of crimes of a more or less serious nature which have come before the commissioners as not having been traced to the guilty parties.

Mr Dickson mentions numerous other minor matters in support of his contention.

Mr. Dickson goes on to say:-"As an administrator of the department I am of opinion that the present Commissioner has shown utter incapacity, and falls far short of what is required.

His method of dealing with charges against his officers and men, and the means adopted by him to get at the bottom of such charges, notably in the case of Senior-sergeant Grimshaw, specially commented on by the commissioners, where it must be accepted from the evidence he first compelled or instructed an officer to commit a breach of the law by opening and detaining the senior-sergeant's letters, and then brought to the inquiry a mind satisfied that the man was guilty, cannot be too severely condemned."

Other cases of like nature are alleged by Mr. Dickson, who further alleges that Mr. Okeden has allowed himself to be "run" by his officers, and has shown an entire ignorance of his department. Mr. Dickson, concludes his reference to the Commissioner as follows:-"So long as the present Commissioner, who is responsible for the organisation and the administration for the past four and a-half years of a service which has been so strongly condemned, remains in control of the Police Force, any efforts of a deputy, who would have to act under his control, in the direction of altering the defects condemned by the commissioners will be useless, and I am of opinion that a Commissioner should be appointed from outside the Police Force of the colony."

Mr. Dickson makes the following references to Inspector Urquhart and ex-Senior sergeant Grimshaw -Inspector Urquhart.

With respect to Inspector Urquhart, I am of opinion that not only is he a gentleman of such an impulsive and exacting temperament, but that the evidence clearly shows him to be of such a vindictive and tyrannical nature, that he is not fit to be an officer in the Police Force, where he must necessarily have at times numbers of men under his almost immediate and absolute control.

Ex-Sergeant Grimshaw.-With regard to ex-Senior-sergeant Grimshaw, I cannot see that there was evidence, apart from that of a self-admitted accomplice Chinaman, upon which he could be found "guilty" of "taking" a bribe.

Nor can I see sufficient evidence of a grave suspicion of the "taking" of a bribe, and, considering the evidence altogether, it appears to me that the gravamen of his offence consisted in the fact of his not having reported to his Inspector the fact of money having

been offered to him as a present.

As no rule could be pointed out that it was necessary for the senior sergeant so to report, I am at a loss to understand what breach he has committed, and, even if there is such rule, I think that the senior sergeant who, according to the evidence, has been an excellent officer of twenty-three years' standing, was most harshly dealt with, and should not have been dismissed, and should be reinstated.

2/12/1899

THE OXLEY MURDER.

On the afternoon of the 14th December, "Frederick John Hill reported to Acting Sergeant Small that his son, aged 16, was missing. The acting sergeant recommended him to go to Brisbane, and inquire at the Police Department Hill reported the matter the same evening to Constable Rayner, at Nundah. After being bandied about from police office to police office, he came finally to the Criminal Investigation Branch. This office is not responsible for the work of searching for missing friends in the country, but my view of Mr. Hill's exceeding anxiety we think that he was entitled to more consideration, at the hands of Sergeant Shanahan, who, according to Mr. Hill, was brusque and rude to a degree. Acting Sergeant Small acted with readiness and resource, and on the 17th December sent a telegram, which concluded as follows. - "Perhaps this man. Wilson, has enticed the boy away." With such a possibility as this it seems incomprehensible that the department persisted in treating the case as only a missing-friend case. The father's anxiety and continuous expressions of disbelief in the boy's having gone away voluntarily were ignored. On the whole, we conclude that this case establishes the fact that some members of the police have a very imperfect comprehension of their duty to the public.

Incidental to the Oxley murder, the commissioners were astounded at the evidence that the Chief Inspector kept a photograph of the man Wilson (who stood charged with a most serious offence) from the 24th to the 28th December, before making use of it either by publication, in the "Gazette" or otherwise. His excuse was that it was holiday time. Also incidental to this murder was the extreme measure resorted to bring back the crippled boy Claude Wilson. This arose from the perfunctory manner in which the police conducted their search at Brisbane for Wilson, sen.

THE GATTON MURDER.

