



**SPECIAL COMMISSION OF INQUIRY INTO OFFENDING BY FORMER  
CORRECTIONS OFFICER WAYNE ASTILL**

**PUBLIC HEARING  
SYDNEY**

**TUESDAY, 17 OCTOBER 2023  
AT 10AM**

**HEARING DAY 4**

**APPEARANCES**

**MR D. LLOYD SC appears with MS J. DAVIDSON as Counsel Assisting  
MR J. SHELLER SC appears with MS C. MELIS for Corrective Services NSW  
MR D. VILLA SC appears for a group of current or former inmates at Dillwynia  
MS J. GHABRIAL appears for a group of Correctional Officers**

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<THE HEARING RESUMED AT 10.03 AM

**COMMISSIONER:** Yes, Mr Sheller.

5 **MR SHELLER:** Commissioner, with your leave, I would like an opportunity to  
read out a statement on behalf of the Commissioner for Corrective Services. This  
is an institutional apology. This Special Commission of Inquiry is crucial to ensure  
that what took place at Dillwynia Correctional Centre never happens again and so  
the public can have confidence that Correctives Services New South Wales will  
10 continue to serve the public by helping to rehabilitate people and in doing so make  
their communities safer places to live.

Corrective Services apologises sincerely and unreservedly to the survivors of  
Mr Astill for the abuse that they have suffered. They are entitled to be protected  
15 and cared for in a place where they felt safe and secure and Corrective Services is  
sorry that this was not their experience. Corrective Services deeply regrets the  
treatment inmates endured at a time in their life when they were vulnerable and in  
need of support.

20 It is with incredible sadness that Corrective Services acknowledges the lasting  
impact these experiences have had on the quality of the inmates so affected now  
and into the future. Corrective Services sincerely regrets the pain and suffering the  
inmates experienced and acknowledge that these experiences have impacted upon  
personal relationships and mental health.

25 Corrective Services thanks those of the inmates who have been able to summon  
the courage to participate in this Special Commission of Inquiry and tell their story  
and for sharing their various personal experiences. In doing so, they have  
contributed, and will continue to contribute to the prevention of abuse of other  
30 people in correctional facilities.

Corrective Services is committed to protecting people from abuse and neglect. The  
health, safety and wellbeing of people in Corrective Services' care is a primary  
focus for the organisation. Corrective Services has markedly changed since the  
35 time that Mr Astill engaged in his criminal behaviour, with a range of initiatives  
and policies implemented to reduce the likelihood of such abuse ever happening  
again.

40 As part of the justice system, Corrective Services are tasked with taking in people  
at their lowest moments and helping them find a pathway back to a better life.  
This is at the heart of what Corrective Services does and the vast majority of  
Corrective Services staff do it well and with the best of intentions. There is no  
place in Corrective Services for people like Wayne Astill or anyone proven to  
have turned a blind eye to his criminal behaviour. Corrective Services' thoughts  
45 are with the survivors of Astill's abuse, their loved ones and the impacted Officers  
as it continues to support them through this difficult time. Corrective Services  
welcomes the Special Commission of Inquiry and any recommendations for

Corrective Services New South Wales. It will ensure the recommendations are implemented and it will take the lessons learned from this distressing situation so it will never happen again.

5 Thank you, Commissioner.

**COMMISSIONER:** Mr Sheller. Mr Lloyd.

10 **MR LLOYD:** Thank you, Commissioner, before I call the first witness, I wish to tender volumes 1 to 6 of a tender bundle which has been served on the parties. I think you have before you, Commissioner, relevant volumes.

**COMMISSIONER:** You are tendering six volumes.

15 **MR LLOYD:** Yes.

**COMMISSIONER:** Of what will be a larger selection?

20 **MR LLOYD:** Yes. We will have further volumes to tender in due course.

**COMMISSIONER:** How is it sensible for me to mark this first six?

**MR LLOYD:** As exhibit -

25 **COMMISSIONER:** One exhibit?

**MR LLOYD:** Yes.

30 **COMMISSIONER:** So where are we up to? I will make it exhibit 3 with the expectation that more volumes will come to supplement the first six.

35 **MR LLOYD:** Thank you, Commissioner. I should make this plain. I've discussed this with each of the parties' representatives, that in tendering those six volumes, we acknowledge that there may be some portions which some parties may ultimately wish to raise objection to and we accept that those objections may be made at the appropriate time and we can deal with any portions that are objected to at the relevant time.

40 **COMMISSIONER:** Very well. What about present access to the documents? Is there a problem, now that they are in evidence?

**MR LLOYD:** No, there is no problem with access.

45 **COMMISSIONER:** To anyone?

**MR LLOYD:** Well, there has been - just pardon me - in terms of these six volumes there's redactions for irrelevant material but there's no non-publication orders in place over that material.

5 **COMMISSIONER:** So anyone who seeks access to these documents should be able to have them?

**MR LLOYD:** Yes. I'll just make sure. Yes.

10 **COMMISSIONER:** Very well.

**MR VILLA:** Could I raise one matter before Mr Lloyd begins.

15 **COMMISSIONER:** It might be helpful if you make sure you are near a microphone.

**MR VILLA:** Your Honour, by the Letters Patent creating this Commission in appointing you, Commissioner, special powers are conferred under sections 22, 23 and 24. The effect of the conferral of powers under section 23 is that a witness  
20 who has been summoned to attend cannot refuse to answer questions on various grounds including the grounds of self incrimination. That, however, is qualified by the provisions of section 23(3)(b) which is to the effect that an answer that is given willingly seems to be carved out of what is the effect of section 23(2) which is that answers given can't be admitted against the person in civil or criminal  
25 proceedings.

Because of the language of 23(3)(b) it seems to us that it will be necessary if a question of incrimination arises that causes us to object to each such question, but accepting that in making that objection, the witness is not entitled to refuse to  
30 answer the question, but in order to identify which evidence is being given willingly and which evidence is being given under compulsion it does seem that it would be necessary for me, if the issue arises to –

35 **COMMISSIONER:** To progress. I think you are right. When I was counsel, I had suffered the same problem. But it's the wise course that you seek to take.

**MR VILLA:** Yes. Thank you, Commissioner.

40 **MR LLOYD:** Commissioner, you will recall on an earlier occasion you made non-publication orders with respect to the identity of a number of the witnesses who are to be called in this tranche of the hearing. The first witness, if you have before you the pseudonym list, is recorded as Witness H. She has advised the Commission that she no longer wishes to have a non-publication order in place with respect to her identity and so I'm not suggesting that it's necessary for you  
45 formally to vary the order that was made but I wish to.

**COMMISSIONER:** Well, it would be, wouldn't it? If her name is now to be able to be published and that's what she wishes, I would have to vary the order, wouldn't I?

5 **MR LLOYD:** Well, if it's necessary then I invite you.

**COMMISSIONER:** I would have to revoke the order insofar as it protects the identity of Trudy Sheiles.

10 **MR LLOYD:** Yes, in that event I invite you to revoke and vary the order to that extent.

**COMMISSIONER:** Well, I will do so.

15 **MR LLOYD:** I call Trudy Sheiles. She will give her evidence via AVL. I'm told it will take just a few seconds to get her up on the screen.

**COMMISSIONER:** Do we have contact through the link this morning?

20 **MR LLOYD:** We have. I think Ms Sheiles has been in a break-out room, Commissioner, and it's just necessary to bring her over to the main room.

Ms Sheiles, can you hear me? I will have a message go through to Ms Sheiles to unmute herself. Ms Sheiles, can you hear me?

25 **MS SHEILES:** Yes, I can.

**MR LLOYD:** And you can see me?

30 **MS SHEILES:** Yes, I can.

**MR LLOYD:** Could you state your name.

35 **MS SHEILES:** Trudy Jane Sheiles.

**MR LLOYD:** And your address is known to the Commission and so I don't need to ask you about that. You're in Coffs Harbour?

40 **MS SHEILES:** That is correct.

**MR LLOYD:** If, at any time, there's any difficulty hearing or seeing me, can you make sure you let me know and we will get it fixed.

45 **MS SHEILES:** I will, no worries.

**MR LLOYD:** Would you take an oath or an affirmation?

**MS SHEILES:** Look, I can never remember but it's the one with the Bible.

**MR LLOYD:** It sounds like an oath.

5 **MS SHEILES:** Yeah.

<**TRUDY JANE SHEILES, SWORN 10.15 AM.**

<**EXAMINATION BY MR LLOYD:**

10

**MR LLOYD:** Ms Sheiles, just to make sure I understand what material, as in what documents you have there, you've got with you in the room you're in your statement that you made to this Commission on 13 October?

15 **MS SHEILES:** That is correct.

**MR LLOYD:** And your earlier police statements for the criminal prosecution against Astill?

20 **MS SHEILES:** That is correct.

**MR LLOYD:** Can I just ask you, your statement that you made to this Commission on 13 October, what you say in that statement is the truth?

25 **MS SHEILES:** Yeah, completely.

**MR LLOYD:** And your statements that you made to the police for the prosecution of Astill, what you said in those statements, that was also the truth?

30 **MS SHEILES:** That is correct.

**MR LLOYD:** And when you gave evidence at Astill's criminal trial, what you said in court was the truth?

35 **MS SHEILES:** That is correct.

**MR LLOYD:** What I want to do, Ms Sheiles, is ask you some questions largely by reference to the statement you made to this Commission. So if you can have that handy.

40

**MS SHEILES:** Yep.

**MR LLOYD:** And what I am going to do is just direct your attention to things you've said in various paragraphs.

45

**COMMISSIONER:** Mr Lloyd, are you going to tender the statement or what?

**MR LLOYD:** It's in volume 5.

**COMMISSIONER:** It's in volume 5.

5 **MR LLOYD:** Of tab 6A, I'm sorry, of Exhibit 3. Sorry, Ms Sheiles before I ask I should make sure you have got one other important document there. Do you have -

10 **MS SHEILES:** The pseudonyms, yes.

**MR LLOYD:** Do you have the pseudonym list?

**MS SHEILES:** Yeah.

15 **MR LLOYD:** And one thing, I think you know this, but we'll just make sure, when I ask you questions about various people on that list, I'll direct your attention to the letter.

20 **MS SHEILES:** Yep.

**MR LLOYD:** And you can just look at the list and match up the letter to the person, so you know who I'm talking about.

25 **MS SHEILES:** All good.

**MR LLOYD:** And you understand, if you slip up and accidentally mention the name, that's okay because we can just delay the live feed.

30 **MS SHEILES:** And we're on delay. Yep, that's all good. I'll do my best.

**MR LLOYD:** Can I just ask you to take up your statement to this Commission and just re-read to yourself paragraph 3 just to remind yourself what's in there and then I'll ask you some questions.

35 **COMMISSIONER:** Mr Lloyd, which tab was it?

**MR LLOYD:** It's tab 6A.

40 **COMMISSIONER:** 6A, right.

**MS SHEILES:** Yeah.

45 **MR LLOYD:** So, you were an inmate in Corrective Services New South Wales between 21 November 2014 and 18 July 2022?

**MS SHEILES:** That is correct.

**MR LLOYD:** Now, for part of that time, you were housed at Dillwynia Correctional Centre.

5 **MS SHEILES:** That is correct. Quite a majority of my time was spent there.

**MR LLOYD:** You arrived there on 19 November 2015 and stayed there until 24 June 2017?

10 **MS SHEILES:** 2018.

**MR LLOYD:** No, sorry. You were away briefly between June and -

**MS SHEILES:** Yes, of course. Yes, I was away for eight weeks. Yes, sorry.

15 **MR LLOYD:** That was for the trial.

**MS SHEILES:** That is correct.

20 **MR LLOYD:** After the trial in August of 2017, you came back to Dillwynia and stayed there until 6 October 2018?

**MS SHEILES:** That's correct.

25 **MR LLOYD:** Can I just ask you some details which you're the first of our witnesses from Dillwynia and so I want to get you to help the Commission by just identifying some things. First, a period that you were at Dillwynia were housed in the J Unit?

30 **MS SHEILES:** That is correct.

**MR LLOYD:** Could you just tell the Commissioner what the J Unit is?

35 **MS SHEILES:** The J Unit was a SMAP house which is special management placement area, I think it stands for. So that is protection from the rest of the main population. A lot of the people in there are child-related crimes and things like that so they can't be out on the main compound.

**MR LLOYD:** You mentioned SMAP, S-M-A-P.

40 **MS SHEILES:** Yep.

**MR LLOYD:** That was an area that contained the J and K Units, was it?

45 **MS SHEILES:** No. K wasn't SMAP. K was high needs and J Unit was SMAP. We were kept in what's called the high needs area.



**MR LLOYD:** Within that SMAP area, you've already told the Commissioner that it contained the J Unit.

**MS SHEILES:** Yes.

5

**MR LLOYD:** There was an also an administration block.

**MS SHEILES:** That's correct. It was like the Officers' station.

10 **MR LLOYD:** And how far, approximately, was it to walk from the J Unit to the administration block.

15 **MS SHEILES:** If you were at the front of J right, because it was J right and J left. If you were in J right you could look out the window and it was just there so it would probably be eight metres to walk, not very far.

**MR LLOYD:** Was one of the inmates during the year 2016 who was also in the J Unit witness C, if you look at the list?

20 **MS SHEILES:** Yes.

**MR LLOYD:** Can I just ask you some other details about how things worked. What time were the inmates in the J Unit locked in of an afternoon?

25 **MS SHEILES:** For the majority of the time that I was there, the lock-in time was 3.30. For a period of time we had it extended, and the Officers would come and do a check at 3.30. Then vacate the whole high needs area but we were left out until 5.30. Then other Officers would come back and lock us in at 5.30. But that only lasted for, look, I couldn't even say, a couple of months or so.

30

**MR LLOYD:** In terms of the number of Officers who were located in the SMAP area after 3.30 for the most part were they -

**MS SHEILES:** No.

35

**MR LLOYD:** So, there would be no Officers in the J Unit itself?

40 **MS SHEILES:** There's never an officer in J Unit. We didn't have an officer stationed in the actual unit. And we didn't have cameras either. The Officers' unit that you were talking about before, the administration building, they governed us, K Unit and also when it was built, the 40 out, which was another building that housed 40 women. But it really didn't last very long. It was shut down because of the building materials.

45 **MR LLOYD:** And so after lock-in in the J Unit, I think you've already said, no Officers within that unit itself?

**MS SHEILES:** That is correct.

**MR LLOYD:** But would there be an officer in that administration block?

5 **MS SHEILES:** No, not after 3.30.

**MR LLOYD:** And was there any reason, in your experience, for inmates to be taken out of the J Unit after lock-in?

10 **MS SHEILES:** No, not really. There was really no no reason or excuse to have, so no.

**MR LLOYD:** In that administration block you had been in that block many times in your period at Dillwynia.

15 **MS SHEILES:** Yes.

**MR LLOYD:** Did you see any CCTV cameras there?

20 **MS SHEILES:** No.

**MR LLOYD:** Could I ask you, then, if you look at paragraph 4 of your statement.

25 **MS SHEILES:** Yep.

**MR LLOYD:** You say there you were at Dillwynia for about three months before you had any interaction with Wayne Astill.

30 **MS SHEILES:** That's correct.

**MR LLOYD:** See that. But you were aware of him before then?

35 **MS SHEILES:** Yeah. I mean, I had at that three months thereabouts, give and take, I had had personal not personal contact but actually spoke to the man. Prior to that I had only just seen him floating around and talking to other inmates, particularly inmate C.

**MR LLOYD:** What had you heard about Astill at this time?

40 **MS SHEILES:** That he was quite inappropriate, and to do the best they could to keep him at a distance.

**MR LLOYD:** Say that last bit again, I missed it.

45 **MS SHEILES:** That's all right. He was quite inappropriate and to do my very best to keep my distance.

**MR LLOYD:** When you say he was quite inappropriate, who told you that?

**MS SHEILES:** 90 per cent of the inmates. SMAP and on the main.

5 **MR LLOYD:** Did you have that discussion with any Officer or Officers?

**MS SHEILES:** No. Not at that point.

10 **MR LLOYD:** Have a look, please, Ms Sheiles, at paragraph 5. Just read that to yourself and then I will ask you about it.

**MS SHEILES:** Yeah.

15 **MR LLOYD:** You talk there about talk of Astill and witness C having some sort of interaction or relationship?

**MS SHEILES:** Yeah.

20 **MR LLOYD:** What was that talk, who was talking about that?

**MS SHEILES:** Absolutely everybody. It was as obvious as the nose on my face.

25 **MR LLOYD:** Just, when you say "absolutely everybody", starting with the inmates in J Block?

30 **MS SHEILES:** Yes. Yeah, mainly them. I mean, we had very little contact with the main girls for their well, for our own safety. But I had already served, probably close to 12 months on the main and had quite a few connections and friends on the main that had made comment when I in passing, that this man was not good.

**MR LLOYD:** Was there any discussion at this early time when you first arrived, or around when you first arrived, about the contact between Astill and witness C involving Officers?

35 **MS SHEILES:** Could you say that again, as in Officers, I don't understand.

40 **MR LLOYD:** Sorry. You said everyone or absolutely everyone was talking about it. Were the people who were talking about that relationship, did they include Officers?

45 **MS SHEILES:** There were some overseers. Cheryl - I can't think of her last name, Douglas, I think it is, who was my boss when I was cleaning, had many, or had made many a comment in conversation with me about the relationship between Astill and C, and that she had been trying her hardest to have it made aware to other higher powers.

**MR LLOYD:** Did she say to you what she knew or believed about that relationship?

5 **MS SHEILES:** There was comments made of that they were intimate and inappropriate, and that C had Astill wrapped around her little finger.

**MR LLOYD:** You mentioned Ms Douglas trying -

10 **MS SHEILES:** Yes.

**MR LLOYD:** Trying to do something about the issue. Do you remember what she said she tried to do?

15 **MS SHEILES:** She had spoke to I cannot remember who it was but she had spoke to other people and tried to make them aware of the situation. And possibly including Shari Martin to be honest but I can't be 100 per cent certain on that. I can't, but she had gone to higher powers and was trying to

20 **MR LLOYD:** Sorry, she was telling you she had gone to higher powers to disclose that problem.

**MS SHEILES:** Yes, that is correct.

25 **MR LLOYD:** And is it fair, you're not, you can't quite remember whether she told you that that included going to Shari Martin; is that right?

