

John Tyson

Email

Justice C Holmes
Queensland Floods Commission of Inquiry
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8 November 2011

Submission to the Queensland Floods Commission of Inquiry

1. Coronial Inquest

At the coronial inquest on 31 October to 2 November this year, into the deaths of the 25 people who died in Toowoomba and the Lockyer Valley on 10-13 January 2011, new evidence emerged about the events surrounding the deaths of my wife Donna Rice and my son Jordan Rice. The matters are beyond the scope of the coroner to investigate further due to statutory restrictions so I wish to make submissions to the Queensland Floods Commission of Inquiry so that these matters can be investigated further. I realise the closing date for submissions to the Inquiry has expired but ask that you accept this submission concerning evidence, some of which only emerged last week at the inquest.

Following the Inquest, the Public Defender John Allen who represented me, made several submissions to the coroner. (see Attachment 1)

The following information indicates there were many systemic failures in preparing for and responding to the extreme rain event which contributed to the fatalities in Toowoomba and many near-fatalities (dozens of pedestrians and 834 cars were washed away) on 10 January.

What is most surprising is that given the failures of state and local government agencies, the fatalities were limited to two people. There is great consolation for me in knowing that ordinary people without any emergency or swift-water rescue training or equipment responded immediately at the scene and risked their lives to try to save my wife and our sons, thankfully saving my son Blake from an extremely perilous situation. I urge you to investigate the matters here to ensure as far as possible that if a similar extreme rain event occurs in Toowoomba, that measures will be in place to provide timely effective warning to people and to improve rescue responses.

2. Overall weather danger

The La Nina climate system had been developing since July 2010 and by November had developed into a very significant system.

By late December the ground was waterlogged, meaning any additional rainfall would cause almost immediate run-off.¹

On January 7, local media reported the heaviest flooding in 30 years in the Toowoomba region including widespread flash flooding in Toowoomba that led to 120 calls for assistance. The flooding also extended across the Darling Downs, cutting many major highways and stranding travellers.²

3. Inability of Toowoomba Regional Council to monitor East and West Creek levels

Toowoomba Regional Council has no river height recording stations on East or West Creek. The highest river height station is a DERM station six kilometres downstream of Toowoomba CBD, at Cranley.³

Question

1. Will the QFCI recommend that Toowoomba Regional Council and/or BOM install river height recording stations in East and West Creek upstream of the CBD as a matter of urgency?

4. Lack of flood immunity of major highways through Toowoomba

A 2007 Flood Risk and Mapping Study found crossing of East Creek at James Street did not meet Q50 immunity.⁴

Road Crossing Immunity

19. The immunity of each of the creek crossings under the roads within the Gowrie Creek System was identified for Q20, Q50, Q100, Q500 and Probable Maximum Flood. As the James Street culverts across East Creek did not meet Q50 immunity, this structure was considered to be inadequate and was identified as requiring upgrading to meet Q50 immunity. This work has not yet been carried out. The road in question is a national highway not under Council's control.

Question

2. Will the QFCI recommend that the Warrego Highway through Toowoomba is upgraded to meet at least the Q50 immunity to flooding?

¹ Defence 2020 A land of droughts and flooding rains. Queensland Floods Case Study.
http://www.defence2020.info/pdfs/studies_defence.pdf

² Jane Chudleigh. Toowoomba SES answer the call. ToowoombaNews.com 7 January 2011.
<http://www.australiannews.com.au/australia/queensland/darlingdowns/toowoomba/story?cityid=9901bdf5-f527-4b68-852d-149172949fd4&storyid=6d4dc8-5db6-4b17-ae60-86dec2078564>

³ Bureau of Meteorology. Flood summary for Toowoomba.
http://www.bom.gov.au/hydro/flood/qld/fld_reports/toowoomba_fact_sheet_2011.pdf

⁴ Kevin Flanagan. Statement of Kevin John Flanagan. Queensland Floods Commission of Inquiry. 29 April 2011.

5. Failure of Toowoomba Regional Council to implement adequate recommended flood mitigation measures

Toowoomba Regional Council commissioned a report into flooding in the region. The report, Toowoomba Regional Planning Project Flood Study Final Report was produced in 2009. It highlighted the lack of information available on the extent and depth of flooding across the region and cautioned that development should be restricted in areas where there is a lack of data to indicate the risk of flooding.

Toowoomba Regional Councillor Bill Cahill has been reported as claiming that the ‘lack of action in the past from council had contributed to the tragic flash floods.’ Efforts by Cr Bill Cahill to have the Council undertake a review of the Flood Study after the January disaster failed in Council.⁵

Mayor Peter Taylor said Cr Cahill’s suggestion was ‘emotive’ and a review of the study would be ‘superfluous’ as recommendations were being incorporated into the town plan.

Question

3. Given the large number of houses and roads flooded in Toowoomba city and region during the December and January floods, will the QFCI recommend that the Toowoomba Regional Council should update its flood data and town plan to include flood levels experienced in December 2010 and January 2011?

6. Toowoomba Local Disaster Management Group

Toowoomba Regional Council employee Kevin Wruck was the Local disaster coordinator responsible for ensuring Council had disaster management plans in place, that the plans were tested and that the public were informed about preparing for disaster events via the media.

A meeting of the LDMG was called for 10am on 10 January but at 9.53am the meeting was postponed to 1pm that day so all necessary members could attend.

This meeting time meant that the entire group was in a meeting as the disaster was unfolding across the city.

By the time the Local Disaster Coordination Centre was activated at 3.30pm, the flood had subsided.⁶

Question

4. Why was there such a long delay between the LDMG becoming aware of the disaster and

⁵ John Farmer. Flood study won't be revised: Mayor. The Chronicle. 26 January 2011.

⁶ Statement of Kevin Wruck. 16 April 2011. QFCI.

http://www.floodcommission.qld.gov.au/__data/assets/pdf_file/0020/7076/QFCI_Exhibit_212_Statement_of_Kevin_John_Wruck.pdf

activating the Coordination Centre?

7. Failure to close roads subject to flooding.

Despite the issuing of a media release by QPS on 19 December, 2010, no preparations were made by either Main Roads authorities, Toowoomba Regional Council or QPS to quickly erect 'Road Closed' signs when major roads through Toowoomba city were inundated.