On the morning of the 27th December, 1898, a man named William M'Neill (a brother-in-law of the victims of this tragedy) informed Sergeant Arrell, who was in charge of Gatton station, that three of the Murphy family lay dead in a field about one mile and a-half from the township. This information was given, about 9.15 a.m. The sergeant, in company with M'Neill, rode without delay to the scene. They were followed by several persons. The sergeant did not make any notes, nor had he a notebook with him. We consider that this should have been done, as it might be of the utmost importance that some one should be able to give an accurate description of surroundings and general appearances at the scene of a murder in the event of the prosecution of any given person.

This was the first blunder.

The sergeant remained twenty minutes to half-an-hour with the bodies, and then, after asking a justice of the peace to remain in charge of the bodies, went to the town and despatched a telegram to the Commissioner's office at 10.55. He took no special precautions to prevent the ground being trodden down and possible tracks obliterated. The sergeant, we think, was in error in leaving the bodies. The station-master told him the

police had no authority to send urgent telegrams, and he did not know of Regulation 6 of the Telegraph Department, and had never had any instructions about it. This we consider deplorable in a member of the force of his rank.

He again blundered in waiting twenty minutes at the station for a reply, when he might have easily had a message sent out to him at the scene of the crime. On his return, he seems to have acted with a little more judgment. The telegram sent by the sergeant to the Commissioner was sent out for delivery from the Telegraph Office, Brisbane, at 11.52, and was delivered at the head office about 12.32, but in some unaccountable way was not opened till 9 o'clock, or thereabouts, next morning. The Chief Inspector says he found it on his table unopened. This could not have happened if proper provision had been made for the receipt and opening of telegrams on holidays. This serious omission has, we understand, since been remedied. We are quite satisfied by the evidence that no blame can be attached to the Telegraph Department.

About 12.30 a telegram was received by Daniel Murphy, a constable, who was at Roma-street Barracks, and who was a brother of the victims. He was informed by this telegram of the murders. He applied for leave, which was granted, and started to catch the 1. O'clock train to Gatton, but missed it. He subsequently had his telegram confirmed at the Telegraph Office, and afterwards went with two other constables to the Criminal Investigation Branch.

Here they interviewed Detectives Toomey and Fowler, and told them about the murders. Inspector Urquhart had knowledge at a quarter to 1 o'clock that a telegram had been received by Daniel Murphy containing news of the murders, and was content to let the matter rest, as there was a rumour that the matter was a hoax. At 1.15 Sub-Inspector White had definite information about the murders, although not official, but did not take any action. At a quarter to 3 o'clock. Inspector Urquhart returned to his office, but did not ask specifically about the rumoured murders, although he did ask casually if anything had come in. About a quarter-past 4 o'clock Inspector Urquhart had definite information of the murders, although not official. He then went immediately to the Chief Inspector's house, and informed him. It was now nearly 5 o'clock. About 6 o'clock Inspector Urquhart came into town, and about 9 o'clock he informed the Commissioner through the telephone. The Commissioner ordered him to take two men and proceed to Gatton. He did not leave till half-past 7 o'clock next morning, although there was a train at midnight. The Commissioner is in part to blame that so late a start was made by Inspector Urquhart. These facts disclose, in our opinion, a culpable indifference on the part of the Inspector to his duty to the public, and is deserving of severe censure. The Inspector, in his evidence before us, stated that if he had interfered in the first instance, and the telegram had turned out baseless, that he would have been reprimanded. If this statement is correct, we think it shows the existence of a rotten system. The neglect of Inspector Urquhart in not communicating with the Commissioner before 9 o'clock is to us incomprehensible, in the face of the evidence that both by rule and practice he was in direct communication with the Commissioner. If there is any red tape rule which prohibits an officer obtaining important information about a crime from communicating it direct to the Commissioner it should immediately be altered, both for the welfare of the public and the efficiency of the force.

In regard to the autopsies, we are of opinion that Dr. Von Lossberg is mistaken in stating that he informed Sub-Inspector Galbraith that he suspected there was a bullet in Michael

Murphy's head, as we are convinced that the sub-Inspector would not, if in receipt of such information, have consented to the burial of the body.

We are of opinion that sufficiently exhaustive investigation and inquiry were not made in every instance as regards suspects.