**MS SHEILES:** I'm not 100 per cent certain but it's sort of niggling at the back of my head and I'm pretty sure she made comment that included Shari.

30 **MR LLOYD:** Did she say to you about what had happened when she went to the higher powers?

35 **MS SHEILES:** She just said she was getting nowhere. It was like nobody was listening or gave a rats.

**MR LLOYD:** Could I ask you, Ms Sheiles, just read to yourself paragraph 6 and then I'll ask you some questions.

40 **MS SHEILES:** Yep.

**MR LLOYD:** This is you describing some things that you actually saw.

**MS SHEILES:** Yes.

45 **MR LLOYD:** And you say you were at the inmate intake area, you knocked at the door.

**MS SHEILES:** Yeah, the reception is there.

**MR LLOYD:** And just describe what you saw when you were in that inmate intake area.

5

**MS SHEILES:** Yeah, well, I came to, we call it reception, I came to the outside door. Came in. Looked to my left. The reception has a long desk and a doorway, just as you come in. And then that doorway goes through to another office. What I saw was witness C Ms C sitting on a chair.

10

**MR LLOYD:** Just pause there, Ms Sheiles, it's perfectly fine but -

**MS SHEILES:** Sorry about that.

15 **MR LLOYD:** No, you need not worry. Just pause for one moment. It's easy to do, Ms Sheiles. Just go back. You were describing what you saw when you were in that reception area with respect - with respect to witness C.

20 **MS SHEILES:** Witness C, yes. I came through the outside door into the reception, looked to my left, which was a doorway that went through to behind the counter of reception, but then it went through to another office. What I witnessed was witness C sitting in a chair with Astill standing directly in front of her, and I didn't see pants down or anything but I couldn't - couldn't - couldn't see that even if I was to look, but the motions and the reactions from them, to me, indicated  
25 something untoward or inappropriate was going on.

**MR LLOYD:** Ms Sheiles, in terms of what you described can you just say what you thought you saw?

30 **MS SHEILES:** I thought I saw witness C, sorry.

**MR LLOYD:** It's okay. Just pause for a moment.

**MS SHEILES:** Oh my goodness.

35

**MR LLOYD:** Sorry, Ms Sheiles, you thought you saw witness C.

**MS SHEILES:** I thought I saw witness C giving Astill and excuse the language, a head job. Oral sex.

40

**MR LLOYD:** Can I ask where were you located when you made that observation? Were you inside that first office.

45 **MS SHEILES:** I was in the reception area, looking straight through, straight through to them.

**MR LLOYD:** Was there anyone else around in that reception area when you were there?

**MS SHEILES:** Not at that time, no.

5

**MR LLOYD:** Do you remember about what time of the day it was?

**MS SHEILES:** It would have been in our lunch break so it would have been and when I say lunch break, we only we were given an hour on the main compound while the main girls were locked in over lunch. So, oh goodness, I guess I'm not entirely certain because I can't remember what time we were there but it was somewhere probably between 12.30 and 1.30.

10

**MR LLOYD:** Was that reception area, to your observation, somewhere where inmates and Officers were, or walked in?

15

**MS SHEILES:** No. No, no, it was quite - it was an area where you sort of had to get buzzed through, if you will. It was, yeah, it wasn't an area where inmates frequent. You only go there if you had - like if you had to get some clothing or your property or something along those lines.

20

**MR LLOYD:** Could I ask you to just have a look at paragraph 8 of your statement. Read that to yourself. Could I ask you, Ms Sheiles, about the last two lines. You could see that Astill was grooming other inmates and noticed you were targeted with those girls -

25

**MS SHEILES:** Yeah.

**MR LLOYD:** What did you mean, what did you actually see?

30

**MS SHEILES:** He was inappropriate touching - inappropriate speaking. The - a lot of the girls, especially in the J Unit, were either cognitively impaired or had been severely damaged by drug use. And a lot of these girls, from my opinion and from my sort of witnessing, were - they just thought it was okay because they were getting attention from him. He'd often organise special - like, if somebody wanted something, he would organise for them to have it including putting people's numbers on phones that shouldn't be on phones, things like that.

35

**MR LLOYD:** That effectively giving favours to inmates?

40

**MS SHEILES:** That's correct, yeah, to bribe them, I guess.

**MR LLOYD:** Could I ask you just to have a look at paragraph 9.

45

**MS SHEILES:** Yep.

**MR LLOYD:** You see there you say that you know that Astill bought witness C pills and sexy underwear, is that something you actually observed happen?

5 **MS SHEILES:** No, I did not witness myself but the inmates in the cell opposite to witness C at the time these things happened, witnessed it. And came forward to me.

**MR LLOYD:** Could I ask you about paragraph 10 and, again, just have a look at that and then I'll ask you some details.

10

**MS SHEILES:** Yep.

**MR LLOYD:** I think you've already told the Commissioner, after 3.30 pm in the J Block all staff from the high needs area would leave, and that was with the exception of a rover who would come and check and that's check on you within the block itself?

15

**MS SHEILES:** No, not necessarily check. They never came inside the block, they'd just do the perimeters.

20

**MR LLOYD:** You've got a description here about Astill retrieving witness C and taking her across to the offices. Can you just describe what you saw happening?

**MS SHEILES:** Yeah. He came to the J house, requested for witness C to accompany him over to the office. Then some time later, I couldn't even give you an estimate, they were returning on the footpath. He was drinking a Coke and witness C literally just took the Coke out of his hand and started drinking it herself. And then -

25

30 **MR LLOYD:** And was that kind of thing sharing a can - sorry, you go.

**MS SHEILES:** And then handed it back to him.

**MR LLOYD:** Was that kind of thing, sharing a can of Coke between an Officer and an inmate allowed or common?

35

**MS SHEILES:** No, not by any means. That was a no-no. You don't touch Officers, you don't - no.

40 **MR LLOYD:** And you saw this yourself, for yourself?

**MS SHEILES:** I witnessed that myself and my jaw dropped and I'm just sitting there going "What - what - what". It was unbelievable.

45 **MR LLOYD:** Was there any reason, to your knowledge, about why it was that witness C was being retrieved from the J Block after lock in.

**MS SHEILES:** No. No reason whatsoever.

**MR LLOYD:** How many times do you remember seeing that?

5 **MS SHEILES:** It happened quite a few times. I couldn't give you a number. Same as myself being retrieved. I couldn't give you an exact number but it was quite frequent.

10 **MR LLOYD:** And I will come to ask you some questions about this but you just mentioned you being retrieved.

**MS SHEILES:** Yeah.

15 **MR LLOYD:** This same thing happened to you; that is, you being retrieved from your -

**MS SHEILES:** Yes, it did.

20 **MR LLOYD:** After lock-in by Astill.

**MS SHEILES:** For no reason. There was no reason, and yes, quite a few times I was retrieved. Sometimes just by Astill. Sometimes a rover or another Officer would come, retrieve me and take me to the - wherever, like the office that Astill was in.

25 **MR LLOYD:** And Ms Sheiles, it's not going to be necessary for you, in your evidence here, to describe what you found out to be the purpose of that. You've done that in the criminal trial but can I just ask you this: You came to find out that the purpose of him having you retrieved from your cell after 3.30 was for him to take you to an office and sexually abuse you. Is that right?

30 **MS SHEILES:** That is correct. But I'll just correct you. We weren't in cell, we were in the common room. We were - at these times, we weren't locked in until 5.30 and lock-in is, we are always locked in the unit. So we have like the lounge room, kitchen, that sort of area. But lock-in cell at that point was 5.30. So he didn't actually retrieve me from the cell. He just retrieved me from the unit.

35 **MR LLOYD:** And when you say from the unit - thank you - that's that common area within the unit.

40 **MS SHEILES:** That's correct.

**MR LLOYD:** You wouldn't have been the only inmate in the common room.

45 **MS SHEILES:** No, no, there was plenty of witnesses that witnessed myself and witness C being retrieved, and possibly others as well. But witness C sticks out in my head substantially.



**MR LLOYD:** Thank you. Can I just ask you now. Can you move forward and just look at paragraph 14 of your statement.

5 **MS SHEILES:** Yep.

**MR LLOYD:** You say that your feeling about Astill was that he thought he was untouchable and he made this very clear.

10 **MS SHEILES:** Yeah, he did.

**MR LLOYD:** Can you just describe the ways in which he made it clear that he was untouchable?

15 **MS SHEILES:** He made comments quite often of - well, one time was with - give me a second, I've got to find the number. With witness P, witness P had had issues with him and had gone to, again, higher powers, to try and - he was targeting her not for the sexual side of things, but because, possibly because she wouldn't submit. He was ramping her room regularly, taking things from her, treating her  
20 like not very nice. So she'd put in a complaint and they had a mediation and Astill's comment to me around that was "Bigger, uglier - or bigger, stronger, uglier people have tried to bring me down. She's not gonna succeed" and that's where his nickname, Teflon Sam, came up because nothing sticks.

25 **MR LLOYD:** So, just so I can understand what you're talking about there is Astill saying to you a complaint had been made about him by witness P.

**MS SHEILES:** That is correct.

30 **MR LLOYD:** And nothing had happened in response to it?

**MS SHEILES:** They had had a mediation but in that, the chappy at the time, Susie, went to the mediation, as far as I remember. I'm pretty sure Mr Peek was at that mediation and possibly another officer. But, yeah, nothing ended up resulting  
35 from that mediation. He continued on targeting her and just, yeah.

**MR LLOYD:** I think you've dealt with this in paragraph 14, Astill said:

40 "Bigger people than witness P have tried to bring me down."  
That's what you are talking about here?

**MS SHEILES:** Yeah, that is correct.

45 **MR LLOYD:** So in terms of your understanding, what you are telling the Commissioner is Astill saying witness P made a complaint, no action was taken against Astill as a result?

**MS SHEILES:** No. No, he still frequented where we were and still tormented witness P.

5 **MR LLOYD:** And what you're also saying, at least what you understood, was that after the complaint was made by witness P, she got targeted by Astill. Is that what you're saying?

10 **MS SHEILES:** She was targeted prior to that and that's what the complaint was. It just continued. It didn't stop. Nothing changed.

**MR LLOYD:** Can I ask you just some questions about Astill's, or the circumstances in which Astill committed his offences against you.

15 **MS SHEILES:** Yeah.

**MR LLOYD:** Now, I've already said it's not going to be necessary to get into the details of that, Ms Sheiles, but I just need to ask you some general questions.

20 **MS SHEILES:** That's fine. That's fine.

**MR LLOYD:** Paragraph 11 in your statement, you refer there to him saying to you, "You know I am high up. I'll send you to Wello and you will be stomped on your head". Do you see that.

25

**MS SHEILES:** Yeah.

**MR LLOYD:** That was something that Astill said to you?

30 **MS SHEILES:** Yes. He knew that I had been placed in SMAP in the protection unit because I had been bashed and assaulted at Silverwater, Mulawa, whatever you want to call it, and he said he knew the girls that did it and that if I did not comply and keep my mouth shut, he would send me to Wello and organise the Koori girls to stomp on my head when I got there.

35

**MR LLOYD:** But I take it you regarded that as a threat that he was making based on he having the power to get you moved?

**MS SHEILES:** That is correct and I was to comply.

40

**MR LLOYD:** Had you had things you had seen in terms of him being able to move other inmates out of Dillwynia?

45 **MS SHEILES:** Yeah. There was - there was the odd one here and there that he said that this one's going, this one's - whatever. And it happened. So it was - and because of my mentality towards Officers, I was like, well, they're a figure of authority. They're in charge. What they say is what - what it is. I'm not your

normal crim that doesn't believe in "Oh, screws suck". I was respectful and knew that if they said something, in the respect of Officers, it would pretty well happen.

5 **MR LLOYD:** You believed that he was capable of carrying out the threat of getting you transferred to Wello?

**MS SHEILES:** Absolutely. Absolutely.

10 **MR LLOYD:** Can I ask you to look at paragraph 12 in your statement.

**MS SHEILES:** Yep.

15 **MR LLOYD:** Can you just describe to the Commissioner what this threat involved, what happened?

20 **MS SHEILES:** My daughter would come and visit me every second week to once a month, depending on what she had on. Astill would make a purposeful point of escorting her to me because the SMAP girls had a separate little area for visits to the main, again for their own protection. Yeah, he would escort my daughter, Summer, to the visit room and then afterwards find me at some point and make comment, "Wouldn't it be good if I had both of you or included the two of you". He was making a point of making a threat that he wanted to include my daughter.

25 **MR LLOYD:** And this was at a time after the sexual offending against you had started?

**MS SHEILES:** That is correct.

30 **MR LLOYD:** Could you look at paragraph 17 of your statement.

**MS SHEILES:** Yeah.

**MR LLOYD:** Just read that to yourself.

35 **MS SHEILES:** Yeah.

**MR LLOYD:** Can I just understand, you talk here about Astill making inappropriate comments and making dirty jokes.

40 **MS SHEILES:** Yes.

**MR LLOYD:** Do you see that? Where did that happen, the inappropriate comments?

45 **MS SHEILES:** It was fairly constant and it was in front of, always - well, 90 per cent of the time there was another inmate around, that possibly heard the

inappropriate comments. Very rarely there was another officer in earshot. But, yeah, the comments were made quite regularly and to a lot of the girls.

5 **MR LLOYD:** And can you just explain what happened in the incident in paragraph 17 when you were watching TV?

10 **MS SHEILES:** Yeah. We were in the common room and watching TV. There was an ad or there was something on the TV that had an older gentleman on it. There was myself, at least three other girls were there, and another officer, but he was, I think, preoccupied sort of talking to another inmate. But the comment that he made was, because there was, yeah, an older gentleman on the TV. The comment he made was, "Us older guys go all right, don't they, Trudy", something to that effect but directed at me and I'm like "Okay, yep."

15 **MR LLOYD:** In front of multiple other inmates, I think you've said?

**MS SHEILES:** At least three other inmates.

20 **MR LLOYD:** And I just missed, was there another officer present when that happened?

**MS SHEILES:** There was another officer there but he was sort of preoccupied away from that situation a little bit, talking to another inmate.

25 **MR LLOYD:** You say that you can't remember the details of all of the inappropriate comments but may I just ask, generally were the inappropriate comments of a sexual nature, like the one you just mentioned?

30 **MS SHEILES:** Yes. And that's what I mean by inappropriate comments. They would be directed at your breasts, at your arse, just inappropriate things that Officers shouldn't be saying to an inmate. There's a joke, that's fine but then he's a joke, that's not fine.

35 **MR LLOYD:** I will just ask you this: That kind of inappropriate talk, was that something that you discussed with Officers from time to time?

**MS SHEILES:** I - I possibly mentioned it to one or two Officers, but not in detail and not in a way that they could sort of respond to or react on.

40 **MR LLOYD:** Could I ask you to have a look at paragraph 20.

**MS SHEILES:** Yep.

45 **MR LLOYD:** Just describe what was happening on these occasions when Astill walked past you around the - walking around the jail.

**MS SHEILES:** That was quite a regular occurrence and I witnessed him doing it to other inmates as well. He would walk past and "Sorry, did I bump into you" but grab your arse or brush against your breasts, or just inappropriate touching, and it wasn't accidental by any means. It was definitely purposeful, and yeah, he - he  
5 would look for every opportunity to do so. Often he'd corner you in your cell. Like he would pretend he is doing a cell search or something like that and then you would be like trying to get out of your cell and you would pass him and he'd touch you inappropriately.

10 **MR LLOYD:** This kind of conduct, put aside what happened inside your cell, in what parts of the jail did it happen? Common areas.

**MS SHEILES:** Everywhere.

15 **MR LLOYD:** With other inmates.

**MS SHEILES:** Common areas with other inmates. When I was cleaning in the admin building, but any opportunity he had, he would, to some degree, touch you up.

20 **MR LLOYD:** And I think you said a minute ago you saw him doing that to other women as well as you?

**MS SHEILES:** Yes.

25 **MR LLOYD:** Did it happen in the presence of other Officers?

**MS SHEILES:** Not that I'm aware of. And in saying that, there possibly was other Officers in the unit but none would have seen what he was doing, that I'm aware of.

**MR LLOYD:** Could you just tell the Commissioner about muster. What happens in morning and afternoon muster?

35 **MS SHEILES:** At muster, it depends if it's lock-in. If it's lock-in muster, we stand at our door. The Officers come through, make sure that we are who we are to then lock us in our cell. So - and that's from whether it be 3.30 or 5.30, till about 8 in the morning. Nearly every time that Astill was in high needs, which is where the J Unit was housed, he would make sure he was the last person to walk through at  
40 muster lock-in. And for purposeful reasons to have myself - well, just speaking for myself, requesting to flash my boobs at him or my vagina.

**MR LLOYD:** And, Ms Sheiles, the purpose, as you understood it for him making sure he was last, was that so that he could abuse you in that way where there were  
45 no other Officers around?

5 **MS SHEILES:** That is correct. He'd make sure that he was not being watched or not being in the sight of - because just to give you an example. J Unit would be locked down. And then all the other Officers would head over to K Unit to do the same thing. So he would just drag the chain, and do what he felt he needed to do in J Unit and then go over to K Unit and do exactly the same thing.

**MR LLOYD:** Could I just ask you about paragraph 21. Just have a look at that.

10 **MS SHEILES:** Yep.

**MR LLOYD:** I think you've already told us something about this, but after lock-in in the J Unit, I think you say in order to go out of that unit, you required an escort, that is another officer to take you out of the unit.

15 **MS SHEILES:** Yes, that's correct.

**MR LLOYD:** And there was no PA system in the J Unit.

20 **MS SHEILES:** There was a PA system but it was useless to us because we could not leave the unit without an officer taking us. Because we were in protection we always had to have an Officer escort.

25 **MR LLOYD:** That's because in that period even before you go into your cells at night, the period between 3.30 and 5.30, you would be in the common areas of the J Unit but locked into the unit itself?

**MS SHEILES:** Yeah. I mean we were locked into the unit itself 23 hours a day when I first got there.

30 **MR LLOYD:** And so it was no good issuing a PA for Trudy Sheiles to come to the admin because you couldn't get out?

**MS SHEILES:** No, because we had no access of leaving that building.

35 **MR LLOYD:** And so in order for you to go out to see Astill in the admin building, another Officer would come and get you; is that the way it worked?

40 **MS SHEILES:** Yes. Another officer would come and - he would instruct another Officer to collect us or he would come and collect us himself.