In particular, the James Street/Kitchener Street intersection is on the main east-west highway for long haul vehicles thorough Toowoomba and is a known trouble-spot for flooding because it crosses East Creek.

19 December 2010

Localised flooding and road closures, Toowoomba

Police would like to remind motorists and members of the public of the hazardous and unpredictable nature of flood waters caused by the heavy rain that the Toowoomba area is experiencing.

There is flooding of causeways in many parts of Toowoomba and emergency services are responding to reports of vehicles caught in water.

Members of the public are advised to avoid flooded roads, creeks and watercourses and motorists are also reminded that road closures and road conditions can change rapidly as creeks and water courses can rise and fall quickly.

Motorists should exercise extreme caution when travelling on the roads, obey road closure signs that have been erected and not attempt to cross flooded causeways or roadways.

Floodwaters can quickly inundate a vehicle placing the lives of occupants and rescue workers at risk.

Roads experiencing large volumes of surface water combined with adverse weather conditions can make travel hazardous and police are urging everyone to take extra care, to re-think their travel plans and to limit non-essential travel if possible in areas experiencing heavy rainfalls.

Traffic and Travel Information Line on 13 19 40 (<http://131940.qld.gov.au/>), their local council for road closure updates or the RACQ.

Media and Public Affairs Branch
07 3015 2444 07 3015 2444

Question

5. Will the QFCI recommend that a system for closing the Warrego Highway as soon as

creek crossings in Toowoomba are flooded is implemented?

8. James Street/Kitchener Street Intersection

10 January 2011 Timeline

Time	Sit rep/ Triple zero call content	Response Radio Priority Codes 1 = life threatening - homicide 2= life threatening – urgent 3 = routine
11:00am	Two storms merged and were moving towards Toowoomba	
12:40	Donna, Jordan and Blake at home at Vanity Street. Chris phones to ask for a lift to sign loan documents.	
13:21	Localised flooding in Toowoomba	
13:23	Unit 211 responding to children swimming in West Creek	
13:29	Unit 211 reports of severe flooding in Margaret Street Landslide at Mt Kynoch	
13:29	000 call from Sarah Norman at Spring Bluff – house surrounded by water	Operator says move to higher ground
13:37	Sarah Norman 000 call – people in house cannot get to the roof – call drops out	
13:40	Inspector David Isherwood at Neil Street QPS regional headquarters and observes water over the road, half way up the doors of cars and wheelie bins floating down the street. (Inspector David Isherwood, Evidence at Inquest)	Spoke to Commissioner Gollschewski. Went in unmarked police car – heard call from Kitchener/James Street and went to the intersection where they saw a woman trapped on the roof of a vehicle and people clinging to power poles. Discussed how to get people and concluded it wasn't safe to enter the water. Responded to urgent calls from Withcott. No one would get down the range. (Inspector David Isherwood, Evidence at Inquest)
13:41	Police call to Coms re water over road in Alderley Street, running very fast, need for traffic control. (Inspector David Isherwood, Evidence at Inquest)	
13:41	Unit 210 proceeds to police station in Hume Street	

13:42	Police blocking the road and warning someone is going to go missing in it.	
13:45	Police patrol unit – Dent Street is under water.	
13:45	Witness photo – Donna Rice’s car alone stopped at traffic lights	(Donna tried many times to reach 000)
13:45	CCTV traffic passing across James/Kitchener St intersection	
13:46	CCTV water at the bottom of car door sills	
13:47	000 call from Sarah Norman – water one metre from house roof, two people safe, two missing	
13:48	Call from Donna Rice to police coms	
13:49	Const Jason Wheeler notes Donna Rice stuck in flood water James/Kitchener and assigns rescue as Category 3 = routine	Unit 210 at a school attending re a fallen branch Unit 211 was available Unit 210 or 211 would have been tasked if the call was a priority. 6 Units of QFRS were available to respond at the time. (Inspector David Isherwood, Evidence at Inquest)
13:56	Witness photo – Water considerably higher	
13:57	Call from Jordan to QFRS coms	3 QFRS units despatched
14:02	Unit 753 (Helidon police) stuck in floodwater in Toowoomba Unit 211 despatched to Mt Kynoch Unit 210 clocked off shift	
14:02	Witness photo - Two people on Rice car roof	
14:07	Unit 211 Heading to landslide at Mt Kynoch	
14:13	000 call to police coms – Two children holding onto lamp post in James/Kitchener Street	14:13 Unit 211 sent code 2 to James/Kitchener Street
14:13	CCTV camera – Rice car is gone	
Time?	Witness video – head in water	

Question

- Given that police are not the appropriate agency to handle swift water rescue, why was Donna Rice’s triple zero call not transferred immediately to QFRS for assistance?

Radio Priority Codes

1 = life threatening - homicide

2 = life threatening – urgent

3 = routine

9. Failure to exclude traffic from vulnerable intersections despite several previous floods

On December 19, 2010, police reported vehicles caught in water and urged motorists to avoid flooded roads as road conditions could change rapidly as creeks and water courses could rise and fall quickly.⁷

On 27 December 2010, East Creek was reported to be in flood.⁸

10. Overload of the triple 000 emergency system

When my wife tried to phone for emergency help, the phone lines were already overloaded and she dialled about seven times without making contact with an operator, before finally making contact at 1.48pm. Had her call been answered when she first called, one can only hope the response from emergency services might have been better.

Toowoomba District Communications Centre Officer in Charge Senior Sergeant Julie Cooling was on leave during January. However she has reported that the Toowoomba District Communications Centre received 1,446 triple zero calls that day and that, of these 845 were not answered.⁹

Question

7. Will the WFCI recommend improvements to the triple zero emergency phone system?

The Role of Senior Police

Police had arguably the best situational awareness of deteriorating weather and flood conditions across the Darling Downs and Lockyer Valley. They therefore were possibly in the best position to put ensure safety measures were put in place, especially for motorists.

Question

8. I request that all the police officers who gave evidence at the Inquest but who have not given statements to the Inquiry, be required to do so and to submit their phone records so that the timings of their activities can be confirmed.

11. Assistant Commissioner Stephan Gollschewski, Southern Region

⁷ Heavy flooding hits parts of Toowoomba. The Courier-Mail. 19 December 2010.