Taking all the facts before us in connection with the action of the police in reference to both the Gatton and Oxley murders, we feel bound to say that there was a lack of cohesion and efficient organisation to enable them to cope with serious crimes in such a manner as the people of the colony are entitled to expect. On the other hand, we feel constrained to acknowledge that great mystery surrounds the Gatton murders, and it does not follow that if the police had been in the highest state of efficiency that the murderer or murderers would have been discovered. That there was inertness and dilatoriness at the outset cannot be gainsaid, but after the matter was fairly taken in hand the officers and men acted individually with zeal. We, however, think that the plan of action was unnecessarily elaborate and inappropriate to the purpose.

WOOLLOONGABBA MURDER.

The police in this matter, as far as we have had an opportunity of gauging their actions, acted with promptitude, and for reasons, which seem sufficient to us we think it advisable to make no comments on this case.

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PERSONAL.

Commissioner. -From the Commissioner's own evidence it appears clear that he had at the date of his appointment a very slight acquaintance with general police duties; in fact, but for a short experience as Inspector of border patrol and five months' experience as Acting Commissioner, he had had none except what he had been able to gather as a police magistrate. The Commissioner was, however, a gentleman of very varied experience in the colony, and had established a reputation for broad intelligence and probity. In spite of this, we think he started with a very heavy handicap, in so far as that by evidence that has incidentally come before us, there was a great deal of latent discontent throughout the force. The Commissioner was bound at the outset of his administration to rely on the senior officers to a very great extent, and unfortunately took into his confidence officers who, in our opinion, gave very injudicious advice, and assumed overbearing demeanours both to the public and to the members of the force. This, no doubt, reacted on the Commissioner, and a certain amount of odium fell to his lot. From what has fallen from the Commissioner during the period of this inquiry, it is apparent to us that the Commissioner has learnt a great deal about abuses of which he was entirely ignorant, as he trusted too much to the representations of his officers. Most, if not all, of the sub-officers and men that have given evidence before us have expressed their confidence in the Commissioner's high sense of justice. A majority of the Commissioners think that, with the assistance of an efficient deputy commissioner appointed from outside the present force, as recommended by us, and by the adoption of other suggestions made by us, he will prove himself fully competent to discharge the duties of his office with advantage to the public and to the satisfaction of the members of the force.

Chief Inspector. -The Chief Inspector is an officer of very lengthened service, but is unfortunately, in our opinion, out of touch with his duties. He also has a harshness of manner and roughness of demeanour, which unfit him for the very important position that

he holds. His memory is very defective, and for this reason, if for no other, we think the Chief Inspector has to a great extent outlasted his usefulness as a senior officer of police.

We would recommend, therefore, that the Chief Inspector be granted leave of absence, with the understanding that he shall retire at the end of his leave, on such terms as may be arranged between the Government and the Chief Inspector.

Inspector Fitzgerald. -The Inspector was deprived of his seniority rank, and, in the face of his very long services, and acknowledged good work done, he was naturally much incensed, and still smarts under what he considers an injustice. We therefore recommend that he be restored to his seniority rank. Inspector Urquhart. -This is an officer of cultivated intelligence, but of such an impulsive and exacting temperament that he is not suited for the very delicate work which detectives have frequently to do. We think a mistake was made in placing this officer at the head of the Criminal Investigation Branch, when he admittedly had had no training in that special kind of work. Although loath to hurt the feelings of an officer who has probably been sincerely desirous of loyally performing his duties, we are unanimously of opinion that, if an appointment of equal status and pay to that of his present office could be found for him in the civil service, it would be of advantage to the discipline of the force and the nubile.

Inspector Nethercote. -It is quite clear that this officer was deprived of his seniority by an error, and, although this error was subsequently rectified, it was not so rectified as to place him where he should be as regards his seniority to four other officers. We therefore recommend that he be promoted so as to place him in his proper position. In common fairness we are of opinion that the sub-Inspector should receive the pay he was deprived of by the error.

Sub-Inspector Garraway. -We are satisfied with the Commissioner's assurance that the sub-Inspector's appointment will not take effect as against members of the general force in reference to promotion, but that the sub-Inspector will be restricted entirely to the duties of an officer of native police.