**MR LLOYD:** I want to ask you some questions about the times when another Officer came to take you out of the J Unit.

45 **MS SHEILES:** Yeah.

**MR LLOYD:** Is what happened you would be taken out of that J Unit and that other Officer would escort you over to that admin building?

**MS SHEILES:** That is correct.

**MR LLOYD:** And Astill had an office in that admin building?

5

**MS SHEILES:** He did but often when he was seeing girls after-hours, like after the 3.30 he would see us in the what's called SAPO/welfare rooms.

**MR LLOYD:** And that SAPO room, that was located within the same admin block a few offices down from Astill's office.

**MS SHEILES:** That is correct. To just give you an idea, the J Unit had - with its admin block, it had, my hands, yeah, this side was your normal Officers and they were there all day until 3.30. Then you've got a path through and then this side is Astill's office right against the path. And then you go through a little corridor and there's three SAPO rooms, but it's all contained in the high needs area.

15

**MR LLOYD:** Within the SMAP?

**MS SHEILES:** Well, no, the high needs area because the SMAP unit didn't have - it's hard to explain. In the high needs area we had a big fence around us. We had the SMAP unit which was J Unit. And they were the protection people. K Unit was in that high needs area but they were people like witness AA.

20

**MR LLOYD:** Just pause for a second. Continue.

25

**MS SHEILES:** Also part of K Unit, K left, was for disciplinary issues on the main. So if they've been poopy heads or whatever, they'll be put in K Left to serve their cells, like if they had to do cells for a certain period of time and things like that. And then within that fenced area, you had that little admin block.

30

**MR LLOYD:** Thank you. Can I just ask you, first, some details about the SAPO offices that you have mentioned.

**MS SHEILES:** Yes.

35

**MR LLOYD:** Did they have windows that someone outside the office could look through to see inside?

**MS SHEILES:** They did but they were always, they always had blinds or black-out. You could see in, if the blinds were sort of askew or whatever. But it was pretty private.

40

**MR LLOYD:** Are you saying that the blinds generally were down so that you couldn't see in.

45

**MS SHEILES:** Closed, yep. Yep.

**MR LLOYD:** And was there CCTV to your knowledge within the SAPO offices.

**MS SHEILES:** No.

5

**MR LLOYD:** What about Astill's office, he had a window?

**MS SHEILES:** He had a window yes, he had two windows actually. One was blind covered, the other one not so much but that didn't stop him.

10

**MR LLOYD:** Did you know whether you could see through that other uncovered window of an evening?

**MS SHEILES:** I don't know. I honestly don't know.

15

**MR LLOYD:** Could I ask you, going back to the escorting out of the J Unit, just have a look at paragraph 22.

**MS SHEILES:** Yeah.

20

**MR LLOYD:** You've nominated one particular officer, Mr -

**MS SHEILES:** Officer, yeah, Mirza.

25

**MR LLOYD:** Mirza who would escort you from the J Unit over to Astill. Do you see that?

**MS SHEILES:** Yes. I mean, that was one occasion, and that was one occasion that I was assaulted as well.

30

**MR LLOYD:** I just wanted to ask you some questions about that.

**MS SHEILES:** Yep.

35

**MR LLOYD:** You say about Mr Mirza he was a beautiful officer who you couldn't fault?

**MS SHEILES:** Yep, that's correct. He was an absolute gem.

40

**MR LLOYD:** And you say in this paragraph 22 that you had a belief that he held suspicions about what Astill - I withdraw that - about Astill?

**MS SHEILES:** He just seemed, I don't know and I can't speak for him, but my observations - as far as I'm concerned he knew something wasn't right.

45

**MR LLOYD:** Could you just describe for us the event in paragraph 22 just to tell us what happened on that occasion?



**MS SHEILES:** Yep. Mr Mirza came to - it was after 3.30. Mr Mirza came to the unit. He said, "Ms Sheiles, you're wanted at the office." I'm like "Why". He said, "I don't know, it's Astill." So I mean, you don't decline or anything because you don't have a choice. So I said, "All right, no worries, I'll just get my shoes on".  
5 Went across to the Chief's sort of office area. Didn't go into his office. I was escorted to the far back corner, SAPO/welfare office. Still not - I mean it would be silly for me to say that I wasn't aware, but was still hoping that it was a legitimate reason that he wanted me there, not to do what happened. So Mirza delivered me.  
10 I went in. Astill shut the door. He assaulted me, sexually raped me, if you're wanting all - Mirza came back a couple of times, knocked on the door and asked if everything was okay, and were we finished, and not in that respect, but as in finished the conversation or whatever I was needed for. Astill said to Mirza "Just about finished, won't be long", something like that. Mirza come back and came  
15 to - like, opened the door. Astill looked very - well, I asked him at one point was he all right and he was going to die because he just looked like absolute whatever.

**MR LLOYD:** Just pausing there, you're saying - I think you describe here that he was red in the face, Astill.  
20

**MS SHEILES:** That's correct. He was beetroot - well, beetroot is not red, but red as red can be. And I'm like, "Oh great, he's going to have a heart attack."

**MR LLOYD:** Just pausing there, Ms Sheiles, inside that room, this is Astill raping you.  
25

**MS SHEILES:** That is correct.

**MR LLOYD:** And I think you've described so far on more than one occasion Mr Mirza coming back, knocking on the door but not opening the door yet?  
30

**MS SHEILES:** That is correct.

**MR LLOYD:** Okay. I think there's an occasion when Mr Mirza came back again and the door might have been opened.  
35

**MS SHEILES:** The final time he came back and opened the door.

**MR LLOYD:** Just describe that.  
40

**MS SHEILES:** He had a very, I guess, concerned look on his face. It wasn't - he was - yeah. In my opinion, he was concerned that something had - was wrong, if that makes sense.

**MR LLOYD:** Can I just ask you some things.  
45

**MS SHEILES:** The look on his face.

**MR LLOYD:** The door opened when he came back on this last occasion?

**MS SHEILES:** Yes.

5

**MR LLOYD:** Did it open to the point where, from what you could observe, Astill was in Mr Mirza's line of sight?

10 **MS SHEILES:** I'm not entirely certain. Because he didn't open the door fully, completely open, it was pushed open sort of halfway. Yeah, probably, he would have probably been in his line of sight.

**MR LLOYD:** And at the point that door came open, could I just ask you about - it's about the fifth line down in paragraph 22, you have got:  
15

"Astill was pulling his pants up."

**MS SHEILES:** Yes.

20 **MR LLOYD:** Is that the sequence, that he was pulling his pants up as the door was opening?

**MS SHEILES:** Yeah. And he was - he was sort of, tucking himself in and doing his business to get organised. I don't know if Mirza caught that or just saw his disheveledness, if you look, red face, looking a bit dodgy.  
25

**MR LLOYD:** Was his shirt untucked?

**MS SHEILES:** Partially. He had got his, sort of got his shit together but it would have been partially a mess.  
30

**MR LLOYD:** Do you have a recollection, and please if you don't, don't - just tell me you don't remember, whether Astill had his shoes and socks off?

35 **MS SHEILES:** Good question. No, I don't believe so. Because he never, ever took his pants completely off. He was always - no, he didn't have his shoes and socks off. Yeah, he never took his pants completely off. They were just lowered to whatever area to expose himself and be able to do what he wanted to do.

40 **MR LLOYD:** After the door opened and what you have just described the scene, was it the case Mr Mirza then escorted you back to the J Unit?

**MS SHEILES:** That is correct.

45 **MR LLOYD:** Did you have a discussion with him on your way back to the J Unit?

**MS SHEILES:** We didn't talk much but he asked if I was okay. And he just seemed very concerned and very suss on the situation.

5 **MR LLOYD:** Can you just describe, I know it's difficult, what you mean by him seeming suss as in suspect, I take it you mean.

10 **MS SHEILES:** Yes. Yeah, sorry. Suspicious, yep. After being looked after by these Officers for the length of time that we were, you get to know - well, in any circumstances and situation, you get to know people's demeanours, reactions, faces, things like that, that body language that - they don't have to speak, you can sort of pick up from, if you're intuitive and not drug - sorry, you can see the difference in their demeanour because Mr Mirza usually was quite jovial, if you will, and was great to have a joke with. But on this occasion, he was quite quiet, had quite a scowl, if you will, on his face, which wasn't him. There was - it was 15 very rare that you saw him angry or upset sort of thing. So it was his demeanour. It was his facial expressions. It was just that sort of stuff that led me to believe that he was concerned and that he thought maybe something was going on.

20 **MR LLOYD:** Thank you. I wanted to take you back to something you said at the start of this sequence after Mr Mirza escorted you to that office.

**MS SHEILES:** Yeah.

25 **MR LLOYD:** I think you told the Commissioner when you went there into the office, that Astill shut the door.

**MS SHEILES:** That is correct.

30 **MR LLOYD:** Now, you say elsewhere in your statement that Dillwynia was different in a number of respects.

**MS SHEILES:** Yes.

35 **MR LLOYD:** And from other jails and one of those was at Dillwynia it was considered normal for a male officer to be alone in a room with an inmate.

40 **MS SHEILES:** If they were of a certain rank. If they were under rank, like if they were just your average screw, no. They would always come in twos. But people of certain ranks that are slightly higher up, it wasn't an issue for them to be alone with a female.

**MR LLOYD:** And was that different, that is even senior ranking Officers being alone in a room, to what you had experienced at other jails?

45 **MS SHEILES:** Yeah. I mean I'd only - prior to that I had only been to Mulawa and that's a maximum security prison, and any time we had conversations or whatever with Senior Officers, they still had another officer with them.

**MR LLOYD:** What about when you were in an office at the other jails that you were at before and after Dillwynia, in terms of shutting the door. Was that normal?

5 **MS SHEILES:** Not really. There's no - there's no real need to shut the door unless it's requested by the inmate sort of thing because it's a sensitive topic. But even then, the - give me a second - just the overall tone of it they just didn't do that. They didn't shut doors because it would lead to scuttlebutt and talk and jail  
10 rumours and stuff. People would exaggerate and carry on. So to protect themselves, the Officers, as a rule, didn't shut doors when they were - like when alone with a female inmate. That just is inviting issues.

**MR LLOYD:** Did Officers other than Astill shut the door, to your knowledge when inmates were -

15

**MS SHEILES:** No.

**MR LLOYD:** But Astill did.

20 **MS SHEILES:** Astill did. The only other time that a door was shut, that I remember, was when we - half of J Unit spoke to the MOS, Manager of Security, to pretty well indicate that Astill was inappropriate and doing things that he shouldn't be doing. We didn't go into - well, none of the girls knew of my situation other than the fact that every time that Astill would come near the unit, I would  
25 have a panic attack and go and hide so the girls would say "Oh, she's busy, she's having a shower" or whatever so he wouldn't ask for me.

**MR LLOYD:** This was the event in November 2017. I'll come to ask you some more questions about that in a minute.

30

**MS SHEILES:** Yep.

**MR LLOYD:** But I want to ask you something about panic attacks. In the periods when you were being summoned by Astill to go and see him, being summoned out  
35 of the J Block or otherwise.

**MS SHEILES:** Yeah.

40 **MR LLOYD:** That induced a panic response from you, I think is what you have said.

**MS SHEILES:** Hugely, yes. I would start to hyperventilate and have almost - well, a couple of times an asthma attack. I would rash up from my neck up to my face. I would go bright red and like, my chest would be covered in like  
45 a motley red rash, if you will. And that happened every time, even if I just caught a glimpse of him, I'd start freaking out slightly.

**MR LLOYD:** Was that visible in your prison uniform?

**MS SHEILES:** Yes.

5 **MR LLOYD:** And did that happen, did you notice that happening in the periods when you were being escorted from the J Block over to Astill?

**MS SHEILES:** It would have definitely been happening at those points, especially at those points.

10

**MR LLOYD:** Did any officer who was escorting you ever ask you about it?

**MS SHEILES:** No.

15 **MR LLOYD:** Could I ask you to go to paragraph 27 of your statement.

**MS SHEILES:** Yep.

20 **MR LLOYD:** I think you're talking here about the lack of CCTV cameras within the J Unit itself; is that right?

**MS SHEILES:** Yeah. I was mortified when I was moved from Mulawa to Dillwynia. There's no cameras in - and I'm led to believe there's still not even after all of this, was led to believe that no cameras, no cameras in the unit, the common areas, no cameras in the laundry, no cameras in - well, you can't really have one in the bathroom, but you know what I mean. Nothing. And I came from Mulawa which was quite substantially camera-ed in common areas and you walk out the door and there's a pole with a camera on it. But Dillwynia, no, it wasn't like that. And it was actually quite terrifying because I witnessed many a fight in the wing between girls and nobody sees it. Nobody - so besides the fact that Astill would come through and do what he did with no cameras and he knew where every camera was in the jail, which weren't very many. But you know, it was just ridiculous that there was no cameras in the unit. And taking the Astill thing aside, taking the sheer fact that girls want to flog each other and nobody knows, nobody picks it up and whoever gets flogged is not going to do on them.

**MR LLOYD:** Can I just ask you, you've already told the Commissioner about no cameras in the SAPO office and Astill's office, in the administration block.

40 **MS SHEILES:** Yes.

**MR LLOYD:** Is the fact there was no cameras in those offices, was that ever mentioned or remarked on by Astill to you?

45 **MS SHEILES:** Vaguely but his overall statement was "I know where all the cameras are. I know where the spots are that we can go and fuck", like he can do what he wants to to whoever in that region because there was no cameras.

**MR LLOYD:** He was telling you he knew where the cameras were and importantly -

5 **MS SHEILES:** How to avoid them.

**MR LLOYD:** Going to places with you to sexually abuse you where there were no cameras. Is that what was happening.

10 **MS SHEILES:** Not necessarily me, but, yeah, one day I was at admin. We had already finished visits, cleaning, that was my job. Ran into Astill in admin, and said something about "Pity you did the" - my brain has just stopped, sorry.

**MR LLOYD:** That's okay.

15

**MS SHEILES:** Total mind blank.

**MR LLOYD:** We can come back to that. I wanted to ask you something that you remember. One of the occasions you gave evidence about Astill abusing you was  
20 in the Behavioural Intervention Unit.

**MS SHEILES:** Yep, BIU, yeah.

**MR LLOYD:** Was there a discussion when you were in a cell there, between you  
25 and Astill about whether there were cameras recording that cell?

**MS SHEILES:** Yes.

**MR LLOYD:** Can you just tell the Commissioner about that.  
30

**MS SHEILES:** The BIU cells themselves did not have cameras. The inmates were led to believe that there was cameras behind the - the half-round mirrors that go up so the officer can see what you're doing on your bed without walking in and putting himself in danger. But there was no cameras in the actual cells and the  
35 cameras in the, if you want to call it, common area of the BIU, there was cameras, and he was quite aware of that. And positioned himself and myself in a way to avoid being seen on that CCTV. And that night he actually borrowed somebody's keys. So another inmate gave him their keys so he could get into the BIU.

40 **MR LLOYD:** When you say "inmate", do you mean officer?

**MS SHEILES:** Officer, sorry.

**MR LLOYD:** They don't generally give inmates the keys, I take it.  
45

**MS SHEILES:** Well, no, not regularly. I asked a few times but they sort of said no, it wasn't really a good idea. Yeah, officer, sorry.

**MR LLOYD:** Do you know how that came about? Did he tell you how he got the keys to the BIU unit.

5 **MS SHEILES:** He said he asked another officer. I can't remember if he mentioned a name. But he said he asked another officer if he could borrow his keys or her keys, and because he wanted to check on me, because of just coming back from court, from my trial.

10 **MR LLOYD:** This is after you had been away for about two months for your trial.

**MS SHEILES:** That's correct.

15 **MR LLOYD:** Was there any reason, to your knowledge, for him to come into the Behavioural Intervention Unit to check on you.

**MS SHEILES:** No. The only reason was to abuse.

20 **MR LLOYD:** How long approximately was he in that Behavioural Intervention Unit with you for?

**MS SHEILES:** Not very long. Sorry. He spoke to me briefly, and then demanded what he wanted, and that was over pretty quick and then got sorted out and went.  
25 Maybe a few more words afterwards.

**MR LLOYD:** And said that he had to get the keys back to the officer he took them from?

30 **MS SHEILES:** That's correct.

**MR LLOYD:** I want to ask you some questions now about -

35 **COMMISSIONER:** If you are changing the subject we might just take a short break.

**MR LLOYD:** Yes, thank you.

40 **<THE HEARING ADJOURNED AT 11.27 AM**

**<THE HEARING RESUMED AT 11.39 AM**

**MR LLOYD:** Can Ms Sheiles be brought back.

45 **COMMISSIONER:** Yes, Mr Lloyd.

**MR LLOYD:** Ms Sheiles, can you hear me? You're on mute. We will just try and get that attended to.

**COMMISSIONER:** I assume she can hear you?

5

**MR LLOYD:** I think she can hear me, Commissioner.

**MS SHEILES:** Can you hear me? Yes.

10 **MR LLOYD:** So you can hear me and see me, Ms Sheiles.

**MS SHEILES:** Yes, I can.

15 **MR LLOYD:** Terrific. I wanted to ask you some questions now about reporting or complaints about Astill's conduct.

**MS SHEILES:** Yep.

20 **MR LLOYD:** And I want to do that by asking you first about your knowledge of the system at Dillwynia for making reports for complaints; understand?

**MS SHEILES:** Yeah.

25 **MR LLOYD:** So if you need to remind yourself, this is about paragraph 67 of your statement.

**MS SHEILES:** Yep.

30 **MR LLOYD:** And so in that paragraph, you say you don't remember receiving much information about how to make a complaint about an officer. Do you see that.

**MS SHEILES:** That's correct, yeah.

35 **MR LLOYD:** And then in paragraph 68, if you need to remind yourself, can you just explain what you understood to be the process if you wanted to make a complaint about wrongdoing by an officer.

40 **MS SHEILES:** I beg your pardon. Sorry, I'm reading the wrong paragraph, I was wondering why it wasn't making sense. Yeah.

**MR LLOYD:** And so in paragraph 68, you say you were told you could write a request or something like that to ask the Governor for something.

45 **MS SHEILES:** Yes.



**MR LLOYD:** In terms of your view about whether that was an available option to make a complaint or write a request to the Governor, Shari Martin, did you think that was a good idea from your perspective or really open to you?

5 **MS SHEILES:** No, not at all.