⁸ Stuart Cumming. Floods hit Darling Downs. The Chronicle, 28 December 2010.

⁹ Senior Sergeant Julie Cooling. Statement of Witness. QFCI. 14 March 2011.

Gollschewski arrived in Toowoomba to take up his position on 13 December 2010. He had not yet arrived when Exercise Orko was run the previous month, simulating a major flood event in this region.

He was informed of police and disaster management group activities across the region and reported in turn to the Police Commission and State Disaster Coordinator and assisting with disaster declarations, ensuring flooded communities received food supplies, sought media coverage of deteriorating road conditions and safety risks and coordinated visits by dignitaries.

He reported the following:

27 December evacuations of some residents in Dalby and Chinchilla. Roma isolated.

Three rescues near Taroom. Damage to Toowoomba Range and Warrego Highway. Rescues of motorists from flooded creeks in Allora, Pittsworth, Oakey and Clifton. Major flood level in Warwick with 260 people evacuated. Helicopter rescues at Leyburn, Pratten and Talgai.

28 December – Dalby District declared a disaster. Caravan washed away at Gatton. Three men arrested for entering the swollen Bremer River intending to float to Brisbane.

29 December – Nindigully disaster declaration re Moonie River to cancel New Year's Eve B&S ball.

30 December – compulsory evacuation of the entire town of Condamine by ADF Blackhawk helicopter.

Early January – flood peaks and evacuations in Surat, Dirranbandi and St George.

8-9 January – heavy rain in Toowoomba and Lockyer Valley. Condamine residents returned home.

9 January – evacuations in Grantham, Lockyer Valley LDMG activated (Gollschewski was not informed of this.)

10 January 9am briefing weather pattern moving towards the region but expected to dissipate.

1pm went to Grand Central for lunch. Heard an ABC storm warning.

1.05 – 1.10pm torrential rain, West Creek had risen significantly. Several inches of water across Dent Street

Returned to regional office

Phone Acting Chief Superintendent Morrow to despatch a crew to children playing in West Creek.

Phones Acting Chief Superintendent Morrow again re flooding in CBD and requested him to deploy police to respond.

1.45pm speaks to Acting Chief Superintendent Morrow re flooding in CBD and seeing more floodwater heading towards CBD.

And speaks to Acting Superintendent Brett Schafferius Toowoomba Disaster Control Co-ordinator who said he had already sent Inspector Jim McDonald to the Toowoomba Coms centre.

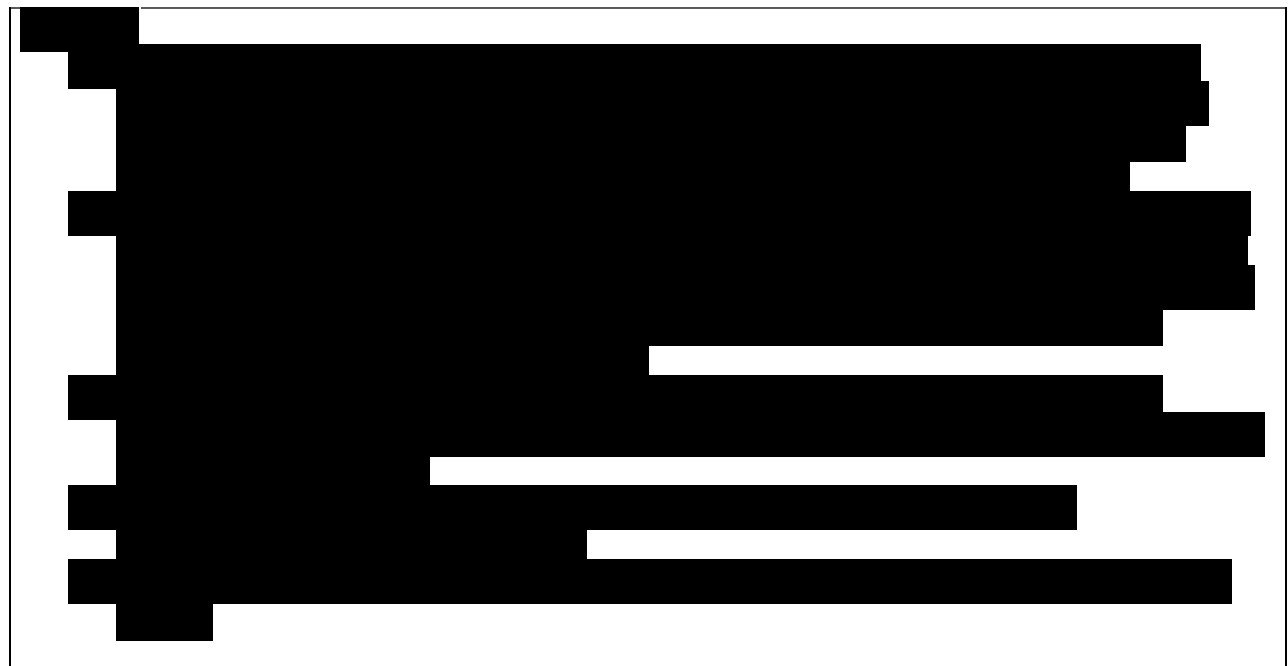
Gollschewski briefs QPS public relations head Kym Charlton.

Gollschewski hears that a woman and child were swept away at James/Kitchener Street.

Gollschewski hears houses swept away at Murphys Creek and Postmans Ridge but did not know where that was or how much water was involved.

QFRS requested helicopters.

Weather conditions prevented helicopter rescues.
3.30pm Isherwood returned from James/Kitchener Street and said he believed the two people swept away would have drowned.
Gollschewski and Isherwood proceed to James/Kitchener Street, meet McDonald and Hopgood.
Onlookers shocked.
One of the bodies was found - Donna Rice
Gollschewski sees car submerged in creek belonging to the missing people.
Call from Morrow that severe flooding was occurring in Grantham and other areas may be at risk.



12. Detective Inspector David Isherwood, Regional Crime Co-ordinator

Detective Inspector David Isherwood gave evidence at the Inquest.



13. Detective Senior Sergeant Paul McCusker

Question



14. Acting Inspector James McDonald (OIC Laidley and member of Lockyer Valley Regional Council)

McDonald was alerted at 1.35pm to flooding in a house at Crows Nest trapping a woman and a disabled child. A helicopter was requested and approved but could not fly due to lightning.