Sergeant Edward Johnson. -This sub officer has been severely punished by reduction in rank and by transfer to another district. We have come to a different conclusion from the Commissioner and the honourable the Home Secretary in this case. This, of course, was not till after very minute inquiry and exhaustive discussion. The punishment was inflicted because it was considered proved that the sergeant had wilfully endeavoured to deceive the Commissioner by untruthful evidence. We are of opinion that that charge has not been substantiated. We think that six months should not have been allowed to elapse, for any reason, before the inquiry was held. We think that the sergeant, who had twenty-five years' unblemished reputation, would have been sufficiently punished by a reprimand for the very trivial offence to which he pleaded guilty. We therefore recommend his restoration to his previous rank. In any event, we think this matter should be deemed closed, as far as any further proceedings against the sergeant are concerned. We recommend that the sergeant receive the back pay he would have been entitled to had he not been disgraced.

Sergeant Shanahan. -As we have already pointed out, the disruption in the Criminal Investigation Branch came about largely through the excitable manners of this sub officer, and the undue influence he seems to have obtained over the mind of his Inspector, it is incredible, to our minds, that quiet, well-conducted men should suddenly become insubordinate and untrustworthy unless there was a solid substratum of fact in their

complaints of the exasperating demeanour of the sergeant. We freely admit his capability as a sergeant of police. We have already made our recommendations with regard to this sub-officer.

Sergeant Rody Byrne. -We recommend that the sergeant be refunded his return fare between Toowoomba and Brisbane, and that he certainly should be re-employed in mounted duty.

Acting Sergeant Fay. -The commissioners are of opinion that the acting sergeant has failed to establish any personal grievance.

Acting Sergeant Kelly. -We think the acting sergeant has failed to establish a personal grievance.

Acting Sergeant Crawford. -We deprecate that the acting sergeant did not convey to his superior officers the information with reference to an improper attempt on the part of some members of the force to manufacture evidence in a certain case, but we appreciate his statement that he feared consequences. We do not think the acting sergeant has proved his charges.

Constable Fuller. -From the demeanour of this constable when giving evidence we unanimously came to the conclusion that he is deserving of no consideration, and is fortunate in being still retained in the service.

Constable Roche. -The constable was acquitted before a bench of magistrates on the charges preferred against him by his Inspector, and we think that he is entitled to his full pay during his suspension, and recommend it accordingly.

Constable Weathered. -We made a very exhaustive inquiry into this case, and are unanimous in recommending that

Sergeant O'Brien should be transferred for the benefit of the service, as we think that his separation from Inspector Driscoll would be advisable. We must express our regret that Inspector Driscoll is unable to see the impropriety of Sergeant O'Brien's conduct.

We recommend that Weathered be paid house allowance while stationed at Bundaberg, and also expenses of transfer to Townsville.

Constable Weathered, who gave his evidence in a very excited manner, possibly exaggerated and distorted facts, but a sufficient basis of reliable testimony came before us to warrant us in making the above recommendations.

Ex-Senior Sergeant Grimshaw. -The ex-senior sergeant held a good record for twenty-three years, but prior to his dismissal was suspected of receiving bribes from certain Chinese gamblers. In order to sheet home the offence, Inspector Douglas, with the knowledge of the Commissioner, opened a private letter addressed to the senior sergeant, and detained others. This opened letter was resealed with the money contained in it, and came into the senior sergeant's possession through the Post Office. He made no report to his superior officer of having received this, but alleges that he returned the money, as also other money, to the Chinaman who sent it. An inquiry was held before the Commissioner, who informed the senior sergeant that he had actual proof of his guilt, and the senior sergeant was subsequently dismissed. From a strictly legal standpoint the evidence may not be all that was required, but we think the evidence disclosed grounds for grave suspicion, and under the circumstances the Commissioner was warranted in recommending the senior sergeant's dismissal. Two letters that were detained were

produced before tis unopened, and opened by the ex-senior sergeant in our presence. They both contained money as a present from the same Chinaman.

Ex-Constable Seymour. -With regard to the ex-constable who, we think, was most harshly dealt with, we recommend his reinstatement in the Police Force.