**MR LLOYD:** No.

10 **MS SHEILES:** Because Shari Martin wasn't interested for one. She displayed that on a daily basis when it came to Dillwynia. She was managing, or whatever you want to call it, Dillwynia and Emu Plains at the time so she was spreading herself very thin between the two jails. But Emu was her, as I've put it, her baby. That was her project, if you will, and Dillwynia was just an annoyance.

15 **MR LLOYD:** When you say displaying it on a daily basis do we understand that to mean what you're saying is you didn't see her around Dillwynia that much?

**MS SHEILES:** Didn't see her much and when you did she didn't give a fuck.

20 **MR LLOYD:** What do you mean? Can you think of some examples about her not giving a fuck about complaints.

25 **MS SHEILES:** Girls - girls would make, or speak to her about stuff and she'd pretty well just fob them off. She, "Oh yeah, oh yeah, bye, see ya". She was - displayed no interest in Dillwynia and the girls in it, and I, as I said before, I worked in the cleaning and I did the admin building. That woman was never there. She was lucky to be there two days a week, if that.

30 **MR LLOYD:** In terms of other options to make complaints, Officers at Dillwynia below Shari Martin, was that in your mind a viable option to make complaints about what Astill was doing to those Officers below the Governor?

35 **MS SHEILES:** No, and I'm - I'll reiterate, I'm not your normal crim. I'm from normal world where prior to this, police were the good guys, if you needed anything, go to them, they'll fix it. Since I've been in jail and witnessed a lot of these girls, they're from a world where it is green versus blue, if that makes sense. So the inmates are one entity, and the Officers may as well be coppers in their eyes. So they don't - the majority of the girls in there do not trust Officers, do not like Officers, and unfortunately speak to them quite disrespectfully. So there's no  
40 chance that any of these girls would in any way be able to go to an officer. Myself, as I said, not from that world, but even I struggled and I had no intention of coming forward until I had left the system, because I was terrified of repercussions and that Officers would make my time harder than it already was.

45 **MR LLOYD:** And were you worried in terms of your own position and the offending against you about making a report and that report coming back to Astill.

**MS SHEILES:** That is correct. And also to bite me in the arse.

5 **MR LLOYD:** And did you know whether other inmates had ever made reports that you were told had - about Astill, that you were told that Astill had been advised about?

**MS SHEILES:** Yeah, there was - well, the witness P situation, but that was mediation.

10 **MR LLOYD:** Just stop there.

**MS SHEILES:** Sorry.

15 **MR LLOYD:** Just wait. That's witness P.

**MS SHEILES:** P. Thank you.

20 **MR LLOYD:** We can continue. That's okay, Ms Sheiles. That's witness P. You have already mentioned earlier before the break that was the -

**MS SHEILES:** Yes.

25 **MR LLOYD:** - the inmate who had made a complaint. There had been a mediation and Astill had said, "Bigger people than witness P have tried to bring me down".

**MS SHEILES:** That's correct and nothing was done about the issue. It just continued after that.

30 **MR LLOYD:** I think you've already told the Commissioner witness P was bullied before and after that complaint by Astill.

**MS SHEILES:** Yeah. That is correct.

35 **MR LLOYD:** In terms of the attitude, so far as you knew about it, by the other inmates, you mentioned what you observed was a distrust by the other inmates of Officers.

40 **MS SHEILES:** Yes. Of all Officers. The culture and that in there is they're there, they lock us in at night and that's - that's - would irritate, piss off, whatever, the other inmates because it's like how dare you lock me in the cell. It's like, at the end of the day, I kept saying to them, they didn't put you here. You put yourself in this situation. You need to realise that they're just doing their job. Because I found a lot of the Officers very approachable but still you have that fear factor of the  
45 ramifications and repercussions of coming forward with something like I had and the other Officers making your time as hard as they can because in our head,

unfortunately, you're led to believe that the blue will back the blue. They'll sweep it under the rug.

5 **MR LLOYD:** I think you made mention in particular of problems you observed with First Nations women making reports.

**MS SHEILES:** Yes.

10 **MR LLOYD:** Can I ask you this - I've asked you about making a complaint or the viability of making a complaint to the Governor.

**MS SHEILES:** Yeah.

15 **MR LLOYD:** And I've asked you about making a complaint to the other Officers there.

**MS SHEILES:** Yeah.

20 **MR LLOYD:** What about raising complaints to people outside the jail? Can I just start by this: In terms of making phone calls or writing letters to people who you knew on the outside, did you have a belief about whether those phone calls and letters were being monitored by people within the jail?

25 **MS SHEILES:** As far as we were concerned inside, every phone call was monitored which they were, and it says on the Arunta, "This call will be recorded" ra-ra-ra, but you couldn't trust that your mail would ever get to where it was going, let alone be read and the same with the phone calls. You could not - you had no chance of saying anything to anybody to try and help you from outside because it was all monitored, it was all recorded. And I'm not paranoid or drug-affected. The  
30 ones that are, oh my goodness, that's next level non-trust. They just can't - and even - even things like the CS - the Correctional Services Support Line, as far as inmates are concerned that I've witnessed, it's still Corrective Services. I'm aware that it's not, but you are stressed because you think maybe they're recording it, maybe they're listening in and the ramifications - it always comes back to the blue  
35 putting you in a position where it's not pleasant.

**MR LLOYD:** And what about the Ombudsman? You mentioned the Ombudsman. You knew about that possibility but is it -

40 **MS SHEILES:** Yeah.

**MR LLOYD:** - that you didn't realise at the time that you were at Dillwynia that the Ombudsman was separate to Corrective Services.

45 **MS SHEILES:** That's correct. Again, the belief within the culture of the jail, in the female system anyway, that I've come across, they don't trust any of those things, not the Ombudsman, not the CS Correctional Support Line, anything.

Everything in that realm is somehow believed or connected to Corrective Services, and they're not game or not brave enough to say what they want to say because they think it's going to get back to Officers and then they're going to have to pay for it.

5

**MR LLOYD:** What about an Official Visitor, did you ever see Official Visitors coming to the jail?

10 **MS SHEILES:** We did, but, unfortunately, being in the SMAP Unit, we were lucky to see the Official Visitor maybe three times a year. Being in the SMAP Unit, especially, and especially at Dillwynia, you were denied half the things that the main were able to access because we're locked in that unit, as I said, 23 hours a day, it's like we've just been put in the corner, the doors locked and we'll check on you later. There's no - we weren't checked on regularly and weren't told that  
15 these people, Ombudsman, Corrective Services Support Line were a separate entity.

**MR LLOYD:** In terms of you mentioned concerns about bad things that would happen from Officers if you made reports, what about -

20

**MS SHEILES:** Yeah.

**MR LLOYD:** - concerns about retribution or bad things that had happened with other inmates?

25

**MS SHEILES:** That was a problem as well. Because he was bringing in favours, drugs, tobacco, all of that sort of thing, that in itself was a concern for retribution because you're killing their drug supply. And I actually suffered -

30 **MR LLOYD:** You go, I was about to ask you about what you were going to say so you go.

**MS SHEILES:** I suffered retribution when I was sent to Berrima. One - there was a couple of inmates, the minute I walked into the compound and that was back on  
35 the main, it wasn't SMAP anymore, I had signed out of SMAP and gone back to the main, which was the issue. I walked on to the compound and there was inmates saying "That's the one that sucked Astill's cock and doxed him in" ra, ra, ra and I'm like "Yeah, yeah, whatever". I actually stood up to them and said, "If you really want to know what happened, blah, blah, blah, he raped me blah, blah,  
40 blah", not concerned at all. But then that whisper grew through the compound and it was told to certain inmates by a female officer, I don't know her name, that was friends with Astill, and had kind of revved the whole situation up a tad. And I ended up having to be locked in a cell for seven days before I could be transferred out of there. And was receiving food that had been spat in, and yeah,  
45 just absolute filth. And it was just lucky that I had done as much time as I had done because when the food had come to me, the seals were busted and things like that, and I checked and, yep, sure enough, called over the Officers and they're like

"What do you want us to do about it." "Well, get me more food because this is contaminated."

5 **MR LLOYD:** Can I ask you to go back in the statement to paragraph 31.

**MS SHEILES:** Yeah.

10 **MR LLOYD:** I want to ask about what you know or believe about the knowledge of Officers about Astill's behaviour. You say in 31 -

**MS SHEILES:** Yep.

15 **MR LLOYD:** - among the Officers you believed there was a general feeling that something was going on about Astill being inappropriate.

**MS SHEILES:** Yeah.

20 **MR LLOYD:** But, in effect, in your view they didn't know the seriousness of the conduct.

**MS SHEILES:** No. They didn't know the seriousness and there was nothing - they were in a position, unfortunately, where they couldn't really do anything unless somebody came forward.

25 **MR LLOYD:** And in paragraph 33, you mentioned some Officers that you got this impression from.

**MS SHEILES:** Yeah.

30 **MR LLOYD:** Now, the impression you're talking about there is that they - in your view, they felt there was something going on that was inappropriate but didn't know the details. Have I got that right.

**MS SHEILES:** In paragraph 31?

35

**MR LLOYD:** Well, 31 and then on to 33. In 33 you named some Officers.

**MS SHEILES:** Okay. Yep, yep, I can see that.

40 **MR LLOYD:** You talk about getting this impression from those Officers. I just want to make sure I understand the impression.

**MS SHEILES:** Yeah.

45 **MR LLOYD:** Is it -

**MS SHEILES:** It was - I don't - I don't believe in any way, shape or form, especially those Officers, because they were really good Officers, that they had any idea to the extent and the horribleness of what was going on. From what my perception is, they had some sort of idea that he was not being above board and not being appropriate. But I don't think any of them witnessed his behaviour and without somebody coming forward it wasn't possible for them to do anything.

**MR LLOYD:** Can I just ask you, in paragraph 33 -

10 **MS SHEILES:** Yep.

**MR LLOYD:** - you say you did not get this impression from Ms Kellett.

**MS SHEILES:** No.

15

**MR LLOYD:** I just want to ask what you mean by that.

**MS SHEILES:** I think Ms Kellett was team Astill, if that makes sense. Look, Ms Kellett was her own person and I did not find her approachable or compassionate in any way, shape or form.

20

**MR LLOYD:** Could I just ask you, do you - are you able to point to anything in particular with respect to Ms Kellett having any knowledge about Astill's conduct?

25 **MS SHEILES:** No, not off the top of my head. I mean, what she - my - my impression of her in respect of not giving a rats, was obtained by witness P and another inmate - just let me check that - yep. Witness P and another inmate had poured a whole 600 ml container's worth of urine into apple juice that we were cooking and making, because we didn't get apple juice. So the leftover apples were stewed and then turned into apple juice and that was done by inmate AA as well. Like, so she - she was doing the cooking and making it for the whole house. The inmate C - sorry, inmate P and another inmate decided that they would pour a litre or half a litre of urine into this apple juice. Now, we didn't find that out until after we had drunk it and the problem with that was the other inmate that's not named and not part of this, was - had hepatitis C, and it was then quite a concern that something could have been passed on. I went to Ms Kellett and told her about the situation. She pretty well just fobbed it off because - the two - P and the other inmate, were her pets, favourite, whatever you want to call it. So we - we weren't even given the grace of blood tests and stuff to make sure that we were clear.

30

35

40

**MR LLOYD:** I understand.

**MS SHEILES:** She just -

45 **MR LLOYD:** But could I just ask you, you mention in paragraph 37 a female Manager of Security who was -

**MS SHEILES:** Yeah.

**MR LLOYD:** - who was really good friends with Astill and Tania Hockey.

5 **MS SHEILES:** Yeah.

**MR LLOYD:** Who are you talking about there? Do you remember the name.

10 **MS SHEILES:** Look, I think - I think it's Ms Wilson. Going back to my statement for the manslaughter - murder trial, I do state Ms Wilson. So I'm thinking, yeah, going off that, it's Ms Wilson.

**MR LLOYD:** And -

15 **MS SHEILES:** She was the MOS at the time.

**MR LLOYD:** Paragraph 39 you mention a chaplain, Susie, who had a rough time with Astill.

20 **MS SHEILES:** Yeah.

**MR LLOYD:** Can you just tell us something about that.

25 **MS SHEILES:** Well, from what I understand, she ended up having a bit of a breakdown and leaving us, which was devastating to the girls. She apparently sat in on the mediation between inmate P and Astill and it wasn't long after that, that she left Dillwynia for good. We - again, I never witnessed anything, but the scuttlebutt around the jail was, and even from witness P, that Astill had treated her pretty badly. And she was partially aware of something was going on. And I think  
30 that's why she was going in to bat for us and I think that's why Astill gave her a hard time.

**MR LLOYD:** Thank you. Can I ask you about - you mentioned earlier in your evidence, a Cheryl Douglas.

35

**MS SHEILES:** Yes.

**MR LLOYD:** An overseer.

40 **MS SHEILES:** Yes.

**MR LLOYD:** And in paragraph 43 you say that you didn't - you did not tell Ms Douglas about -

45 **MS SHEILES:** No.

**MR LLOYD:** - Astill's abuse.

**MS SHEILES:** Yeah.

**MR LLOYD:** But you did say at some stage that he was inappropriate.

5

**MS SHEILES:** Yes.

**MR LLOYD:** What did you say, to the best of your recollection.

10 **MS SHEILES:** I would have - I said something along the lines of, "His behaviour  
and attitude is inappropriate to the girls. He is constantly making inappropriate  
comments about girls' anatomy" and sadly her response was - she kind of knew  
that and she was really trying to bring it to the attention of somebody that was,  
I mean she was only an overseer, she wasn't even an Officer, but trying to bring it  
15 to the attention of somebody. But, again, Shari was uninterested and I don't think  
she got very far with it, unfortunately but she -

**MR LLOYD:** There's - sorry, you go.

20 **MS SHEILES:** No, no. I was just going to say but to the best of my knowledge  
she did try (indistinct).

**MR LLOYD:** You describe, in paragraph 43, your conversation with Ms Douglas  
where she made it clear that she thought something inappropriate was going on  
25 with witness C.

**MS SHEILES:** That is correct.

30 **MR LLOYD:** And is it right, if you look at 44, that she said to you she was trying  
to do something about that but, in effect, wasn't getting anywhere. Is that the way  
we read it.

**MS SHEILES:** That is correct.

35 **MR LLOYD:** Can I ask you about paragraph 45. You mentioned this earlier, the  
event in November 2017.

**MS SHEILES:** Mm-hm.

40 **MR LLOYD:** I probably don't need to take you back to your police statement but  
what you are talking about there is a meeting in November of that year, 2017.

**MS SHEILES:** Yeah.

45 **MR LLOYD:** With the Manager of Security, Ms Wilson, who you have told us  
about.



**MS SHEILES:** That's correct. It is going to the point - sorry.

**MR LLOYD:** Sorry, you say you can't be sure whether the meeting was with Ms Wilson or Ms O'Toole.

5

**MS SHEILES:** I know it (indistinct) say it was Ms Wilson. It was just recently I was speaking to somebody and for some reason they mentioned the name Ms O'Toole and it sort of stuck. But I'm pretty - going off my statement from the manslaughter, which would have been at the time 100 per cent correct, it'd be Ms Wilson.

10

**MR LLOYD:** Have I got this right: whoever it was, it was the person who at that time was in the position of Manager of Security.

15 **MS SHEILES:** That is correct.

**MR LLOYD:** Could you just tell the Commissioner something about how this meeting or these meetings with the Manager of Security came about? Was it you and a number of other inmates were having some discussions about Astill?

20

**MS SHEILES:** That is correct. I brought to the attention to the girls, because everybody had their own opinion on - and had possibly experience with the inappropriateness of Astill. I said to the girls, "Look, if we're going to do anything, we need to band together and do it as a group because that is a little bit more weight behind it and it shows that it's not just one person having a sooky la-la." I organised for the Manager of Security to come up and have a meeting with us.

25

Now, J Unit holds 22 women in total. Out of that 22, I would say there would have been at least 15 girls that came forward and wanted to speak to the MOS about his inappropriate behaviour, inappropriate language, and just general overall inappropriateness.

30

**MR LLOYD:** Can I just ask, Ms Sheiles: I take it with those other 14 women you spoke to some or all of them before going off to speak to the Manager of Security.

35

**MS SHEILES:** That is correct. We'd had - had sort of like a little house meeting, to some degree, about what was going on. And, again, nothing was ever said in major detail from any of the girls to any of the other girls. My best friend in there, inmate Z -

40

**MR LLOYD:** Witness Z.

**MS SHEILES:** Z, yep. She knew I had anxiety every time he came around but she had no idea to the extent of what was going on. And, again, that was kept quiet because you don't know who you can trust in there. You don't know who's going to turn around and say something to somebody and end up having you in a right mess.

45

**MR LLOYD:** Just in terms of what the other girls in the meeting were saying, you mentioned inappropriate behaviour.

5 **MS SHEILES:** Yep.

**MR LLOYD:** Was it in the realm or area of inappropriate sexualised behaviour?

10 **MS SHEILES:** That is correct. Whether it be purposely brushing past and touching your arse or touching the front area, or your breasts. "Oh, sorry, did I bump into you?" was often a sentence that would come out of his mouth.

15 **MR LLOYD:** And this is your recollection of what multiple of those other women were raising in this meeting, that that kind of conduct was occurring to them.

20 **MS SHEILES:** That is correct. And I witnessed quite a few of them. I mean, don't get me wrong, there were a few girls in there that were playing a very dangerous game in respect of being overly inappropriate back because they wanted whatever was on - to give. One of those, well, actually there's two of those that I witnessed myself, were - give me a second - inmate O and inmate K. Inmate O -

25 **MR LLOYD:** Sorry, and in saying that you, of course, don't know what was going on between Astill and them behind the scenes.

30 **MS SHEILES:** I don't know - no, but I - because I knew what was going on with me, and what was - what was being done to me, I - I could see the demeanour of the girls and the demeanour of him, and it was - blind Freddie could have seen it. The inappropriate -

**MR LLOYD:** Could I just ask you, Ms Sheiles - sorry, could I just ask you this.

**MS SHEILES:** No, no.

35 **MR LLOYD:** At the end of that meeting with the women, is this right: That the decision was to go and see the then Manager of Security to make - for that group to make complaints about inappropriate -

40 **MS SHEILES:** That is correct.