McDonald went to the Police Coms centre to coordinate operations and provide sit reps.

At 1.45pm McDonald realises this is an unusual event and begins making notes in a running sheet.

15. Detective Inspector Brett Schafferius, District Disaster Coordinator

Detective Inspector Schafferius established the District Disaster Coordination Centre at Toowoomba Police Station in November 2010 during Operation Orko.

On 10 January he was Acting Superintendent, District Officer, Toowoomba District. He states the events of 10 January occurred without warning.

Question

18. Why was an officer with this level of responsibility not aware of the predicted heavy rainfall for Toowoomba that day?
19. If he had been aware of the predicted heavy rainfall on the already sodden city and knowing the propensity for flash-flooding of Dent Street and intersections along East Creek and knowing the Warrego Highway crosses East Creek, what would he have done to protect life and property?
20. Will the QFCI seek information about what was learned from Exercise Orko and why any improvements made fell so far short of adequate on 10 January (eg lack of road signs to prevent motorists driving into major highway intersections that were flooded in Toowoomba)?

16. Constable Jason Wheeler, Triple Zero operator

Question

21. Given his lack of training as a triple zero call operator, why was Constable Wheeler assigned to take emergency calls?

17. Failure of triple zero phone call response

All five lines dedicated to receiving triple zero calls at the Toowoomba Comms room were overloaded. Police Comms room CommCo Officer Sergeant Robin Coleman was in charge.

Despite the ability of Comms operators to switch one of their screens to city safe cameras, it appears Constable Jason Wheeler did not switch to CCTV to see the conditions at the James/Kitchener Street intersection being described by the caller.

Question

22. Will the QFCI recommend that all police who are on duty as triple zero operators are given appropriate training before being allowed to work in the Comms centre?
23. Will the QFCI recommend that if CommCo operators are taking Triple zero calls where the location is covered by CCTV, that the operator will immediately switch their screen to CCTV to gain visual contact with the location?

Coleman gave evidence that the job of prioritising codes for triple zero calls belongs to the CommCo operator. (page 639, line 10-13). In addition, he said he was responsible for checking through jobs that were not given priority to ensure no one 'slipped through the cracks'. (page 639, line 43)

Question

24. Will the QFCI seek further information from the other Comms room operators to gain a more complete understanding of any other failures on the day and improvements that could be made?
25. Will the QFCI recommend that when Triple zero Comms centres are overloaded, additional officer/s are given the task of reviewing calls in cases where calls for assistance have not been prioritised during the initial contact with police?

Conclusion

Given the extreme nature of the event and the above failures outlined, it is extremely surprising more people were not killed on 10 January. Many emergency service workers and people who were at the most severely affected flash-flood locations were amazed at the low death-toll.

The loss of my wife and son and the trauma caused to my son Blake who was rescued, will continue to affect my family for many years. I would be grateful if you would provide me with answers to the above questions in order to help me resolve the events of 10 January and in order to help ensure the community is better prepared in the event of a similar severe rain event in Toowoomba so that lives are preserved.

Thank you for your attention to these important matters.

Yours sincerely

John Tyson

Attachment 1

CORONER'S COURT

AT BRISBANE

INQUEST: SOUTH EAST QUEENSLAND 2011 FLOOD DEATHS

SUBMISSIONS ON BEHALF OF MR JOHN TYSON

1. Mr Tyson has been granted leave to appear at the inquest into the death of his wife, Donna Maree Rice, and son, Jordan Lucas Rice.
2. Mr Tyson is concerned that some of the contents of a police Coroner's Report into these deaths (Exhibit M1- see paragraphs 6.1.2- 6.1.3) and the overarching police Coroner's Report (Exhibit A1- see page 64, second last paragraph and page 65, third paragraph) suggest that Donna engaged in risktaking behaviour by deliberately driving into flood waters and thus endangering her youngest son, Blake, and contributing to her own death and that of Jordan.
3. Such conclusions are not reasonably open on the evidence admitted in this inquest. They are contradicted by objective evidence and are based to a large extent upon a misapprehension as to the contents of the eyewitness account of Blake Rice elicited during an interview on 25 January 2011 (Exhibit M3.15).

Blake's Interview

4. Blake was born on 24 October 1999 and was aged 11 years at the time of the tragic events of 10 January 2011 and the subsequent interview on 25 January 2011 (Exhibit M3.15, page 2).
5. A consideration of the contents of Exhibit M3.15 (esp. pages 4-6 and 16), a street map of the relevant area of Toowoomba (Exhibit M5.17) and the

evidence of Det Snr Sgt McCusker on 31 October 2011 would lead the Court to conclude:

- Donna drove her vehicle, with Jordan and Blake passengers, from their home at 17 Vanity Street, Rockvillesouth on Vanity Street, turned left into North Street and then travelled south-east and south along a lengthy stretch of Mort Street before reaching Kitchener street and travelling towards the intersection with James Street;
- At an early point in the journey, possibly on Vanity Street or on Mort Street, and well before approaching the intersection of Kitchener and James Streets (Exhibit M3.15, pages 4-6; evidence of Det Snr Sgt McCusker that two hotels are located on the relevant stretch of Mort street and none on the relevant stretch of Kitchener Street) Donna observed water on the roadway, expressed uncertainty about continuing, was encouraged to do so by Jordan and did so without any difficulty, such perceived possible hazard then being left behind as the vehicle travelled on;
- The police officer interviewing Blake misapprehended the timing of such event when, towards the end of the lengthy interview, he put to Blake some lengthy propositions including that the comments by Jordan occurred as the car approached the intersection of Kitchener and James Streets (Exhibit M3.15, page 16). No reliance can be placed upon Blake's affirmative response in these circumstances.

6. Blake has confirmed the true situation in his statement dated 1 November 2011.

7. The misapprehension by the interviewing police officer has based the inaccurate summary of the interview (Exhibit M3.14, dot points 5 and 6) and the passages of the Coroner's Reports referred to in paragraph 2 of these submissions.

Objective Evidence

8. A consideration of witness accounts and photographic and video evidence does not support a conclusion that Donna acted recklessly prior to the fatal event.