Ex-Constable Hanlon. -We recommend that under the circumstances this exconstable's contributions to the superannuation fund be paid to him ex gratia.

Ex-Constable Doran. -We see no reason to conclude that the ex-constable has been unfairly dealt with.

CONCLUDING REMARKS.

We wish to place on record our appreciation of the zealous and arduous work done by the secretary, Mr. Blair, who has prepared an elaborate and valuable analysis of the evidence, which is attached. We also commend the excellent work done by the "Hansard" staff and by the Government Printing Office: their efforts have enabled us to bring up our report of the short time which we have taken over it. Our recommendations and criticisms we now humbly submit to your Excellency's consideration.

A. B. Noel.

2/12/1899

BARRACK ACCOMMODATION -We inspected the depot at Petrie-terrace and the barracks at Roma-street. At the depot the beds are execrable. There is no provision, for mosquito nets nor any locker or other convenience for keeping clothing in. The lavatory and sanitary arrangements are disgraceful. The Roma-street barracks are entirely inadequate, and should immediately be enlarged. There is abundant evidence that throughout the colony there are many instances of very deficient quarters. We recommend immediate attention to these details.

HORSES AND SADDLERY. -The horses, so far as Brisbane is concerned, are satisfactory, but judging from correspondence and evidence this cannot be said of the whole colony. In a sparsely populated country of great area it is of the utmost importance, in order to insure the due protection of the persons and property of its denizens, that the police should be well mounted. A return of horses bought and sold during the last four years, also amounts paid for forage, is attached. As regards the saddlery, it would seem that it rests with the Commissioner to order what pattern and quality he wants. The samples from St. Helena shown to us the commissioners left very little wherewith to find fault.

SUPERANNUATION. -We recommend that all members of the Police Force hereafter to be recruited shall, after thirty years' continuous service, be allowed to retire unconditionally, provided that in no case shall such retiring member be allowed to draw full salary as pension. Possibly many of the present members of the force may be willing to commute. We see no reason why pensioners should not be permitted to live out of the colony.

POLICE GAZETTES. -We are of opinion that the Police Gazettes should be issued on the day and date they bear, as under the present system confusion is almost certain to arise owing to not being properly indexed much time and labour is sacrificed when referring to them (for information regarding any given criminal or crime. We strongly urge that the Gazettes should be indexed quarterly, and the contents properly classified, with all

necessary cross-references. Gazettes should be properly filed at all stations, and a general order issued to compel the men to read them, and to permit them to have access thereto at all times.

MEMORANDUM BOOKS. -Official memorandum books ought to be supplied to every member of the force. We recommend them to be of the same pattern as those in use in New South Wales. A general order should, be issued to officers in charge to make a weekly inspection of these books, and do initial them.

PHOTOGRAPHS. -For the better prevention of crime, photographs should be more generally distributed throughout the principal stations in the colony. Arrangements should be made with, the other colonies for an interchange of photographs and general criminal information. All criminals should be (photographed in prison garb while in a shaven condition, as -well as when admitted.

GENERAL ORDERS. -We recommended a. strict revision of all general orders, which should be indexed and supplied to all stations. At present many of the men are entirely unaware of their responsibilities and liabilities under these orders. We specially recommend General Order 610 to be cancelled, and General Order 686 to be modified in so far as it refers to men living out of barracks when off duty.

RECORD SHEETS. -The abuse in the use of record sheets, usually known as defaulters' sheets, has led to frequent injustice, and even tyranny to the part of the superior officers. Men were kept in absolute ignorance of condemnatory remarks made secretly in the defaulters' sheet, which upon transfer would be sent on to the new senior officers who very often started with a bias against a man who might be under the impression that he had a clean record. The evidence conclusively proved that in many cases men had been refused a view of their defaulters' sheets. This has had great influence in bringing about the present dissatisfaction and -want of esprit de corps throughout the force, and we feel confident that the alteration which we propose, that these sheets should be called record sheets and that no superior officer should make any condemnatory entry against a man without calling his attention to it, will bring about a much more satisfactory working of the general police. Every member of the force should be entitled to inspect his record sheet after reasonable application. We recommend that the form shown in Appendix No. 7 to be adopted.