**MR LLOYD:** - sexualised behaviour including assaults by Astill of the women, is that right?

45 **MS SHEILES:** Yeah. That's correct. We don't go into major detail. I never divulged at that point that I was being raped. Again, I was fearful of retribution and my time being made harder than it already had been. Again, it came back to

that culture and train of thought of "blue backs blue". And when - I mean, Ms Wilson was quite good friends with Astill and Hockey.

5 **MR LLOYD:** Is what happened next that the group spoke either to Mr Peek or Mr Clark, two officers, about arranging to see Ms Wilson and have a meeting.

**MS SHEILES:** Yes. Yeah, well -

10 **MR LLOYD:** In terms of -

**MS SHEILES:** Sorry.

**MR LLOYD:** Sorry.

15 **MS SHEILES:** You go.

**MR LLOYD:** In terms of the meeting, those 15 girls went and met with Ms Wilson but separately as in one at a time.

20 **MS SHEILES:** One at a time, that is correct. We went in one by one. She came up to the high needs area and we saw her in one of the SAPO rooms. And, yeah, we went in one by one. And what our aim was, was just to at least have him removed from the high needs area, so we could just do our time in peace and not be fearful of rape.

25 **MR LLOYD:** In terms of what happened at the meeting involving you and the Manager of Security, just read to yourself paragraph 48, and then I'm going to ask you some questions.

30 **MS SHEILES:** Yep.

**MR LLOYD:** You say here you told the MOS, Manager of Security, that Astill was verbally inappropriate and you brought up the situation with the "old fellows go all right" comment.

35 **MS SHEILES:** That is correct.

**MR LLOYD:** That is what you told us about earlier in the common room -

40 **MS SHEILES:** Yes.

**MR LLOYD:** In the J Unit.

45 **MS SHEILES:** That's correct.

**MR LLOYD:** Then you say you told the Manager of Security comments he would make to others, that:

"he would walk past me and touch me inappropriately on the arse or breast as he brushed past."

5 Do you see that?

**MS SHEILES:** That's correct.

10 **MR LLOYD:** Are you sitting here sure that you raised that detail with the Manager of Security at this meeting?

**MS SHEILES:** 100 per cent. 100 per cent.

15 **MR LLOYD:** And you say that you told her in this meeting that he made you feel extremely uncomfortable?

20 **MS SHEILES:** That's correct. Also told her about a joke that he told to myself and witness Z - not a joke but a comment, that "The only thing on a male that doesn't get wrinkly is his old fella' - penis, dick, whatever.

**MR LLOYD:** You say, Ms Sheiles, here that the reaction of the Manager of Security was that "it was like she was fobbing us off". Can you just describe how it was that she reacted?

25 **MS SHEILES:** Yep. One, she really didn't seem that interested. Two, she didn't seem to believe, really, what we were saying. It kind of just made us feel unheard and not validated. It literally was like she was going through the motions, just to tick the boxes and hear us out and then go on her merry way.

30 **MR LLOYD:** Can I ask you some things. You say you saw her, that is the Manager of Security, taking a note.

35 **MS SHEILES:** Yeah, she took notes. She took notes of - well, I know she took notes of my conversation with her. They weren't detailed, they were just points. But, again, I think that was just for show, because nothing - the only thing that came of this whole situation was we saw Astill maybe one or two days a week less. That's it. He still had his time (overspeaking).

40 **MR LLOYD:** That's the only thing that happened after you and the others went forward, is that right.

**MS SHEILES:** That is correct. That is correct.

45 **MR LLOYD:** Can I ask you about that meeting. The Manager of Security took some sort of a note. Were you told that - about an option available to you, to make a complaint in writing, that is to write down what your complaints were and make a formal complaint about Astill?

**MS SHEILES:** I don't remember her saying that. But that doesn't mean - it doesn't mean she didn't but I do not recall her saying that.

5 **MR LLOYD:** And in paragraph 49, I think you've already just told the Commissioner, that aside from seeing Astill one or two days a week less, you weren't aware of anything coming of these complaints made to the Manager of Security.

10 **MS SHEILES:** No. There was no other reprimand or punishment to Astill that I was aware of or that was brought to our attention. Again, as far as we knew, he was just shuffled around a bit so he wasn't up with us as often as he had been.

**MR LLOYD:** Did that have an effect, that is what happened in response to these  
15 complaints, on your mindset about whether there was any point in making complaints about him?

**MS SHEILES:** 100 per cent. To me, it was as useless as tits on a bull to come  
20 forward - we had tried and the result we got was far from adequate. And then that's like, in my head, especially with my situation, I got Buckley's and none of nobody listening. It - and if they listened -

**MR LLOYD:** Ms Sheiles - no, you go.

25 **MS SHEILES:** No, no, you're right. I was just saying if they listened they wouldn't do anything about it anyway.

**MR LLOYD:** To your knowledge, was any investigation done within Dillwynia  
30 or anywhere else after these 15 women came forward.

**MS SHEILES:** No. No. No, not that I'm aware of, no. And the MOS never got  
back to us.

**MR LLOYD:** Could I ask you then about paragraph 50. This is moving forward  
35 to early in the following years after the event you've just described. Witness Z, your friend, told -

**MS SHEILES:** Yes.

40 **MR LLOYD:** - you that she had been to see Mr Clark, he was one of the officers.

**MS SHEILES:** Yes. He was a beautiful man.

**MR LLOYD:** And you understood that witness Z had said that you were inside  
45 the office with Astill and -

**MS SHEILES:** Yeah.

**MR LLOYD:** - witness Z was asking Mr Clark to unlock the door. You understood that was -

5 **MS SHEILES:** That's correct.

**MR LLOYD:** - happening.

**MS SHEILES:** Yes.

10

**MR LLOYD:** I take it that was something Z told you she had asked Mr Clark to do.

**MS SHEILES:** That's correct. She was - yeah, keep going, sorry.

15

**MR LLOYD:** Sorry. And is it right that the next bit in paragraph 50, Mr Clark saying, "I am under him. I am subservient. I can't", that you have to do that yourself.

20 **MS SHEILES:** He said I had to request that, yeah.

**MR LLOYD:** (Indistinct). That was something witness Z told you.

**MS SHEILES:** Yes.

25

**MR LLOYD:** And you understood from what witness Z was telling you about this conversation that Mr Clark was lower down in the hierarchy or chain of command to Astill and felt he couldn't do anything?

30 **MS SHEILES:** Yes. That's correct.

**MR LLOYD:** In paragraph 51, you describe that later that afternoon, Mr Clark came to you at lock-in.

35 **MS SHEILES:** Yep.

**MR LLOYD:** Do you see that? And just describe what happened when Mr Clark came to you on that afternoon. What did he say to you?

40 **MS SHEILES:** He asked if I was okay. I said, "I'm just uncomfortable around Astill." He - I truly believe Clarky had some insight - not insight, believed me and that there was something that wasn't right, and he was quite concerned and quite worried. He came to me on a number of occasions asking if I was okay in the respect of situations because I'd rashed up when Astill would come past. Yeah,  
45 he - he was my guardian angel, if that makes sense. He tried so hard to get information to actually be able to do something.

**MR LLOYD:** And at that point, even though, I take it from what you have just told the Commissioner, you liked Mr Clark and thought he was a good officer -

**MS SHEILES:** He was a good man, yes.

5

**MR LLOYD:** - you didn't feel at that point that it was open to you to disclose to him the sexual abuse by Astill.

**MS SHEILES:** No. No.

10

**MR LLOYD:** Can you just explain to the Commissioner why at that point. Look at paragraph -

**MS SHEILES:** Which paragraph, sorry?

15

**MR LLOYD:** Sorry, look at paragraph 51, if you need to -

**MS SHEILES:** Yeah.

20 **MR LLOYD:** - before answering the question.

**MS SHEILES:** Just a sec - yep. Well, my main reason for not coming forward was that I had no intention to until I had left the system. I was terrified. No matter who the officer was at that point, they were in blue, we were in green. I'm a crim, as far as they're concerned, and why would they believe a crim that this has been happening? And, unfortunately, that's the culture and the mentality that's bred in jail. It's - it's sad because the girls do not believe that they are safe to come forward and put in their complaint or put in a request, because as far as they're concerned in that mentality and that culture, it's blue will back blue. If you say something about an officer to another officer, they'll either tell the original officer or they won't do anything about it because it's another officer. And, unfortunately, that's the culture that we're led to believe happens.

25

30

**MR LLOYD:** Thank you. Can I ask you to go forward to June of 2018, in paragraph 53 of your statement.

35

**MS SHEILES:** Yeah.

**MR LLOYD:** You were in the Behavioural Intervention Unit.

40

**MS SHEILES:** Yep, BIU, yep.

**MR LLOYD:** And just described what happened here.

45 **MS SHEILES:** Clarky would come and check on me regularly. Because of the situation that put me in the BIU, a couple of the girls railroaded me and or shanghaied me, whatever you want to call it, made up a load of crap and had me

5 moved because they were threatening my safety. I spent four months in the BIU and actually quite enjoyed it because I didn't have to put up with anybody except for the officers I had which were all pretty good. But Mr Clark, whenever he was on, showed genuine concern and try his damndest to have me confide in him and tell him what was going on. But he would come down, him and Scotty most nights with the nurse and that when when they're doing meds, and he would check in on me, make sure that I was okay and that I hadn't had any untoward visitors.

10 **MR LLOYD:** Sorry, just pausing there. You have got this recorded in 53, at one point Mr Clark looked at you when you were in the BIU and asked, "Have you had any unwanted visitors."

**MS SHEILES:** Yes.

15 **MR LLOYD:** Did you take that to be a reference to Astill?

20 **MS SHEILES:** That was relating to Astill. Clarky knew, especially after inmate Z, I think, went to him about their door being locked and that. He knew very well that I was extremely uncomfortable and would have anxiety and panic attacks every time that that man came around, which I then then led him to believe or he had thought that he was being not so good to me.

**MR LLOYD:** Can I just ask you, Ms Sheiles -

25 **MS SHEILES:** Yeah.

**MR LLOYD:** Sorry, you go.

30 **MS SHEILES:** I was just going to say when he said like "any unwanted visitors" he definitely was referring to Astill.

**MR LLOYD:** I want to ask you something about a couple of letters around this time, the middle part of 2018, that you wrote to witness Z.

35 **MS SHEILES:** Yeah, yeah.

**MR LLOYD:** I'll try and do it without you having to turn up the letters, but tell me if you want to have a look at them. There's only a passage or two.

40 **MS SHEILES:** Yeah.

**MR LLOYD:** Do you remember at about 29 June 2018 writing a - a letter to witness Z and saying something to this effect: "not to mention the inappropriate behaviour between most of J Left and Mr Astill".

45

**MS SHEILES:** Yeah.



**MR LLOYD:** Could I ask you this: you mentioned before your belief that your mail was being read by people within the jail.

**MS SHEILES:** Yeah, I understand.

5

**MR LLOYD:** Did anyone ever ask you what you were talking about when you said "not to mention the inappropriate behaviour between most of J Left and Mr Astill"?

10 **MS SHEILES:** Unfortunately, no, and that's why I had written his name - I mean, a lot of the time we used nicknames, like for him he had "fat cunt", "Teflon Sam". There was a few that he had. But it got to the point where I thought, "Hell, they're reading the mail anyway." It may give them some sort of indication, or whatever, to check out what's going on. Nothing - I didn't hear back from the admin building  
15 from where the letters are read. I heard nothing back from anybody.

**MR LLOYD:** Could I ask you about another letter you wrote to witness Z, 30 July 2018 and see if you remember this, "People like Don L, Guardo" - just pausing there -

20

**MS SHEILES:** Yeah.

**MR LLOYD:** - is that one of the things -

25 **MS SHEILES:** Yeah. That's another one of his nicknames, yeah.

**MR LLOYD:** And saying, "Not only is he so" - sorry:

30           "..Teflon, nothing fucking sticks and not only is it so fucking obvious, oh well, sadly not much that I can do while I'm still in custody."

Do you remember saying that?

35 **MS SHEILES:** Yep.

**MR LLOYD:** And do you remember in that letter making reference to a female Correctives Officer who it had been exposed was having a sexual relationship with a male inmate.

40 **MS SHEILES:** At Kempsey?

**MR LLOYD:** Yes.

45 **MS SHEILES:** Yeah, Amy, yeah.

**MR LLOYD:** And do you remember saying this to witness Z:

"I am sure there is a lot more of it going on than they like to think on both sides, men's system and female system..."

**MS SHEILES:** Yeah.

5

**MR LLOYD:**

"..and not just heterosexual. I reckon there would be a huge amount of same-sex relationships between inmates and guards as well. Hell probs more than hetero. Oh well, as long as they leave me the fuck out of it, I'm happy, ha ha."

10

Do you remember that?

**MS SHEILES:** Yeah.

15

**MR LLOYD:** What was that a reference to, that you were sure there was "a lot of it going on". Is the "it" sexualised conduct or relationships between guards or inmates?

20

**MS SHEILES:** Yeah, it's intimate relations. Intimate relations, sexually between guards and inmates, whether it be same sex, heterosexual, or I don't know whatever else there is but it was going on. And there had been - it's funny, everybody says "Jail whispers, jail whatever is like Chinese whispers." It is to some degree but there's always some little bit of truth to it in there somewhere. There was so many stories slash whatever floating around at Dil, at the time we were there of female inmates being with female Officers, inappropriately, sexually. Again, I never witnessed anything myself. Although in saying that, there were times that you would see these Officers and inmates flirting, if you will, which - then obviously led to more.

25

30

**MR LLOYD:** Just so we can understand, is this your view based on things you - some of which you saw and others that you heard, that -

**MS SHEILES:** Yes.

35

**MR LLOYD:** That sexual conduct between Officers and inmates was widespread?

**MS SHEILES:** Yes.

40

**MR LLOYD:** And not just at Dillwynia?

**MS SHEILES:** No, not just at Dil. It was across the board. Although, Dil seemed to be a bit of a hot bed for it. It seemed to be -

45

**MR LLOYD:** Sorry, you go.

**MS SHEILES:** I was going to say it seemed to be going on at Dil a little bit more obviously than it was anywhere else that I'd been.

5 **MR LLOYD:** Thank you. I just want to ask you some final questions, Ms Sheiles, about what happened when you were able to make the disclosures of the sexual offending by Astill. It's at paragraph 55 of your statement.

**MS SHEILES:** Yeah.

10

**MR LLOYD:** There for context you were referring to Mr Clark saying you had about 18 months left on your sentence and saying to him, "It's a lot more than what you think it is and you'd tell him about it after you were released". Is that what is going on?

15

**MS SHEILES:** That is correct.

**MR LLOYD:** At this point, not feeling able to make the full disclosure to him but preferring to wait until after you got out?

20

**MS SHEILES:** That's correct. Because I didn't want the ramifications to, again, as I've said, make my time any harder - jail is hard enough without being then persecuted and tormented by whoever because of coming forward about shit like that.

25

**MR LLOYD:** You already told the Commissioner in your evidence that you were terrified of Astill.

**MS SHEILES:** Terrified, absolutely.

30

**MR LLOYD:** Is that the same at this time, that is September 2018, you were terrified?

35 **MS SHEILES:** Yeah, it never stopped. I mean even though he was away on holidays and I knew Clarky was a good man and that he would do whatever he could to sort the problem but the problem was Clarky is just one man. It was -

**MR LLOYD:** By the way, did you notice - sorry you go.

40 **MS SHEILES:** I was going to say it was not just Clarky I had to contend with, it was the rest of the Correctional Services Officers in all the other jails that I would end up in and I knew that he had friends and very close contacts through the whole system - well, so I was told.

45 **MR LLOYD:** By the way, Ms Sheiles, did you notice during the period of Astill's offending, that he got promoted, became more senior?

**MS SHEILES:** Yes.

**MR LLOYD:** What did you think about that.

5 **MS SHEILES:** Yes, he did. I thought it was a bit of a joke, but hey, I'm just a crim, what do I know. It was pathetic.

**MR LLOYD:** Can I go back and ask you about the events leading to the disclosure. In paragraph 56 you say you adored Mr Clark but it took him some  
10 time to get you to - your word, "break" and tell him what happened and by "break" you mean that in a positive way, open up.

**MS SHEILES:** Oh, yeah, yeah, not in a negative way. It was as in respect to divulging what had happened. I really did my very best to hold it because, again,  
15 as I said, I was terrified of the ramifications or punishment from other Officers and I held it close.

**MR LLOYD:** Sorry, Ms Sheiles -

20 **MS SHEILES:** No.

**MR LLOYD:** But there was a point where something happened when Mr Clark. I think you say he was checking on you every day.

25 **MS SHEILES:** Well, every time he had a shift, he would come down and just make sure I was okay and that I wasn't sort of in a bad place.

**MR LLOYD:** And there was a point at which, and this is paragraph 57, if you need to look at it, where you were able to tell him everything that had been  
30 happening.

**MS SHEILES:** Yeah. Sorry, say that again.

**MR LLOYD:** There was a point that you describe in paragraph 57.

35

**MS SHEILES:** Yeah.

**MR LLOYD:** Where you were able to tell him what Astill had been doing in terms of sexual abuse. What was it that changed to allow that to happen?

40

**MS SHEILES:** He just kept - the blessed little man just kept pushing and pushing and pushing because he knew there was something not right and he wasn't accepting my "I'll tell you later". He wanted answers so - from my opinion so he could begin something to fix the problem. He just kept pushing and pushing until  
45 I got to the point where I just went blah and said not everything but pretty much and the look on the poor man's face was like "Oh, fuck. I didn't think it was that bad" and that was - like the look of horror, like the colour drained from his face

and the look of horror on his face was unbelievable. He had no idea that it was as bad as it was.

5 **MR LLOYD:** And after you made that disclosure to Mr Clark, another more senior officer came to see you the next day.

10 **MS SHEILES:** Yep. Mr Clark asked me what I wanted to do with it. I said, "Nothing". Again it went back to "I have 18 months left, please don't tell anybody. Please don't do anything". I literally begged him because I did not want the drama, pain, all the rest of that. But unfortunately, he had a duty of care, which not a lot of Officers follow but Clarky did. He went straight to the new MOS, which was Mr Virgo, and divulged what I had said. And the next day, Mr Virgo came down to interview me. More - he played it off as he wanted information about J Unit, who was being a dick and who was being standover and all the rest of it. Clarky actually retrieved me from my cell to take me to Mr Virgo and as we walked to the office where Mr Virgo was waiting, Clarky looked at me and said, "You can trust him with anything". And that then -

20 **MR LLOYD:** Just so I can understand, sorry. Mr Virgo, to your knowledge, I think you mentioned this, was the Manager of Security.