9. The extent of flooding in Toowoomba on 10 January 2011, including the flooding of the intersection of Kitchener and James Streets, was unprecedented.

10. It is clear that Donna's vehicle stopped short of the intersection, whether in response to a red traffic control light or as a result of stalling in what was at that point water that did not reach above the door trim of the vehicle (Exhibits M5.8 and M5.8.1). She did not enter a flooded intersection. At or about the time Donna's vehicle reached the intersection, other vehicles were still successfully passing through the intersection (see CCTV footage, Exhibit M5.3). The water subsequently rose dramatically (witness accounts and photographic and video evidence including Exhibits M5.8, M5.8.1 and M5.3).

11. The evidence does not support a finding that Donna should have anticipated the possibility of harm to herself or her sons as she approached the intersection. Her actions cannot, on any fair view of the evidence, be the subject of deserved criticism.

12. The Court would reject the contents of the police Coroner's Report into these deaths (Exhibit M1- see paragraphs 6.1.2- 6.1.3) and the overarching police Coroner's Report (Exhibit A1- see page 64, second last paragraph and page 65, third paragraph) that suggest otherwise.

John Allen

Public Defender

Legal Aid Queensland

2 November 2011

Crown Law has provided a response to issues raised in this submission. The response is provided below for information.

Your ref:
Our ref: CRS/PRE052/1856/LAP
Contact: Paul Lack
Direct ph: 07 3006 9081
Direct fax: 07 3239 6961

2 December 2011

Ms Jane Moynihan
Executive Director
Qld Floods Commission of Inquiry
Level 30, 400 George Street
BRISBANE QLD 4000

Dear Jane

**Queensland Floods Commission of Inquiry - State Representation -
Response to John Tyson submission to Commission dated 8 November 2011**

I refer to your letter dated 24 November 2011 which invited any response from Assistant Commissioner Gollschewski, Inspector Schafferius and Inspector Isherwood to the submission received by the Commission from Mr John Tyson dated 8 November 2011.

I am instructed to provide the following responses on behalf of the State and Assistant Commissioner Gollschewski, Inspector Schafferius and Detective Inspector Isherwood.

1. 000 Call System and call taker training

The 000 emergency call system generally, the emergency calls in Toowoomba and the emergency calls made by the Rice family on 10 January 2011 were the subject of findings and a recommendation in section 5.4 of the Commission's Interim Report.

The system was examined by the Commission in its first round of hearings, in particular, through the statements and evidence given by Glenn Walker (Exhibit 343), Senior Sergeant

Julie Cooling (Exhibit 339), Superintendent Robert Waugh (Exhibit 346), Superintendent Andrew Morrow dated 13 May 2011 (not tendered as an exhibit) and Chief Superintendent Grant Pitman (Exhibit 347).

The Commission recommended in its Interim Report (recommendation 5.38) that QPS call-takers across the State should be trained to a uniform standard, consistent with the training provided by the Brisbane Police Communications Centre. Further to the findings and recommendations in the Commission's Interim Report, QPS has provided the Commission with a copy of the draft report on the *Queensland Police Communications Centres Operational & Strategic Review*. The key findings and recommendations of that review are set out in the draft report.

The State has recently provided the Commission with a report, Disaster Readiness Update, tabled in Parliament by the Premier on 17 November 2011, in relation to Queensland's preparedness for the coming wet season, and the progress of the Interim Report recommendations. That report states that the Queensland Police Service is conducting call taker training at 13 major centres across Queensland. Members from the Brisbane Police Communications Centre commenced delivery of training on 30 September 2011 and concluded training at the end of November 2011. One person from each major centre has been trained to deliver additional training to call takers who were unable to attend the initial roll-out. As at the end of November 2011, 274 Queensland Police Service members have been trained.

2. Assistant Commissioner Steve Gollschewski

In his statement provided to the Commission dated 10 March 2011 (Exhibit 140), Assistant Commissioner Gollschewski sets out in detail his role in the 2010/2011 flood events. His statement sets out the circumstances surrounding his commencement in his role in Toowoomba, as well as his relevant experience during his 30 years of policing. He also gave evidence before the Commission on 19 April and 27 April 2011.

The State submits that there is nothing in the evidence or statements provided to the Commission by Assistant Commissioner Gollschewski, or in the evidence of others, that supports any finding that the timing of Assistant Commissioner Gollschewski's appointment to his role had any impact on his ability to perform his role during the 2010/2011 events. Assistant Commissioner Gollschewski has not been required to give evidence at the Inquest. In any event, there also does not appear to be any evidence before the Inquest into the flood deaths to support such an allegation. Nor, it is submitted, is there any evidence to suggest that his actions regarding the 2010/2011 flood events were anything other than admirable in the circumstances.

3. Detective Inspector Brett Schafferius

Detective Inspector Schafferius provided a statement to the Commission dated 14 March 2011 (Exhibit 144). In his statement he sets out in detail his role in the 2010/2011 flood events. His statement also sets out his relevant experience during his 25 years of policing. He also gave evidence to the Commission on 27 April 2011. On 10 January 2011, Detective Inspector Schafferius dialled into the daily teleconference with the State Disaster

Coordination Centre, as he had done on the days preceding. At this teleconference updates were given by the Bureau of Meteorology and Hydrology. These teleconferences were conducted to allow District Disaster Coordinators to get information from the Bureau of Meteorology and Hydrology and also to discuss and outline to the State level the issues within each District as of that day. This briefing did not predict or warn of the events that were to later occur as the events that occurred in Toowoomba and the Lockyer Valley on 10 January 2011 were unprecedented. The actions of Detective Inspector Schafferius were focused on securing the safety of persons. It is submitted that there is nothing in the evidence provided to the Commission or the Inquest that established that the actions of Detective Inspector Schafferius were anything other than appropriate.

Detective Inspector Schafferius was also involved in Exercise Orko. The Commission has taken evidence in relation to Exercise Orko and made relevant findings and recommendations in section 3.4 of its Interim Report. In fact, the Commission recommended that EMQ provide training to disaster management groups “as in Exercise Orko”. The Disaster Readiness Update report, tabled in Parliament by the Premier on 17 November 2011, states that EMQ has provided disaster management training to over 4,000 individuals involved in disaster management at the local and district levels to ensure that the respective roles of all agencies are clearly understood. Additionally, EMQ has provided local disaster coordinator training to over 170 local government participants.