FINES AND PUNISHMENTS. -We recommend for the purpose of preserving' discipline and of preventing circumlocution and delay, that Inspectors in charge of districts should be empowered to fine up to £1 any man below the rank of sergeant-of course, subject to the approval of the Commissioner. The power under the Act of fining up to £3 should only be exercised to cases accompanied toy acts of aggravation. The evidence discloses cases, which tend to show that the maximum fine has been, somewhat too frequently-inflicted.

INQUIRIES INTO MISCONDUCT. -Due notice in writing should toe given to any man charged with misconduct, and such writing should contain date of offence and full particulars of same. All documents affecting him whether private and confidential or not, should be shown to the accused. We have had instances before us where men have been punished upon a private statement made without their knowledge by the superior officer to the head of the department. This seems to us an intolerable method of making inquiries. We also strongly condemn the practice of some Inspectors who merely inform the accused of the minute of the Commissioner, but do not show the minute itself. This practice is contrary to the desire of the Commissioner.

STREET TRAFFIC-In view of the excellent results achieved in London and elsewhere, we think the control of street traffic might with great advantage be left entirely in the hands of the police.

WATER POLICE. -We recommend that the water police should be put on the same footing as the ordinary police as regards allowances. A new pattern of uniform should be selected in order that in cases of disturbance, in which the water police might have to interfere, they could be readily distinguished from men-of-war's men or merchant sailors.

AMBULANCE. -We are of opinion that, further facilities and encouragement should be given to the police to train themselves in the knowledge of first aid to the wounded. Men who get a prescribed certificate of efficiency might be allowed to wear a distinguishing badge.

JUBILEE FUND. -While appreciating the motive which prompted the Commissioner to start this fund, the feeling of dislike to it on the part of a large majority of the men is so marked that -we recommend its abandonment and the return of the money paid into it. In any event, for the sake of discipline, we think it inadvisable that the Commissioner or any officer above the rank of a sub-Inspector should take part in the actual management of the fund.

MANUAL AND BOOKS. -We have been much impressed with the urgent need for a revised edition of the manual of rules and regulations, and are unanimously of opinion that unless this be supplied a proper system of working cannot be brought about. This need has been repeatedly urged by ex Commissioner Seymour and the present Commissioner. We think it would tend to a more efficient performance of police duties in outlying districts if some standard law books were provided at the various stations of importance throughout the colony. We recommend Archbold's Pleading and Evidence in Criminal Cases, Wilkinson's Queensland Magistrate, and extracts from the Queensland statutes relating to the principal duties of the police We further recommend that a library, provided with standard works dealing with police matters of other countries, be established at head office for the use of all officers.

FRANCHISE. -While on the whole favouring the granting of the franchise to members of the Police Force, we think that it would be advisable to defer the system for the purpose of observing how it works in Victoria and New South Wales.

LIQUOR LICENSING LAWS -We think that the police should be given increased facilities for enforcing these laws, as the prohibited traffic has assumed such proportions as to become a public evil.

CRIMINAL INVESTIGATION BRANCH-We are of opinion that an unnecessary number of books are kept, and that this entails an undue amount of clerical labour. Three sets of books are kept to record criminal offences, whereas the evidence showed that with a proper index and cross-references one book would be sufficient. A murder register for the whole colony should certainly be kept. We think that this branch of the force should be, as at present, under the control of an Inspector, and we recommend Sub Inspector Nethercote for that position.

The Criminal Investigation Branch should be relieved from the duties appertaining to minor inquiries, which should be attended to by the ordinary plain-clothes police, whose number should be increased (vide Appendix No. 8).

This ought to meet the complaint that the Criminal Investigation Branch in Brisbane is undermanned.

We recommend the removal of Inspector Urquhart, Sergeant Shanahan, and First-class Constable Fowler from the Criminal Investigation Branch, because the evidence discloses the fact that the want of cohesion and disorganisation in this office has been largely brought about by a feeling of mistrust amongst the men, engendered by what they considered too great intimacy between Sergeant Shanahan, First-class Constable Fowler, and the Inspector.

We recommend that each of them should in future serve in different districts.