**MS SHEILES:** Yeah, from what I understand or what I remember from that time.

25 **MR LLOYD:** He was pretty new to the jail.

**MS SHEILES:** No.

**MR LLOYD:** At this time.

30 **MS SHEILES:** No, he was new to Dillwynia but he wasn't new to the system, he had been in the system for a fairly long time.

**MR LLOYD:** He had come into the position fairly recently at Dillwynia.

35 **MS SHEILES:** Yeah, I think he came from another jail. Like, he had always been a fair - well, not always, but from my understanding, he held a higher position for quite some time, and because Ms Barry was leaving to go to - I can't even remember the name of the jail but anyway, to another jail because she was one of the MOSs as well, they brought Virgo in to sort of compensate.

40 **MR LLOYD:** And when you spoke to Mr Virgo, you told him what Astill had been doing?

45 **MS SHEILES:** Very vaguely. I didn't go into a great deal of detail but I told him that he had been raping me, that he had been threatening me, and there might have been a little bit of extra information that I divulged in respect of what he had done in some circumstances. Again, because of the extent of what it was, and I truly

believed that they weren't expecting it to be that bad, the colour again drained from his face. He could not apologise enough that it had happened. It was like, "You didn't do it, it's not your fault, you weren't even here."

5 **MR LLOYD:** Did he immediately acknowledge - sorry, Ms Sheiles.

**MS SHEILES:** It's okay.

10 **MR LLOYD:** Did he immediately arrange for you to be transferred out of Dillwynia; is that what happened?

15 **MS SHEILES:** Yes, the very next morning I was on the truck. I had been in the BIU for nearly four months on a medical hold because I had been removed from the SMAP Unit because of inmate I and inmate P, and inmate O were part of that little posse that got me kicked out of J house and I kept asking to sign off SMAP and go back to the main but Dillwynia is very, very funny about the SMAP girls because in their head once they're in SMAP that's where they have got to stay because the rest of the compound are going to think they're a kiddy fiddler or something like that and beat the slut out of them.

20 **MR LLOYD:** When you went to Mulawa -

**MS SHEILES:** Yeah.

25 **MR LLOYD:** - the police came to see you to take a statement?

**MS SHEILES:** Yes. Yes.

30 **MR LLOYD:** And is it right initially you were reluctant to give a statement but -

**MS SHEILES:** That is correct.

**MR LLOYD:** - but you changed your mind?

35 **MS SHEILES:** Yeah. I saw the police about a week - I saw Michael and Josh about a week after I got to Dillwynia. I was called up to the hub and you don't get called to The Hub for any good reason, really. It's usually if you're in trouble or something. It's where all the (indistinct) and that hang out during the day when they're not doing their work. So, yeah, I was called to The Hub expecting to be  
40 ripped for something that I didn't do, and lo and behold Michael and Josh were sitting there and under my breath I was going, "Virgo, you're dead" because I told him the same thing as I told Clarky, I don't want anything done at this point until I'm out of jail because it could be really bad. And, unfortunately, or fortunately, they have a duty of care and they're two people that I can't fault when it comes to  
45 duty of care. So that's why the police came. I spoke to them. I didn't do a statement that first day. They asked questions and stuff like that, and then said that they

would organise dinner for the following Friday, I think it was. So we had Chinese, yeah.

5 **MR LLOYD:** You identify in paragraph 62 why it was you changed your mind and decided to give a statement. Look at paragraph 62 and tell the Commissioner what made you change your mind.

10 **MS SHEILES:** The main reason I changed my mind in giving a statement because the boys, Michael and Josh, the detectives, kind of knew which buttons to push and they said that if I gave a statement and came forward it would stop and maybe protect other girls from getting hurt. And that was my biggest thing across the board. It was not wanting to see - and I had seen broken girls go through the grooming process in front of my eyes in that high needs area and Josh and Michael said, "You don't want to see anybody else go through what you went through, do you?" And I went, "No, I don't." So it ended up being the fact of I couldn't see anybody else hurt. And at that point I sacrificed myself in the respect of still  
15 concerned that I was going to get retribution and punishment for coming forward and now making a statement to police. I was terrified, absolutely terrified that something was going to come back and bite me in the butt because I still, at that  
20 point, thought he had unlimited power through the system sort of thing. But yeah, decided that thanks to Josh and Michael, that enough is enough and nobody else was going to go through what I went through.

25 **MR LLOYD:** Thank you. Those are my questions, Commissioner.

**COMMISSIONER:** Yes, does anyone else have any questions? Have you agreed as to an order, Mr Sheller?

30 **MR SHELLER:** I have a few questions if it is convenient now.

**COMMISSIONER:** But are those otherwise at the Bar table happy for you to go first?

35 **MR VILLA:** I've got two questions that might be appropriate for me to ask first.

**COMMISSIONER:** I think it might be.

**MS SHEILES:** Who are you?

40 **<EXAMINATION BY MR VILLA:**

**MR VILLA:** Ms Sheiles, could you go back to paragraph 12 of your statement.

45 **MS SHEILES:** Yeah.

**MR VILLA:** And you will recall Mr Lloyd asked you a few questions about the comment that Mr Astill had made about you and your daughter.

**MS SHEILES:** Yeah.

5 **MR VILLA:** Can you just tell the Commissioner how old your daughter was at the time that that conversation occurred?

**MS SHEILES:** Yeah. At that time, my daughter, so what year was that - she would have been 19.

10 **MR VILLA:** All right, thank you.

**MS SHEILES:** Roughly, (indistinct) the date.

15 **MR VILLA:** Thank you. And during the criminal proceedings against Mr Astill, is it correct that at his sentencing you provided a victim impact statement?

**MS SHEILES:** No, I don't think I did.

20 **MR VILLA:** All right. I have no further questions, Commissioner.

**COMMISSIONER:** Mr Sheller.

**<EXAMINATION BY MR SHELLER:**

25 **MR SHELLER:** My names is James Sheller. Just like the two gentlemen who have asked you questions so far, I'm a barrister representing Corrective Services and I just want to ask some questions to clarify some things. I'm not asking any questions that are meant to involve any criticism of you or anything at all. So please understand that.

30

**MS SHEILES:** No, that's fine. All good.

**MR SHELLER:** If you could just go to your statement at paragraph 67, which is on page 10.

35

**MS SHEILES:** Yep.

40 **MR SHELLER:** Do you have any recollection now whether you received a booklet or other type of information at the time you were received into Mulawa jail?

45 **MS SHEILES:** Okay. Well, the women's handbook was like hen's teeth. Nobody received it on entering. You were lucky to see it in your time at all. I managed to get my hands on one, oh my goodness, because it was - somebody was leaving and it was - it was like gold, to have that and it wasn't necessarily for the information in it because half of it was obsolete and not correct anyway. It was for the



addresses of other jails to write to other people, and the handbook is practically useless.

5 **MR SHELLER:** Do you recall whether you received the handbook or you saw the handbook for the first time when you were at Mulawa?

10 **MS SHEILES:** No, I did not see a handbook until at least Dil; if not my return to Dil. As I said, those handbooks were like hen's teeth, they did not exist and they were not given out when you arrived in jail, which they should be especially with people like myself that had never been to jail or weren't from that world.

**MR SHELLER:** If you didn't receive a handbook, did you receive a briefing or someone telling you this is what you have to do or this is what you can do?

15 **MS SHEILES:** The only thing I received was when I was placed in custody at Kempsey. I received a few pieces of paper telling me how to work the phone and I had no idea about buy-up or anything like that, I had no information given to me about that. Basically the only information I was given was, yeah, about the phone and - and visits was the other thing, if I had people wanting to visit. Nothing else.  
20 No.

**MR SHELLER:** Was other information that you obtained something you learned by asking questions of Officers or other inmates?

25 **MS SHEILES:** Yeah, but in my time, over a period of time when I became a little bit more comfortable and confident - not that you are ever comfortable in jail, but the information that I was able to obtain really came from other inmates. Officers were not reluctant to give information but they just didn't give a fuck, and didn't - like if you asked a question of an Officer and they thought it was menial or  
30 a stupid question, they wouldn't answer. They'd tell you to - and yeah.

**MR SHELLER:** Do you remember seeing any information or notices on notice boards or on printouts that were on windows?

35 **MS SHEILES:** Yeah, yeah. There was the occasional poster posted around but the information on them also was so vague and not - like, one of them was, if you get in trouble, write a letter. To who? It didn't say to who. Said, "Write a report. Write a request" but to who? And half of them had been torn down by other girls and ripped up anyway. You're enter a place where people, or the people that  
40 surround you don't respect and don't give a rats about the people in blue or the other people in green. It's all about themselves and it's things like that, you were lucky to see - because inmates just took it upon themselves to - to screw it up or throw it away or whatever. And the information you got from other inmates was you can't trust the system. You can't - the system is not there for you. It's there for  
45 itself. You can't trust screws. You can't trust the Ombudsman. You can't trust anybody. Because that's the train of thought that these people have and that's the world that they come from. They do not dob. They do not run and tell Officers

what's happening. I was assaulted in 2015 when I first come into jail. Broken nose, black eye, whole side of my face bruised and hence one of the reasons I ended up in SMAP. You know who I told? Nobody because that was the rules, the way that it went. It's a totally different environment.

5

**MR SHELLER:** In J Block there was a telephone to make external phone calls?

**MS SHEILES:** Yes.

10 **MR SHELLER:** And what was the system like when it came to using the telephone as you recall?

15 **MS SHEILES:** It was an absolute nightmare. It was a nightmare. It was - the telephone was in what used to be the old offices section when they actually had offices in the units. So that one phone had to do 22 girls. Then if we had issues between the two sides, J Left and J Right, that phone would be locked down and nobody would get it for days, because there'd been an issue or a fight or something. So we'd be locked on one side. They'd be locked on the other and nobody would have access to the phone.

20

**MR SHELLER:** If that wasn't occurring was there any system or order as to who could use the phone when?

25 **MS SHEILES:** Sadly, me being me, I tried to implement a couple of times a few different situations with the phone. One was we had a list and times, and we were trying to play fair - well, I was trying to get people to play fair and have, from like - because we were out from 8.30, 9 o'clock to lock-in, 3.30. Even when we had the 5.30 lock-in, the doors between the two units were locked at 3.30. So we didn't have access to the phone. But we tried - yeah, a time system where you wrote your name down next to the time that you needed. But none of that really worked because you've got inmates that think they own the joint, and think that they're more important and their outside information is more important than anybody else and they will just jump the queue and take the phone. And if you question that or argue the point, they'll beat the shit out of you.

35

**COMMISSIONER:** Mr Sheller, I think we might take the luncheon adjournment. Ms Sheiles, we are going to adjourn for lunch now. We will resume again at 2 o'clock.

40 **MS SHEILES:** No worries. Thank you.

**<THE HEARING ADJOURNED AT 1.01 PM**

**<THE HEARING RESUMED AT 2.01 PM**

45

**COMMISSIONER:** Do we know if we have made contact?

**MR LLOYD:** We have. I think we're in the process of having Ms Sheiles brought back on the screen.

5 **COMMISSIONER:** Can you see us and hear us, Ms Sheiles? Ms Sheiles, can you hear us? Mr Lloyd, what do we do?

**MR LLOYD:** Ms Sheiles, can you hear me?

10 **MS SHEILES:** I can't hear you.

**MR LLOYD:** Just wait there. If you can't hear, just wait.

**MS SHEILES:** Yeah, I can hear now.

15 **MR SHELLER:** Ms Sheiles, before lunch I was asking you about the telephone in J Block and you were describing the difficulty of accessing the phone. I take it from time to time you were able to use that telephone in J Block?

20 **MS SHEILES:** Yeah, yeah, yeah, everybody was.

**MR SHELLER:** And was there a system from time to time where the left of J Block was allowed to use the phone for certain times and the right of J Block at other times?

25 **MS SHEILES:** That's correct.

**MR SHELLER:** And do you remember whether next to the phone there was a sheet of paper with a list of telephone -

30 **MS SHEILES:** Yeah, there was.

**MR SHELLER:** - with a list of telephone numbers on it?

35 **MS SHEILES:** Yes.

**MR SHELLER:** And did you ever have reason to look at them?

40 **MS SHEILES:** It didn't have telephone numbers. It had a list - 1 from - I think it went to 22 or something and it had their name and it didn't actually have phone numbers. You just pushed that 21, or 1, or whatever into the Arunta.

**MR SHELLER:** Do you remember seeing on the list a telephone number for the Ombudsman?

45 **MS SHEILES:** Yeah.

**MR SHELLER:** Or a number you could dial.

**MS SHEILES:** Yeah, there was actually two, there was the Commonwealth Ombudsman and the normal Ombudsman.

5 **MR SELLER:** All right. Now, then if I can just go back to your statement at paragraph 68, that's on page 10.

**MS SHEILES:** Yep.

10 **MR SELLER:** This is a paragraph where you talk about Ms Martin, the Governor at Dillwynia. Do you see that?

**MS SHEILES:** Yeah.

15 **MR SELLER:** And am I right that just based on the answers you gave to some questions before that your impression of Ms Martin was someone who wasn't really interested in the inmates in particular?

**MS SHEILES:** Definitely. Yes.

20 **MR SELLER:** But also in paragraph 68, you describe how, in your experience, management turned a blind eye to SMAP. Do you see that?

**MS SHEILES:** Yes.

25 **MR SELLER:** Could I just ask you to go back a little earlier in your statement. It's to paragraph 35, which is on page 6.

**MS SHEILES:** Yep.

30 **MR SELLER:** In this paragraph, you describe the persons responsible for running Dillwynia when Ms Martin was not there.

35 **MS SHEILES:** That was to my knowledge, yeah. I'm not sure if that's 100 per cent correct but that was my understanding that those people were, especially Harry, he was - he was a second in line to her, as far as I was aware.

40 **MR SELLER:** And you describe Mr Paddison, that's P-a-d-d-i-s-o-n, you describe him as someone that's awesome.

**MS SHEILES:** Yeah, Paddo was cool and Mr Holman was an absolute gentleman.

45 **MR SELLER:** All right. Did you regard them or understand them to be persons who were part of management?

**MS SHEILES:** Yes.

**MR SELLER:** And to your observation, were they - what was their attitude towards persons in SMAP?

5 **MS SHEILES:** Unfortunately, still much similar to everybody else's.  
They - and - and that's not to disrespect or run them down, but, unfortunately,  
because of the nature of the crimes that were in the SMAP unit, we often just were  
neglected, not neglected as in we didn't get food and we didn't get this but we  
10 copped the raw end of the deal because everybody that was in there was painted  
with the same brush.

**MR SELLER:** All right.

**MS SHEILES:** Whether you were in there for a child-related crime or not and -  
15

**MR SELLER:** If you could then just go back to paragraph 69.

**MS SHEILES:** Yep.

20 **MR SELLER:** This is where you describe this fight that took place.

**MS SHEILES:** Yep.

**MR SELLER:** Was that within the building within the fourth part of J Block?  
25

**MS SHEILES:** No, it was not, it was next to the chapel.

**MR SELLER:** All right. And the chapel, is the chapel in that same area where J  
and K Block is? Is that back in another completely different area of the block?  
30

**MS SHEILES:** No, that's in the main compound.

**MR SELLER:** And you described Mr Brummell saying - making some  
observations after this fight had stopped; is that right?  
35

**MS SHEILES:** It wasn't at the time of the fight. It was days, weeks, whatever  
later, when I was doing my duties as a cleaner. But, yes, made comment.

**MR SELLER:** If you go forward then to paragraph 70.  
40

**MS SHEILES:** Yeah.

**MR SELLER:** This is where you talk about the Ombudsman.

45 **MS SHEILES:** Yep.

**MR SELLER:** Do I take it from what you told us earlier about the handbook or the lack of the handbook, that -

**MS SHEILES:** Yeah.

5

**MR SELLER:** - you didn't have any particular understanding of what the Ombudsman's role was?

**MS SHEILES:** No. We had - well, myself, I had a fair idea but it still - we, as a whole, couldn't trust or didn't feel we could trust that it was a separate entity or it wouldn't get back to Officers and end up causing us grief.

**MR SELLER:** When I asked you a moment ago about that number you could dial on the phone to get to the Ombudsman -

15

**MS SHEILES:** Yeah.

**MR SELLER:** - you said there were two, one for the State and one for the Commonwealth.

20

**MS SHEILES:** Yeah.

**MR SELLER:** Did you have any understanding whether your calls to the Ombudsman were monitored?

25

**MS SHEILES:** As far as we were concerned, all calls were monitored. As far as girls in jail are concerned, every call you make, whether it be to your lawyer, or not, they're monitored. We're told that they're - they are not monitored to lawyers but, again, we don't trust the system.

30

**MR SELLER:** Do you remember being told that the calls to the Ombudsman -

**MS SHEILES:** Given us no reason to. I beg your pardon?

**MR SELLER:** - do you remember being told that the calls to the Ombudsman were not monitored?

35

**MS SHEILES:** No, because we were never told that.

**MR SELLER:** Now, then if you could just go forward to paragraph 72, you talk about the counsellor, a counsellor called Josie?

40

**MS SHEILES:** Yeah.

**MR SELLER:** And could you just tell the Commission, was Josie someone that you had a number of counselling sessions with?

45

**MS SHEILES:** Yes, it was.

**MR SELLER:** And was that over the whole of the time that you were at Dillwynia or just part of the time?

5

**MS SHEILES:** No. Part of the time. I fought for a very long time. I was in jail at least two years before anybody even looked at me for counselling, being raped and bashed and committing manslaughter. So - and that was me kicking and screaming for two years to get counselling help, psych, whatever. Nobody would listen and again that's the system.

10

**MR SELLER:** So is it the case that you didn't, didn't have the sessions with Josie until relatively close to the time that you went back to Mulawa?

15

**MS SHEILES:** No. It was - I was at Dillwynia for almost four years. The counselling was Josie - let me see - so I got there in - it was probably early 2017, late 2016 that I started with Josie.