4. Detective Inspector David Isherwood

Detective Inspector Isherwood was not requested to provide a statement to the Commission, nor was he summonsed to give evidence. In his evidence provided to the Inquest, together with the matters addressed in his statement provided to the Inquest, he sets out in detail his involvement in the events of 10 January 2011 in Toowoomba. Detective Inspector Isherwood’s actions were focused on protecting life and property. It is submitted that there is nothing in the evidence provided by Detective Inspector Isherwood or others that suggests that his actions were anything other than appropriate.

The evidence of Detective Inspector Isherwood also corroborates the evidence of Assistant Commissioner Gollschewski regarding the time at which the Assistant Commissioner attended the intersection of James and Kitchener Streets on 10 January 2011.

I **enclose** a copy of the statement of Detective Inspector Isherwood dated 29 June 2011 which was provided to the State Coroner for the purposes of the Coronial Inquest.

5. Placement of Donna Rice QPS call-taker

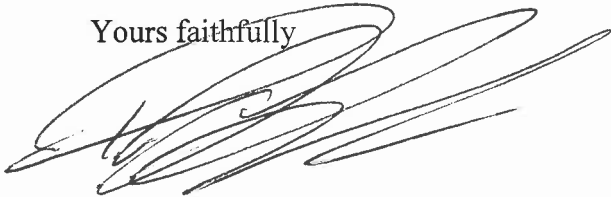
The training, qualifications and actions of the QPS call-taker were also the subject of findings in the Commission’s Interim Report at section 5.4.3. The State provided a response to the draft findings and recommendations on these issues prior to the delivery of the Commission’s Interim report (see letter from Crown Law dated 24 June 2011).

6. Further findings and recommendations

It is submitted that the matters addressed in the submission of Mr Tyson are matters that have already been addressed by the Commission in its Interim Report and there is nothing in the evidence given to the Inquest that supports any further findings or recommendations being made with respect to these matters.

However, should the Commission propose to make any further findings and recommendations in relation to any of the issues raised in Mr Tyson's submission, the State should be provided with those draft findings and recommendations and be afforded the opportunity to respond before any such findings and recommendations are made.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Paul Lack', written over a series of horizontal lines.

Paul Lack
Assistant Crown Solicitor
for **Crown Solicitor**



QUEENSLAND POLICE SERVICE
STATEMENT OF WITNESS

QP 0125
01/06
A14

Occurrence #: _____
Statement no.: _____ Date: 29/06/2011

Statement of

Name of witness: ISHERWOOD, David Richard

Date of birth: _____ Age: _____ Occupation: Inspector of Police

Police officer taking statement

Name: _____

Rank: _____ Reg. no.: _____

Region/Command/Division: _____ Station: _____

Statement:

David Richard ISHERWOOD states;

I am currently a Detective Inspector of Police attached to the Southern Region Toowoomba, performing the duties as Manager of Taskforce 'Galaxy'.

On Monday the 10 January 2011 I was performing duties as the Regional Crime Co-ordinator, Southern Region. The Regional Crime Co-ordinators office is located on the first level of the Regional Office building at 52 Neil Street, Toowoomba. As a result of a conversation with Acting Chief Superintendent MORROW at about 1.40 p.m. on that day I walked to the front verandah which runs alongside the Neil Street side of his office and observed torrential rainfall which had inundated the street drainage systems causing both the footpath and roadway in Neil Street to flood. I also observed numerous 'wheelie bins' floating down the street from south to north. It was apparent that such intense rainfall would cause flooding.

At about 1.45 p.m. I had a conversation with Assistant Commissioner GOLLSCHESKI who related his observations and confirmed that serious flooding was occurring within in the Toowoomba City Centre. After a number of attempts to

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Commissioner for Declarations's signature)

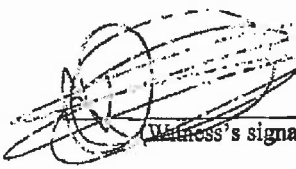
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preparing statement)

CONTINUED STATEMENT OF: ISHERWOOD, David Richard

contact the Toowoomba Police Communications Centre I had a conversation with Acting Inspector Douglas Mc DONALD who had attended my office in the company of Acting Inspector Jason HOPGOOD. As a result of this conversation at about 2.10p.m. Acting Inspectors MC DONALD, HOPGOOD and I left the regional office to become a taskable first response unit to attend to calls for service. At the time we utilised the service vehicle allocated to the Regional Crime Co-ordinators position, an unmarked Toyota Kluger all wheel drive vehicle. We travelled south along Neil Street, monitoring the police radio channel VRK Toowoomba.

At about 2.12 p.m. I noted a call over the police radio channel to car 211 a Toowoomba Station general duties unit requesting they respond to a call for service 'two kids caught on a lamp post in flood waters James and Kitchener Streets'. Car 211 was given a Code 2' priority response (for urgent matters involving injury or present threat of injury to person or property) which authorised the use of urgent duty driving and the engagement of the warning devices such as flashing lights and siren. The communications operator also called an 'any unit call' to that location. Due to the volume of radio transmissions on the police radio frequency we could not immediately respond, however at 2.14 p.m. I did inform the radio operator of our intention to attend. As the service vehicle I was driving was not fitted with these warning devices, I did not proceed 'Code 2', however am aware that car 211 did acknowledge such priority response.

I drove east along James Street and about 500 metres from the intersection of Kitchener Street observed that both lanes of traffic east bound were stationary. I drove onto one inbound lane and proceeded to the actual intersection parking the police vehicle on the median strip in the centre of the roadway. At 2.18 p.m. I advised VRK Toowoomba via the police radio "Off at the intersection just be aware that we do not have a hand held". On alighting from the vehicle and walking towards the intersection I saw fast flowing flood water covered the breadth of the whole intersection. The water was flowing from a south-easterly to north-westerly direction following the water course of East Creek. I observed two males clinging to a traffic pole or sign about fifteen meters away. Further into the intersection I saw



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

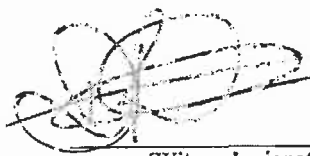
another group of males holding onto the traffic lights with the water waist deep and moving rapidly.