We recommend that the Detective Force be strengthened by the retransfer of Sergeant Henders, Acting Sergeant King, and First class Constable Stringer to the Criminal Investigation Branch at Brisbane. In order to secure a vigilant and effective Detective Force it is necessary that adequate pay be given. The evidence proves that the allowances are insufficient, and that both the pay and the allowances in Victoria and "New South Wales are higher than here.

We recommend that the travelling allowance of the detectives should be raised to at least 7s. 6d. per item, but that in no instance should a detective be out of pocket for any reasonable expenditure incurred in the performance of his duty. We further recommend that there should be a reconsideration of their pay in general. We are of opinion that detectives should not wear uniform under any circumstances. It is imperative that greater facilities should be afforded detectives for travelling by rail when in pursuit of a criminal, and that no restriction be put upon them at such a time as to the class in which they should travel. It would be advisable, if practicable, to have the Criminal Investigation Branch under the same roof as the Commissioner's Office.

4/12/1899

The report of Chief Police Commission recommends, the appointment of a Deputy Commissioner, that recruits be paid 6s. per day as in New South Wales and Victoria, and that transfers should not be so readily resorted to as at present except as a means of punishment. The report states that the evidence is conclusive that there is urgent necessity for an increase of both officers and men, and contains the recommendation that 21 days leave be granted yearly to all ranks.

The abuse in the use of the record sheet, known as the defaulters' sheet, the Commission considers has led to frequent injustice and even tyranny on the part of superior officers. It is recommended that in future no superior officer should make any condemnatory report against the men without calling their attention to it. Concerning the granting of the franchise to the police, the Commission thinks it would be advisable to wait and see how the system works in Victoria and New South Wales. It is recommended that Sub

Inspector Nethercote should take charge of the criminal investigation branch.

Regarding the action of the police in reference to the Gatton and Oxley murders, the Commission feels bound to say that there was a lack of cohesion and efficient organisation to enable the police to cope with a serious crime in such a manner as the people of the colony were entitled to expect. It is recommended that the Chief Inspector be granted leave of absence, with the understanding that he retire, as the Commission considers that he ought to relinquish his duties, and that he has a defective memory. Mr. F. W. Dixon,

one of the commissioners, states that he is unable to agree with the rest of the Commission in the recommendations regarding the continued occupancy of the position of Commissioner of Police by the present commissioner.

12/12/1899

The members of the Police Inquiry Commission had the unpleasant duty of dealing with quite a number of personal charges and grievances.

It is impossible to deal with such a matter so as to satisfy everybody; very often it is so dealt with as to satisfy nobody.

A glance at the report now before us shows that the Commissioners have taken infinite pains to get at the truth, and that their recommendations are based on such knowledge as was accessible. Naturally many complaints broke down; perhaps the most ludicrous collapse was that of the Irish patriot who insisted that his countrymen received unjust treatment in the force, and who was unable to produce one single instance in support of his complaint. But the coinage as well as the impartiality of the Commission is seen in the personal recommendations made by them. Passing from Mr. Parry-Okeden to his subordinates, we find detailed and strenuous effort made to remove friction, to punish the offending, and to right the wronged.

The Chief Inspector is "out of touch with his duties," and has "outlasted his usefulness"; it is recommended that he should retire.

Inspector Fitzgerald, on the contrary, smarts under an injustice, and should be restored to his seniority rank.

Inspector Urquhart is of a temperament unfitting him for his post, and it would be an advantage "if an appointment of equal status and pay to that of his present office could be found for him in the Civil Service."

Inspector Nethercote, again, was deprived of his seniority by an error; the error has been rectified, but its results in loss of pay and promotion still want to be redressed.

Against both the Commissioner and the Home Secretary the members of the Commission take the part of Sergeant Edward Johnson, who, they think, has been unduly punished, and should be restored to his previous rank.

It is recommended that Sergeant Shanahan, and First-class Constable Fowler, as well as Inspector Urquhart, be removed from the Criminal Investigation Branch, where their intimacy has done mischief. Several minor cases were dealt with patiently, among them that of ex-Constable Seymour, whose reinstatement to the force is recommended.