20

**MR SELLER:** And how often or how frequently would you see Josie from that point on?

**MS SHEILES:** I think it was fortnightly, to my memory but I - I think at one point it was monthly.

25

**MR SELLER:** Just pardon me, I'm sorry. Yes, that's the questions I want to ask you, thank you.

**COMMISSIONER:** Ms Ghabrial?

30

**<EXAMINATION BY MS GHABRIAL:**

**MS GHABRIAL:** My name is Ghabrial, I am representing a group of Correctional Officers.

35

**MS SHEILES:** Yeah.

**MS GHABRIAL:** That includes Officer Clark and Officer Virgo, okay.

40

**MS SHEILES:** Yeah.

**MS GHABRIAL:** I just have a couple of short questions for you. Do you have your statement -

45

**MS SHEILES:** Yeah. Yes.

**MS GHABRIAL:** - the statement to the Commission there, if you could turn to page 7 of 12, paragraph 48.

**MS SHEILES:** Paragraph, sorry, what? 48?

**MS GHABRIAL:** 48.

5

**MS SHEILES:** Yeah.

**MS GHABRIAL:** So this was the evidence, this relates to the evidence that you gave at Dillwynia about thinking that the Manager of Security at that time was Ms Wilson. Do you remember giving that evidence?

10

**MS SHEILES:** Yes, I do.

**MS GHABRIAL:** And I just wanted to clarify with you, that the Manager of Security, Ms Wilson, her full name was Deborah Wilson; is that correct?

15

**MS SHEILES:** I'm not sure, we didn't - we very rarely knew Officers' first names (indistinct).

**MS GHABRIAL:** Just on that issue, then, just in respect of the fellow that you refer to as Scotty in paragraph 54.

20

**MS SHEILES:** Yeah.

**MS GHABRIAL:** Did you know that his first name was Edward?

25

**MS SHEILES:** Possibly. All we - if it's the right person, all we knew Scotty as was Scotty and we kind of knew that that was his last name not his first name. So -

**MS GHABRIAL:** So you knew that Scott was his last name?

30

**MS SHEILES:** We knew that Scott was his - that's correct. But I may have known his first name was Edward but I'm not entirely certain. But he was a legend too. A good man.

35

**MS GHABRIAL:** Also, just in relation to, just two other things. Firstly, paragraph 51, on page 8.

**MS SHEILES:** Yeah.

40

**MS GHABRIAL:** Where you talk about early 2018 when you first speak with Officer Clark.

**MS SHEILES:** Yeah.

45



**MS GHABRIAL:** So what I wanted to ask you was this: at that time that you spoke to Officer Clark, do you recall Officer Clark encouraging you, almost insisting, that you make a statement in relation to Officer Astill?

5 **MS SHEILES:** Yes.

**MS GHABRIAL:** And he was quite insistent on it?

10 **MS SHEILES:** Definitely and he had been through the whole situation. He, as I said, from the moment he realised that there was something not quite right, he pushed and pushed and pushed. And it's me being a stubborn idiot and scared of repercussions that it took so long for me to finally break. But he's the only one that would have been able to get it out of me and he did, the little bugger. And I'm grateful for that. I'm so grateful for that.

15 **MS GHABRIAL:** Just at that time in April of 2018, do you have a recollection of saying, when he raised this issue insisting that you make a statement, do you recall saying to him in response something along the lines of that you just weren't prepared mentally for that?

20 **MS SHEILES:** Yeah. And it was a - and the thing was too is I had some knowledge that Mr Clark had come from a mental health background prior to being in Corrections, and he was just an absolutely understanding and amazing man and he did try so very, very hard to get me to come forward and, even when  
25 I did I don't think he was prepared for how extreme and yucky it was because the look on his face when I ended up divulging, I swear he'd seen a ghost and was about to fall over and have a heart attack.

**MS GHABRIAL:** And in April, and still just talking about April -  
30

**MS SHEILES:** Yep.

**MS GHABRIAL:** - 2018, was it the case that at that time, after he had raised the making of the statement with you, insisting on it and you indicating you weren't  
35 prepared mentally to do that -

**MS SHEILES:** Yeah.

40 **MS GHABRIAL:** - was it the case that your memory is of actually pleading with him not to say anything to anybody about that, about what you had told him?

**MS SHEILES:** Yes. I was terrified of what the ramifications -

45 **MS GHABRIAL:** Similarly, just if I could take you to paragraph 53, which is on the same page.

**MS SHEILES:** Yeah.

**MS GHABRIAL:** Again, when you spoke with Officer Clark in June 2018, it was, would you agree, pretty much the same thing, that Officer Clark was again trying to encourage and insist, encourage you and insist that you make  
5 a statement?

**MS SHEILES:** 100 per cent. As I said, from the first moment that he was aware that something wasn't quite right, that wonderful man pushed and pushed and pushed to try and get me to tell what was going on. And I - at that point, I just  
10 couldn't.

**MS GHABRIAL:** And you again, pleaded with him not to say anything; is that correct?

15 **MS SHEILES:** Yeah. Yep.

**MS GHABRIAL:** And, as you said, he was always encouraging of you to make a statement and to do something.

20 **MS SHEILES:** Yep. Yep.

**MS GHABRIAL:** And divulge everything.

**MS SHEILES:** Exactly, yeah, what was going on, what had happened.  
25

**MS GHABRIAL:** But the reality of that was that you just weren't ready to do that; is that correct?

**MS SHEILES:** No, and I was terrified. As I said, I had 18, roughly about 18  
30 months left, and my time to that date had been hard enough. I had been bashed, I had been raped by Astill, and my brain and mental capacity was like, yeah, no, if I come forward now, this is going to be a shit show and I'm going to end up suffering for the last 18 months of my time. I couldn't do it. Although I did  
35 because the little ratbag pushed me to the point where I couldn't say no. So, look, I owe everything to Mr Clark. I can't - I can't fault him, and if - I tell people he's my little guardian angel.

**MS GHABRIAL:** Thank you, Ms Sheiles, I appreciate you coming today to give evidence. Thank you.  
40

**MS SHEILES:** Thank you.

**COMMISSIONER:** Mr Villa?

45 **MR VILLA:** I have nothing.

**COMMISSIONER:** That concludes your evidence, Ms Sheiles. Thank you very much for coming forward and talking to the inquiry. You are now free to go.

**MS SHEILES:** My pleasure. Thank you. Thanks for having me.

5

**<THE WITNESS WAS RELEASED 2.19 PM**

**MR LLOYD:** Commissioner, just before we move to the next witness, could I just state something in relation to a question of Ms Ghabrial with respect to Ms Wilson. I am confident that the Ms Wilson referred to, that there will not be any evidence suggesting that it is Ms Kim Wilson for whom Ms Ghabrial appears, and it is likely that the Commission will hear evidence that the Manager of Security, Ms Wilson, is likely to be Ms Deborah Wilson.

10  
15 **COMMISSIONER:** For whom you don't appear?

**MS GHABRIAL:** I do not appear for Deborah Wilson, thank you and I thank Counsel Assisting for clarifying that.

20 **MR LLOYD:** Commissioner, I regret to say with respect to the next witness, witness M, whose statement to the Commission is behind tab 10A in volume 5, there will be a short delay while the link to Darlinghurst Court is established. So could I invite you to take about a 10-minute adjournment.

25 **COMMISSIONER:** Very well. I will do that. Thank you.

**<THE HEARING ADJOURNED AT 2.21 PM**

**<THE HEARING RESUMED AT 2.29 PM**

30

**COMMISSIONER:** Yes, Mr Lloyd.

**MR LLOYD:** Thank you, Commissioner. On the link, we have the Darlinghurst Courtroom 4 and I think we're about to have witness M into the witness box. As you will see, Commissioner, the screen is pixelated and witness M wishes to give her evidence by using voice distortion.

**COMMISSIONER:** Very well. She will need to be sworn.

40 **MR LLOYD:** Yes, when she comes.

**COMMISSIONER:** Do we know she is there?

**MR LLOYD:** She is very close, Commissioner. Can you hear and see me?

45

**WITNESS M:** Yes.

**MR LLOYD:** Could I ask you whether, in giving your evidence, you wish to take an oath or an affirmation?

**WITNESS M:** Yes.

5

**MR LLOYD:** On the Bible or?

**WITNESS M:** On the Bible, please.

10 **MR LLOYD:** Say that again.

**WITNESS M:** The Bible, please.

**MR LLOYD:** Is that on the Bible?

15

**WITNESS M:** Yes.

**MR LLOYD:** Thank you.

20 <**WITNESS M, SWORN 2.34 PM**

<**EXAMINATION BY MR LLOYD:**

25 **MR LLOYD:** Could you have a look, please, at a pseudonym list there and confirm that you are witness M on that list?

**WITNESS M:** Yes.

30 **MR LLOYD:** And your address is known to the Commission and so I don't need to ask you about that. Could I ask you, please, witness M, you gave a statement to the Commission on 13 October 2023?

**WITNESS M:** Yes.

35 **MR LLOYD:** And what you say in that statement is true?

**WITNESS M:** Yes.

40 **MR LLOYD:** And you gave statements to the police for the purpose of the prosecution of Astill?

**WITNESS M:** Yes.

45 **MR LLOYD:** And what you say in those statements is true?

**WITNESS M:** Yes.

**MR LLOYD:** And you gave evidence at Astill's trial and what you said there was the truth?

**WITNESS M:** Yes.

5

**MR LLOYD:** Commissioner, the Commission's statement is behind tab 10A in volume 5.

**COMMISSIONER:** Yes, thank you.

10

**MR LLOYD:** Ms M, I just want to ask you some questions about the statement you've given to this Commission starting with paragraph 3. You were an inmate in the Corrective Services New South Wales system between April 2016 and August 2017?

15

**WITNESS M:** Yes.

**MR LLOYD:** Of that period, you were at Dillwynia between May 2016 and May 2017?

20

**WITNESS M:** Yes.

**MR LLOYD:** There was a brief period in that year when you were away from Dillwynia for the purpose of attending court; is that right?

25

**WITNESS M:** Yes.

**MR LLOYD:** If you can just have a look at paragraph 4 of your statement, and just read that to yourself, and then I want to ask you some questions about it.

30

**WITNESS M:** Yes.

**MR LLOYD:** You talk in there about the first time when you were going to court, that that was in about September 2016; right?

35

**WITNESS M:** Yes.

**MR LLOYD:** And prior to that time, that is prior to September 2016, was there an Officer there who you later learned was Astill, who was looking at you during muster in a particular way?

40

**WITNESS M:** Yes.

**MR LLOYD:** Could you just describe to the Commission what was happening in relation to Astill at muster?

45

**WITNESS M:** He would smile in front of me, in front of all the other Officers. He would give me grins, yeah.

5 **MR LLOYD:** Sorry, it's a little muffled, can I just understand what you just said. Starting with muster, during muster, there's a number of inmates and a number of Officers?

**WITNESS M:** Yes.

10 **MR LLOYD:** And are there two musters each day?

**WITNESS M:** There's more than two.

15 **MR LLOYD:** And is what you're saying that you noticed during musters Astill staring at you?

**WITNESS M:** Yes.

20 **MR LLOYD:** And you noticed him smiling at you during musters?

**WITNESS M:** Yes.

**MR LLOYD:** How would you describe the way he was smiling?

25 **WITNESS M:** Like a creep.

**MR LLOYD:** Now, when he was smiling at you, and staring at you in that creepy fashion during musters, I think you say there were about 10 Officers there. Is that right?

30 **WITNESS M:** Yes. Yeah.

**MR LLOYD:** Do you know whether what he was doing was able to be observed by any or all of those Officers?

35 **WITNESS M:** Yes.

**MR LLOYD:** And did any of the Officers ever say anything to you about the way he was staring at you?

40 **WITNESS M:** No.

45 **MR LLOYD:** Could I ask you then, the event in September 2016, you were told by other inmates that you should go and speak to Astill so that he could try and save your room for you so that you could come back into that room after you came back from your court appearance; is that right?

**WITNESS M:** Yes.

5 **MR LLOYD:** And that, the saving of the room, that was something that ordinarily wouldn't be able to occur; that is, most women who went away for court appearances, when they came back, they wouldn't be able to go back into their same room?

**WITNESS M:** Correct.

10 **MR LLOYD:** And so, in effect, you were told by other inmates that if you went and saw Astill, he might be able to give you a favour by saving a room for you?

**WITNESS M:** Yes.

15 **MR LLOYD:** Did they say anything to you about whether in giving favours like that, Astill would expect anything in return?

**WITNESS M:** No.

20 **MR LLOYD:** You were just told that he was someone who could do favours for inmates?

**WITNESS M:** Yes.

25 **MR LLOYD:** And he arranged to hold your room for you while you were away; is that right?

**WITNESS M:** Yes.

30 **MR LLOYD:** And if you need to look at paragraph 6 in your statement, just re-read that to yourself.

**WITNESS M:** Yes.

35 **MR LLOYD:** You say Astill used to make inappropriate comments to you about your appearance and give you ugly smiles that made you feel sick. Can you just tell us something about what sort of things he would say to you?

40 **WITNESS M:** That I was beautiful. That my smile was beautiful.

**MR LLOYD:** And I think you say here that he made those kinds of comments when other inmates were around; true?

**WITNESS M:** Yes. Yes.

45 **MR LLOYD:** But if other Officers were around, he'd make those kinds of comments quietly?

**WITNESS M:** Yes.

5 **MR LLOYD:** Is the sense of that quietly so that, at least to your understanding, the other Officers wouldn't be able to hear them?

**WITNESS M:** Yes.

10 **MR LLOYD:** Can I ask you then about events in paragraph 7 of your statement in around April or May of 2017. If you just need to read paragraph 7 to yourself, do that and then I'll ask you something.

**WITNESS M:** Yeah.

15 **MR LLOYD:** So what you are describing there, and if you need to look at the pseudonym list to remind yourself of who you are talking about, is that you told some things to your friend, witness R, about Astill in or about April or May of 2017?

20 **WITNESS M:** Yes.

**MR LLOYD:** You deal with what he had been doing to you up to that point in your police statement and if you need me to take you to the actual document, please say so, but I might just remind you of the things that you said in your police statement and see if we can do it that way. Do you understand?

25 **WITNESS M:** Yes.

**MR LLOYD:** And what you recorded as Astill doing to you prior to telling your friend, witness R, was the inappropriate comments that you've told the Commissioner about today, like "You're so beautiful" and "I can't stop thinking about you". Do you remember that?

30 **WITNESS M:** Yes.

35 **MR LLOYD:** And asking you if you felt the same way about him. Do you remember that?

**WITNESS M:** I do.

40 **MR LLOYD:** And him asking you whether you felt the same way about him?

**WITNESS M:** Yes.

45 **MR LLOYD:** And him trying to kiss you?

**WITNESS M:** Yes.



**MR LLOYD:** And inappropriately touching your arm and stroking your hand on multiple occasions?

5 **WITNESS M:** Yes.

**MR LLOYD:** And putting his arm around you?

**WITNESS M:** Yes.

10

**MR LLOYD:** And there was an occasion, wasn't there, prior to you speaking to witness R, where he called you into his office and closed the door behind him?

**WITNESS M:** Yes.

15

**MR LLOYD:** Just on that particular thing of closing the door, was that common at Dillwynia for Senior Corrective Officers to call inmates in with the door closed or was it only Astill who did that?

20 **WITNESS M:** Not usually, just Astill.

**MR LLOYD:** And when he took you into the office and closed the door, he was again saying things to you like, "I can't stop thinking about you, you're so beautiful and you're nothing like anybody else in here", do you remember that?

25

**WITNESS M:** Yes. Yes.

**MR LLOYD:** And during that event in his office, you managed to avoid him, his attempts to try and kiss you and get out of the office?

30

**WITNESS M:** Yes.

**MR LLOYD:** And could I just ask you this, Ms M, are those the things that Astill was doing to you that you told your friend witness R about in April or May of 2017?

35

**WITNESS M:** Yes.

**MR LLOYD:** Now, you say in your statement, and I will take you forward to paragraph 11 and just get you to read that. You didn't feel as though you were in a position to make a complaint about Astill's conduct towards you while you were at Dillwynia; is that right?

40

**WITNESS M:** Sorry, say that again.

45

**MR LLOYD:** You didn't feel, when you were at Dillwynia, that you were in a position to make a complaint about Astill's conduct towards you?

**WITNESS M:** No.

5 **MR LLOYD:** And so that was what led you to telling your friend, witness R,  
about what he was doing?

**WITNESS M:** Yes.

10 **MR LLOYD:** Could I just ask you where you say in paragraph 11, "Because  
Astill was the senior officer, he had so much power over everyone so he could do  
what he wanted, when he wanted and how he wanted."

**WITNESS M:** Yes.

15 **MR LLOYD:** What led you to have that view that Astill could do what he wanted  
and when he wanted and how he wanted?

**WITNESS M:** Because he was a senior officer.

20 **MR LLOYD:** What about in paragraph 12, just re-read that to yourself.

**WITNESS M:** Yes.

25 **MR LLOYD:** Is it right that you'd been told by other inmates that Astill had the  
power to, and had arranged for girls to be transferred out of Dillwynia?

**WITNESS M:** Yes.

30 **MR LLOYD:** Even when they hadn't done anything wrong?

**WITNESS M:** Yes.

**MR LLOYD:** That was what other inmates told you he could do?

35 **WITNESS M:** Yes. Yes.

**MR LLOYD:** Could I ask you to just have a look at paragraph 13. Just read that  
to yourself and then I'll ask you some things about it.

40 **WITNESS M:** Yes.

**MR LLOYD:** So, is it right that one of your concerns was you were in a good  
position at Dillwynia because you had a job and good friends in the unit that you  
were in?

45

**WITNESS M:** Yes.

**MR LLOYD:** And you had been told by another of the inmates that Astill had made threats to an inmate that they could be transferred from one part of the jail to a much less appealing part of the jail?

5 **WITNESS M:** Yes.

**MR LLOYD:** That is, a threat, as you understood it, to move someone from a good area to the high needs area which high needs area was unpopular with inmates?

10

**WITNESS M:** Yes.

**MR LLOYD:** And that was another of the concerns you had about making a complaint to Officers about Astill, I assume?

15

**WITNESS M:** Yes. Yes.

**MR LLOYD:** What about other I withdraw that. What about options that you were told of by people within the jail that you had to make complaints? Were you told how it was and to whom you might be able to make a complaint about Astill to anyone within the jail?