I also observed a prime mover and trailer on the opposite side of the intersection parked in the flood waters and observed a Toyota Camry Sedan also at the intersection the vehicle the vehicle was facing south east with a female sitting on the roof of the vehicle with a vehicle tie down strap attached to her waist and connected to the prime mover.

I had a conversation with Constable BRUCE one of the crew members of Toowoomba general duties car 211 and during this conversation he indicated the location of a male person who was holding on to a light pole on the eastern side of Kitchener Street. I now know that this person was Chris SKEHAN and was told by Constable BRUCE that as a result of his inquiries he had gleaned that SKEHAN was in his current position due to his attempts to rescue persons who were on top of a vehicle trapped in flood waters and as the vehicle had been washed away the persons were also swept away by the flood waters. I further ascertained that the persons taken by the flood waters were an adult female and a male child who I now to be Donna and Jordan RICE.

I then had conversations with Acting Inspectors McDONALD and HOPGOOD and we assessed the various rescue options available to us relating to persons trapped by the flood waters. This assessment took into consideration the extreme rapid flow of flood waters and the amount of debris within those waters including a number of vehicles that had been swept away that whilst stationary were in precarious positions. Due to the consideration given to these facts it was decided that the inherent dangers associated with any rescue attempt would be too great until the volume of water receded.

Acting Inspector McDONALD identified another police unit on the eastern side of the intersection and utilised his mobile telephone to speak with the crew of this



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

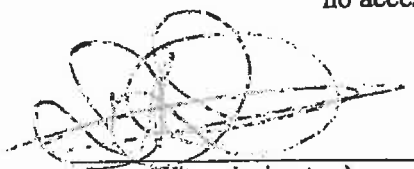
vehicle. As a result communications were established with Queensland Fire and Rescue Service personnel also at this location.

At 2.32 p.m. as a result of these communications a request was made via the police radio channel VKR Toowoomba for helicopter support to affect a rescue. I noted that there was an enormous volume of transmissions on the police radio channel and made a decision to return to my service vehicle and become mobile to assess the overall situation with respect to the flooding of East Creek and assist with calls for Service.

I initially drove north of this location to Margaret Street and observed flood water over the roadway where the roadway crosses East Creek which made this route impassable.

At 2.42 p.m. I recall a radio transmission from Constable BEATTIE in Car 212 who was at Withcott and advised "*got the range completely closed, got massive landslides there.....*". At this time I also recall an 'any unit' call by Toowoomba Police Communications "*Any unit that can go down the range to assist with three persons that have been washed off near Withcott*". I recall Unit 753 acknowledged this call. I also recall that this unit's location was on the western side of East Creek and later acknowledged that flood waters prohibited him getting to the Toowoomba Range.

I then drove south travelling along Ramsey Street to the suburb of Middle Ridge in an attempt to get to the Warrego Highway at the top of the Toowoomba range to fully assess the situation. However each roadway that I attempted to utilise namely Perth, Long, South and Alderley Streets was impassable due to the flooding created by East Creek. As I continued to drive south I reached the intersection of Ramsey and Bonnybrae Streets which was also impassable due to floodwaters near the intersection. It became apparent to me that due to the flooding caused by East Creek no access was available to the eastern parts of Toowoomba.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

I returned to the Regional Office arriving at about 3.30 p.m. immediately taking up with Assistant Commissioner GOLLSCHEWSKI. I briefed him on my observations with respect to the flooding of East Creek, the numerous calls for Service and the situation at James and Kitchen Streets with respect to the probable loss of life incident and other situations including the Toowoomba Range and Withcott.

A short time later Assistant Commissioner GOLLSCHEWSKI and I travelled to James and Kitchener Streets and enroute whilst monitoring the police radio channel heard talk of reports of vehicles and persons believed to have been swept of the Warrego Highway at Withcott. I recall that Assistant Commissioner GOLLSCHEWSKI upon hearing this radio transmission immediately made a telephone conversation and I heard him request situational advice.

Upon arrival at James and Kitchener Streets I immediately noticed that the water had receded and was now flowing within the water table that forms East Creek. Assistant Commissioner GOLLSCHEWSKI and I took up with Acting Inspectors MC DONALD and HOPGOOD and then walked north up Kitchener Street to a bus shelter and took up with Queensland Fire and Rescue Service personnel. I observed the roof and rear section of a white Mercedes Benz Sedan which was lodge against a concrete pedestrian walk over in East Creek. I was advised that the body of a deceased female had been located some distance downstream past the Chalk Street Bridge.

At about 4.15 p.m. Assistant Commissioner GOLLSCHEWSKI and I drove to the Chalk Street Bridge where we spoke to both police and fire officers who indicated the location of the body of the deceased female who was further downstream from our location. Whilst driving to this location it became apparent by the devastation and debris along the roadway that vehicle access to the east and west of Toowoomba would not have been possible due to the flood water created by the over-flow from East Creek. I then returned to the Regional Office with Assistant Commissioner GOLLSCHEWSKI and at about 5p.m. and after discussions with him and Acting



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard


Chief Superintendent MORROW volunteered to perform the duties as Police Forward Commander to manage the policing response in the Lockyer Valley.

I then travelled to Withcott utilising the Warrego Highway Toowoomba Range route. I recall that the road was closed at the top of the range however as I was in an emergency service vehicle was allowed to proceed. There was significant debris over the roadway and in two sections there had been considerable landslides. At the first of these landslides which is approximately 1 km from the top of the range I noted that the landside would have been considerable as both lanes were covered this section of the roadway was being cleared by machinery however there was still a considerable amount of earth covering the right hand lane with the left hand lane having been partially cleared.

I also recall that due to the continual radio communications over the police radio channel I officially booked 'On Air' at 5.36 p.m. by which time I had actually reached the township of Withcott.

I clearly observed the effects of the flooding with numerous vehicles having been washed off the roadway and there was considerable flood damage to businesses and dwellings in the township. I also observed that the normal water course that runs parallel to the highway, Rocky Creek had caused massive erosion to the creek banks.