The case of ex-Detective Grimshaw is, perhaps, the only one left in an unsatisfactory position. He was dismissed on the charge of receiving bribes from a Chinaman.

Three of the five members of Commission think the dismissal was warranted; the other two, one of them Judge Noel, regard the Commission's procedure and the decision as "exceedingly questionable and improper."

Assuredly if a man is to be held innocent till he is proved guilty, Mr. Grimshaw should be reinstated.

The just and humane treatment of the members of the force so closely concerns its efficiency that a very large proportion of the report deals with these matters.

Such questions as superannuation, pay and allowances, promotion and transfer, barrack accommodation, defaulters' sheets, inquiries into misconduct, fines and punishments, must be settled on a satisfactory basis if the class of men we want is to be attracted to the service.

On all these matters, and many others of like sort, the Commission ask for reform. It was found, for example, that barrack accommodation was bad. "At the depot the beds are execrable"; "lavatory and sanitary arrangements are disgraceful"; "Roma-street barracks are entirely inadequate"; and a similar state of things obtains throughout the colony.

New rules are recommended for fines and punishments, and the over resort to transfers as a means of punishment is condemned.

The most unsatisfactory items in the list are the record sheets and the methods of conducting inquiries.

It seems that men were "sometimes punished upon a private statement made without their knowledge by the superior officer to the head of the department."

This the Commissioners describe as, "intolerable."

It seems, too, that "men were kept in absolute ignorance of condemnatory remarks made secretly in the defaulter-sheet;" "in many cases they had been refused a view of their defaulters' sheet?"

This, it is remarked, had "great influence in bringing about the present dissatisfaction and want of esprit de corps throughout the force."

"The Commissioners propose that these sheets should be called "Record Sheets," and urge "no superior officer should make any condemnatory entry against a man without calling his attention to it."

The recommendations that men should wear khaki uniform in summer, and that detectives should never wear uniforms of any kind, are so plainly reasonable that we wonder they should have been necessary.

There are other matters of more direct interest to the public.

One important recommendation is an increase in the force itself. "The evidence before us," says the Commissioners "is conclusive that there is urgent necessity for a substantial increase in the force both of officers and men. We recommend three extra sub-Inspectors and twenty-five men at least."

We are inclined to lay some stress on that "at least," two other matters connect themselves with this.

On the one hand, the Commissioners are of opinion that too many of the police are employed as clerks in the various offices.

On the other, they think that the control of the street traffic might with great advantage be left in the hands of the police, "in view of the excellent results achieved in London and elsewhere." And the increase of force they recommend is "exclusive of any extra men that might be wanted should the police be made entirely responsible for the control of the street traffic in Brisbane."

Special attention should be given to the recommendation touching manual of rules, and provision of some elementary law books for guidance at the various stations throughout the colony.

In one particular the Commissioner is dissatisfied with the "instructions" which, however informally, have been given to the force.

Very strong things were said by some witnesses of the tying of the hands of the police in relation to the liquor laws.

On that head the Commission say: "We think that the police should be given increased facilities for enforcing these laws, as the prohibited traffic has assumed such proportions as to become a public evil."

A large section of the report refers to the Criminal Investigation Branch, and to the murders, which during the last twelve months have baffled inquiry. After recommending some reforms in the detective department itself, including the appointment of Mr. Nethercote as Inspector, the Commissioners point out the mistakes made in dealing with these tragedies.

The refusal of the police to take seriously the disappearance of Mr. Hill's son, and the difficulty met in inducing them to take any action, are severely censured.

Similar remarks are made over the series of initial blunders in the Gatton case. Sergeant Arrell, the first official visitor, had no note-book and took no notes; and he used no precautions to prevent the ground being trodden all over.

The telegram sent to Brisbane about midday was not opened till 9 o'clock next morning. A private telegram came to the notice of Inspector Urquhart, who treated it as a hoax. Only about 9 at night was word sent second-hand to Mr. Parry-Okeden.

The Commissioners have some forcible things to say about red tape, and they condemn the "lack of cohesion and efficient organisation in coping with such serious crimes.

If this Commission did nothing more than remove some of the stumbling blocks, which have so, interfered with the discovery of crime, it would deserve well of the Country.

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