20

**WITNESS M:** No.

25 **MR LLOYD:** What about telling people outside the jail, for example, on a phone call, if you need to re-read paragraph 14 before answering this question, do it, but -

**WITNESS M:** Yes.

30

**MR LLOYD:** But the question I want to ask is was there a problem in disclosing conduct like Astill's conduct towards you in a telephone call?

**WITNESS M:** Yes.

35

**MR LLOYD:** What was the problem about raising his offending toward you on the phone?

**WITNESS M:** Yes, that the other Officers would hear everything.

40

**MR LLOYD:** That is people, to your knowledge or belief, within the jail would be listening to your phone calls.

**WITNESS M:** Yes.

45

**MR LLOYD:** And that was a reason you were reluctant to say anything on the telephone to anyone?

**WITNESS M:** Yes.

5 **MR LLOYD:** What about writing letters to people outside the jail and if you need to look at paragraph 15 before answering this question, do that. The question I want to ask is: Was there a problem with recording what Astill was doing to you in a letter to go outside the jail?

10 **WITNESS M:** Yes, intel Officers.

**MR LLOYD:** Sorry, just say that again?

**WITNESS M:** The intel Officers would read the letters.

15 **MR LLOYD:** That that's the intel Officers would read your mail?

**WITNESS M:** Yes.

20 **MR LLOYD:** And so did you find yourself, in terms of the various things you could do, to make a complaint about Astill's offending toward you, to the extent it involved writing a letter going out of the jail, your belief was that intel Officers within the jail would be reading that correspondence?

25 **WITNESS M:** Yes.

**MR LLOYD:** And did you have a concern that if that occurred, Astill might find out about what you were saying?

30 **WITNESS M:** Yes.

**MR LLOYD:** And was that one of the reasons why you were reluctant to make complaints to people within the jail or outside it about the offending?

35 **WITNESS M:** Yes.

**MR LLOYD:** Could I just ask you to go forward, please, to paragraph 20 of your statement.

40 **WITNESS M:** Yes.

**MR LLOYD:** In terms of being told about the complaint process when you arrived at Dillwynia, was there any process by which you were informed by anyone at Dillwynia of the process by which you might make a complaint about wrongdoing by an officer?

45 **WITNESS M:** No.

**MR LLOYD:** Were you ever told about someone with the title "The Official Visitor"?

5 **WITNESS M:** No, I had heard about the Official Visitor but that was quite hard to get onto.

**MR LLOYD:** When you had heard about it, what had you heard?

10 **WITNESS M:** Just the girls always trying to get onto the Official Visitor. Everyone had problems.

**MR LLOYD:** They were trying to get on to the Official Visitor, or I'm sorry, they were trying to but were they telling you that they were having any success?

15 **WITNESS M:** No.

**MR LLOYD:** And did you ever see an Official Visitor walking around the jail in your approximately one year at Dillwynia?

20 **WITNESS M:** Yes.

**MR LLOYD:** You did see a person who you understood was in that position?

25 **WITNESS M:** Yes, but Astill was with them at the time.

**MR LLOYD:** I see. When you saw the Official Visitor, the person was actually walking around the jail accompanied by Wayne Astill?

30 **WITNESS M:** Yes.

**MR LLOYD:** How did that make you feel in terms of viability of going to the Official Visitor and making a complaint about Astill?

35 **WITNESS M:** I didn't want to.

**MR LLOYD:** Were any announcements made to the inmates telling you in advance that the Official Visitor was coming out?

40 **WITNESS M:** No. I worked in buy--ups and they would just come through the shed.

**MR LLOYD:** What did you understand to be the way in which you might be able to raise a confidential complaint about offending of the sort that Astill was doing, with the Official Visitor? For example, was it open to you to go to a private room or anything like that?

45 **WITNESS M:** No.

**MR LLOYD:** At least you weren't told that there was a room or a dedicated private space that you could go to, to make confidential disclosures to the Official Visitor; is that right?

5

**WITNESS M:** You had to phone up.

**MR LLOYD:** Say that again.

10 **WITNESS M:** You had to make a phone call, to see the Official Visitor, you couldn't book go and see them face-to-face.

15 **MR LLOYD:** And if you made those arrangements, then did you have a belief about whether Correctives Officers in the jail would know that you were speaking to the Official Visitor?

**WITNESS M:** No, I didn't trust the phone calls.

20 **MR LLOYD:** So I think you say in paragraph 21 what you understood to be the process, if you wanted to make a complaint, which was you had to speak to a senior officer?

**WITNESS M:** Yes.

25 **MR LLOYD:** And Ms M, did you have a view about whether, if you made a complaint to a senior officer, that would be kept confidential or were you concerned that that complaint might be passed on to Astill?

30 **WITNESS M:** Concerned that it would be passed on to Astill.

**MR LLOYD:** Could I just ask you then to go back to paragraph 7. I asked you some questions about what you told witness R.

35 **WITNESS M:** Yes.

**MR LLOYD:** In about April or May of 2017.

**WITNESS M:** Yes.

40 **MR LLOYD:** And then in paragraph 8, just read that to yourself.

**WITNESS M:** Yes.

45 **MR LLOYD:** Is what happened that about two weeks or so after you made that disclosure to witness R, you were sitting with a number of - with her and a couple of other inmates and you told that group about what Astill had been doing to you?

**WITNESS M:** Yes.

**MR LLOYD:** And was it shortly after you told that group that you were transferred out of Dillwynia?

5

**WITNESS M:** No. I had court for - I had court.

**MR LLOYD:** For the purposes of that court, this is around April/May of 2017, were you transferred to Bathurst?

10

**WITNESS M:** Yes.

**MR LLOYD:** And did you understand that that would be temporary, that you would just go to Bathurst for your court appearance and then come back to Dillwynia?

15

**WITNESS M:** Yes, it was only a two to three night stay over max.

**MR LLOYD:** What actually happened? Did you go to Bathurst for two or three nights and then get transferred back to Dillwynia?

20

**WITNESS M:** No, I stayed at Bathurst for about six weeks because I found out that I had a red dot against my name.

**MR LLOYD:** And what you're saying there is you stayed at Bathurst for a much longer period than you understood was normal.

25

**WITNESS M:** Yes.

**MR LLOYD:** And you were told something about the reason that you were staying at Bathurst for that longer period.

30

**WITNESS M:** Yes.

**MR LLOYD:** That being -

35

**WITNESS M:** Yes.

**MR LLOYD:** - that you were told that there was a mark against your name preventing you from being transferred back to Dillwynia?

40

**WITNESS M:** Yes.

**MR LLOYD:** And who told you that?

45

**WITNESS M:** A female officer at Bathurst.

**MR LLOYD:** Say that again?

**WITNESS M:** A female officer at Bathurst.

5 **MR LLOYD:** Could I finally, Ms M, ask you about paragraph 9 in your statement. Just read that to yourself.

**WITNESS M:** Yes.

10 **MR LLOYD:** This is the day you left Dillwynia; correct?

**WITNESS M:** Yes.

**MR LLOYD:** You were in Astill's office speaking to him. He was -  
15

**WITNESS M:** Yes.

**MR LLOYD:** - stroking your hand and making inappropriate comments to you?

20 **WITNESS M:** Yes.

**MR LLOYD:** The inappropriate comments, were they similar to the comments that you have already told the Commissioner about earlier?

25 **WITNESS M:** Yes.

**MR LLOYD:** Was the door to his office open?

**WITNESS M:** Yes.  
30

**MR LLOYD:** You say in paragraph 9:

"When this occurred an officer, Ms Kellett, was in the waiting area with three  
35 other girls."

**WITNESS M:** Yes.

**MR LLOYD:** Do you see that?

40 **WITNESS M:** Yes.

**MR LLOYD:** And you moved toward the doorway. And why did you move toward the doorway?

45 **WITNESS M:** So I could see Ms Kellett.



**MR LLOYD:** Were you hoping that moving into her line of vision, that she might see what was happening?

**WITNESS M:** Yes.

5

**MR LLOYD:** And, so far as you could tell, did you successfully move into her line of vision or were you not able to know?

**WITNESS M:** I could see her, so she should have been able to see me.

10

**MR LLOYD:** And is this right, Ms M, that you could see her and so it was possible that she could see what was happening with you and Astill but you just don't know whether she, in fact, saw it. Is that fair?

15

**WITNESS M:** Yes.

**MR LLOYD:** Just pardon me. Those are my questions.

**COMMISSIONER:** Yes, Mr Villa, do you have any questions?

20

**MR VILLA:** I don't, Commissioner.

**COMMISSIONER:** Mr Sheller?

25

**<EXAMINATION BY MR SHELLER:**

**MR SHELLER:** Well, witness M, my name is James Sheller. I'm one of the barristers here. I'm the barrister for, or one of the barristers for Corrective Services. I just wanted to ask you firstly a question about that last day at Dillwynia on 27 May. Do you have available your police statement of 31 January 2019?

30

**WITNESS M:** Yes.

**MR SHELLER:** Could I just ask you to have a look at paragraph 19. Sorry, Commissioner, this is behind tab 9. Would you just have a look at paragraph 19 which is on page 4 of the statement, please, witness M, and if you don't mind just reading that to yourself. It's about six lines.

35

**WITNESS M:** Yes.

40

**MR SHELLER:** Do you recall now that conversation that you had with Mr Astill in relation to your request that he hold your cell again while you went to Bathurst for the court matter?

45

**WITNESS M:** Yes.

**MR SHELLER:** And do you recall that he, in addition to what you've described in your October 2023 statement about the stroking of your hand, this being in the presence of Ms Kellett, him saying words to you, "If you don't come back, I'm going to miss you."?

5

**WITNESS M:** Yes.

**MR SHELLER:** And is it right that as at that time on 27 May, because of what you've described in your October 2023 statement, that is you had a job and you had friends, you wanted to come back to Dillwynia?

10

**WITNESS M:** Yes.

**MR SHELLER:** And other than the red dot being told to you at Bathurst, you were never given an explanation as to why you weren't going back?

15

**WITNESS M:** Correct. Correct.

**MR SHELLER:** And you ended up, as it were, hopping from one jail to another: Bathurst, I think Junee and Silverwater for the last couple of months of your custody. Is that right?

20

**WITNESS M:** Yes, and Wellington.

**MR SHELLER:** And Wellington.

25

**WITNESS M:** Yes.

**MR SHELLER:** And, again, was any explanation given to you why you were being moved so frequently from one jail to another?

30

**WITNESS M:** No. No.

**MR SHELLER:** Just coming back to your first time in custody, I think even before you got to Dillwynia, you'd been at Bathurst, Junee and Mulawa; is that right?

35

**WITNESS M:** Yes.

**MR SHELLER:** And is it the case that sorry, was it the case that at any of those jails you were given anything by way of induction or handbook or anything to tell you the sort of things you would expect or have to do in jail?

40

**WITNESS M:** No.

45

**MR SHELLER:** And when you arrived at Dillwynia, were you given any sort of induction or explanation of what you had to do or what you could do in jail?

**WITNESS M:** No.

5 **MR SHELLER:** Do you remember having access, in the building in which your cell was, to a telephone?

**WITNESS M:** Yes, there was a - yes.

10 **MR SHELLER:** And near the telephone, was there a sheet of paper with a series of numbers on it, or at least a series of single digits you could press on the telephone if you wanted to call an agency?

**WITNESS M:** No.

15 **MR SHELLER:** Do you remember seeing any posters around your area of Dillwynia which told you about things you could do if you had complaints or concerns?

20 **WITNESS M:** (Indistinct) I didn't spend much time on the compound.

**MR SHELLER:** Yes, thank you. Those are the questions.

**COMMISSIONER:** Ms Ghabrial?

25 **MS GHABRIAL:** No questions, Commissioner, thank you.

**COMMISSIONER:** Very well. Thank you, ma'am, your evidence is now concluded and you are excused. Thank you very much.

30 **WITNESS M:** Thank you.

**<THE WITNESS WAS RELEASED 3.06 PM**

35 **MR LLOYD:** Commissioner, may I raise one matter that has come to my attention. I raised earlier with respect to Ms Sheiles that she no longer wished to have the benefit of the non-publication order with respect to her identity, and I think what fell from you was that it would be necessary to make a formal order varying the earlier order.

40 Just to make it absolutely clear to those observing, that the formal order which I asked you to make is varying the form of annexure A, being the pseudonym list, as referred to in order 1 that you made on 28 -

45 **COMMISSIONER:** I think it might be sensible if you put it on paper.

**MR LLOYD:** I will, I just want to make the statement in public because of the inquiries, that we will supply the varied form of annexure A to you. But the effect

of the earlier exchange is such that Ms Sheiles is no longer the subject of that non-publication order in annexure A. It's me that has made a request that I just wish to raise.

5 **COMMISSIONER:** I understand.

**MR LLOYD:** Those are the witnesses - I should say this also publicly,  
Commissioner: With respect to the current and former inmates of Dillwynia  
witnesses we are calling, because each of them will be giving their evidence by  
10 AVL and the technical issues associated with that, we're trying to give particular  
slots to them. And so what it might mean is that there will be occasions in the next  
week and the early part of next week, where, like today, we run out of witnesses  
for a particular slot. And I apologise for that but the logistics are such that it can't  
be avoided. So that is the conclusion of the oral evidence today.

15 **COMMISSIONER:** Well, it might be an appropriate time just to raise the  
question of this application Ms Ghabrial foreshadows in a document that I've seen.  
Only for the purpose, Ms Ghabrial, I want to understand what it is that you are  
actually asking for.

20 **MS GHABRIAL:** I'm so sorry, Commissioner, I'm having terrible troubles  
hearing.

**COMMISSIONER:** I'm not asking you to argue the case at the moment but I do  
25 want to understand what it is you are asking for. Now, as I understand it, you have  
instructions to appear for a limited number of witnesses.

**MS GHABRIAL:** Yes, 12 at this time.

30 **COMMISSIONER:** Now, in the circumstance where Mr Lloyd doesn't  
apprehend that there's any prospect of evidence being given that might result in  
a prosecution, what is your position?

**MS GHABRIAL:** I may need some time to speak to -

35 **COMMISSIONER:** That's why I'm raising the question with you.

**MS GHABRIAL:** - with Counsel Assisting first before I could give an answer to  
that, and I would need to get some instructions.

40 **COMMISSIONER:** Very well. And then, in terms of any witness where there  
may possibly be a prospect, are you asking that the whole of that person's evidence  
be given privately?

45 **MS GHABRIAL:** Yes.

**COMMISSIONER:** Even though there may be many questions which that person is prepared to answer without any concern at all? In other words, it may not be necessary for me to require an answer to be given. What would be your position then? Perhaps you should think about that.

5

**MS GHABRIAL:** I think I need to think about that.

**COMMISSIONER:** I think you do. Furthermore, when you are thinking about these things, have a careful look at what you have asked for because I'm not sure, on any view, I could give you what you have asked for. Obviously, if anything is to be prohibited from publication presently, there would have to be a clear indication of when it may be permissible to publish it.

10

**MS GHABRIAL:** Yes.

15

**COMMISSIONER:** It can't go into the never-never.

**MS GHABRIAL:** No, and that is certainly not what is sought.

20

**COMMISSIONER:** Well, at the moment, if you look at what you have drafted it goes into the never-never prospectively.

**MS GHABRIAL:** The way that I have tried to draft it is until such time as any decision has been made not to prosecute.

25

**COMMISSIONER:** But there may never be such a decision made.

**MS GHABRIAL:** I think I will use the time to speak to Counsel Assisting -

30

**COMMISSIONER:** I think you should.

**MS GHABRIAL:** - before the application is heard.

**COMMISSIONER:** Can I ask you to think about this too. In the event that I'm persuaded that some part of the evidence should be prohibited from publication, would you accept that I should nevertheless prepare a report in response to the Commission that I have, which includes material which otherwise is prohibited from publication?

35

**MS GHABRIAL:** There could be a part of the report that is - that has the non-publication order attached to it and provided to the Governor but, again, I will have a think about that.

40

**COMMISSIONER:** I think you should have a think about that too.

45

**MS GHABRIAL:** I have - I do understand -

**COMMISSIONER:** Let me say this: It's plain that what are you asking for could not operate to as, effectively, take the middle out of the inquiry.

5 **MS GHABRIAL:** No. No, and that is not what is intended. My understanding of other inquiries - and certainly, Commissioner, you are not bound by the way other inquiries are conducted - but there could be a confidential part of the report that is provided to the Governor.

10 **COMMISSIONER:** That's what I'm asking you about.

**MS GHABRIAL:** (indistinct - crosstalk)

15 **COMMISSIONER:** That's what I'm asking you to think about and then to think about, if I was to take that course - and I'm not saying that I will - what should be included in one or other parts of the document.

**MS GHABRIAL:** Yes.

20 **COMMISSIONER:** All right?

**MS GHABRIAL:** Thank you, Commissioner.

25 **COMMISSIONER:** I don't want it explored necessarily any further now, Mr Lloyd, but you and Ms Davidson may have a discussion amongst all of counsel and have a look at this question.

30 **MR LLOYD:** Thank you. We will do that, Commissioner, and we will also discuss whatever application is pursued, a convenient time to have you hear that. As I understand it, as long as that time is some time before the first of Ms Ghabrial's witnesses, then that will be suitable.

**COMMISSIONER:** When is that expected to be?

35 **MR LLOYD:** It's expected to be next -

**MS GHABRIAL:** Wednesday, I think.

**MR LLOYD:** Wednesday.

40 **COMMISSIONER:** That's Wednesday of next week?

**MR LLOYD:** Yes.

45 **COMMISSIONER:** All right. We should be able to find some time -

**MR LLOYD:** Yes.

**MS GHABRIAL:** Thank you.

**COMMISSIONER:** - between now and then to have a careful look at the matter.

5 **MR LLOYD:** Thank you. And I should say tomorrow, if it's convenient, could we start at 9.30 on the basis that, as you know, it's not possible to sit in the afternoon?

**COMMISSIONER:** No, it's not. Yes, certainly we will start at 9.30 in the morning. Is there a witness on AVL then?

10

**MR LLOYD:** Yes. We have witness K, who is coming in from Dillwynia by AVL, and then a further witness who is coming in by AVL from Grafton. So two witnesses scheduled for that - between 9.30 and about 1 pm tomorrow.

15 **COMMISSIONER:** Very well. Thank you. I will adjourn until 9.30 in the morning.

**<THE HEARING ADJOURNED AT 3.15 PM TO WEDNESDAY, 18  
OCTOBER 2023 AT 9.30 AM**