At about 5.45 p.m. I arrived at the intersection of Murphys Creek Road and Gatton Creek Road where a Forward Command Post had been established by Sergeant Peter HUDSON of Toowoomba Station. I noted that Sergeant HUDSON was in the company of Constable Chloe BEATTIE also of Toowoomba Station. I had discussions with Sergeant HUDSON who briefed me on calls for service to be attended to, and that there were a total of 10 staff available to be deployed to attend to these calls for Service. I was also appraised by BEATTIE of her situation during the flood event being the only police officer available to attend to calls for service between Toowoomba and Helidon during the flood event.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

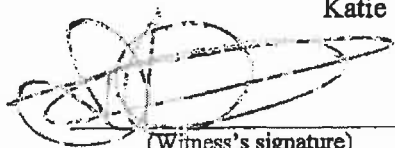
The calls for service all related to persons who could not be contacted and accounted for, however as an initial response priority where some evidence had been adduced that persons were missing, these calls for service were actioned first. It was identified that 6 persons were missing from the Postmans Ridge area, Sylvia BAILEY at 89 Murphys Creek Road and Bruce and Wendy WARHURST, their son, their daughter in law and granddaughter at 168 Murphys Creek Road. It was also identified that there were 2 persons missing from 10 McCormack Drive, Spring Bluff, Steven and Sandra MATTHEWS and three persons missing from 51 Watts Road, Murphys Creek Selwyn and Catherine SCHEFE and their 6 year old daughter Katie.

A search was immediately commenced of Gatton Creek from Gatton Creek Road, to Rocky Creek which is located near 89 Murphys Creek Road and then along Rocky Creek. The inaccessible areas were searched by officers from the Southern Region Stock and Rural Crime Investigation Squad utilising their 4 wheel drive vehicles.

At 6.15 p.m. advice was received that Ipswich Queensland Fire and Rescue Service swift water officers had rescued Catherine SCHEFE in flood waters near the Murphys Creek State School.

Whilst supervising the ground search, at 6.21 p m. I spoke to a Rod ALFORD of 81 Murphys Creek Road, Postmans Ridge who provided information which assisted in the area to be searched.

The initial search of the Postmans Ridge area concluded at 8 p.m. I made the decision to move the Forward Command Post to Murphys Creek Tavern. On arrival at that location I took up with Acting Inspector HOPGOOD and Senior Sergeant HARLAND. I was formally advised of the search that had been conducted relating to Steven and Sandra MATTHEWS and that they had been located deceased. I was also briefed about the search that had been conducted with respect to Selwyn and Katie SCHEFE.



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preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

As a result of this briefing all police personnel were tasked to attend to the remaining calls for Service.


There were inherent communication problems at this location with both radio and mobile telephone reception unavailable and only one landline available at the Tavern which was required to be shared between the Queensland Fire and Rescue Service, Rural Fire Service personnel and the general public.

After repeated attempts to gain access to the Murphys Creek State School at about 10p.m. the Police Forward Command Post was moved to this location where telephone land lines were available.

By 1.30 a.m. on Tuesday the 11 January 2011, all calls for service that had been received had been actioned. Whilst all calls for service had been actioned a number of calls for service had not been completed due to inaccessibility to the location.

I commenced duty at the Forward Command Post at 6 a.m. and with District SARMAC Senior Constable Simon GOODWIN a plan was prepared for more extensive searches to be conducted utilising 13 staff from the Public Safety Response Team and 2 Stock Squad Officers to conduct grid searches of from Murphys Creek, Postmans Ridge areas relating to missing persons, the SCHEFE's, the WARHURST's and Sylvia BAILEY. Also outstanding calls for Service from the previous day were also detailed and completed.

Shortly after commencing duty on that day it became apparent that the land line telephone communications had failed, with the only form of communications available at the Police Forward Command Post was the use of police radio frequencies. Mobile telephone usage meant that I would have to drive between 3 – 5 kilometres to ensure sufficient coverage.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard


At 11.27 a.m. formal confirmation was received that Wendy WARHURST, her son John, his wife and daughter had been located at their residence. Further advice Was received that they had been in Toowoomba during the flood event, however Bruce WARHURST was still missing.

All personnel ceased duty at 6p.m. when all outstanding calls for Service from the previous day had been completed. Whilst the ground searches conducted failed to locate the whereabouts of Selwyn and Katie SCHEFE, Sylvia BAILEY and Bruce WARHURST, door knocks, and the attendance at and finalisation of previous calls for Service established that no further persons were identified as being missing in the Postmans Ridge, Muphys Creek area.

At 6 a.m. on Wednesday the 12 January 2011 I commenced duty at the Forward Command Post Murphys Creek where I was subsequently relieved of command by Toowoomba District Inspector WHYTE.

I returned to the Regional Office at Toowoomba and spoke to Assistant Commissioner GOLLSCHESKI who informed me that a coronial investigation was being undertaken jointly by members of the Southern Region and Homicide Group, Task Force Galaxy. Assistant Commissioner GOLLSCHESKI further informed me that I had been appointed a manager of the Task Force under the command of Detective Superintendent John SHEPPARD who was the Task Force Commander.

At 10.30 am I met the State Coroner Michael BARNES, Detective Superintendent SHEPPARD and Acting Detective Inspector MASSINGHAM at Toowoomba Airport. Also in the company of Acting Inspector MCCUSKER, we then drove to the effected areas of Withcott, Murphys Creek, Postmans Ridge and Grantham and areas of interest identified after conversations with Mr BARNES.



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preparing statement)

CONTINUED STATEMENT OF: ISHERWOOD, David Richard

From this date Acting Detective Inspector MASSINGHAM and I assumed joint ownership and management of the Task Force. Personnel seconded to the Task Force were appointed to various cells and allocated specific duties relating to the coronial investigation. The Task Force consisted of a management cell, intelligence cell, imagery cell, family liaison cell, exhibit cell and deceased event cell which were divided into 10 investigative teams.

On Monday the 17 January 2010 I attended a briefing with Assistant Commissioner GOLLSCHEWSKI. As a result of this briefing I had a conversation with Inspector Jerry WALTON of the Ethical Standards Command regarding an internal investigation being conducted by him relating to a "OOO" call received by a police operator from the deceased person Donna Maree RICE. I was also advised that the Coroner Mr. BARNES had been briefed the previous evening by Commissioner ATKINSON regarding this investigation.

During the course of the coronial investigation it was established that calls were made by deceased persons to Emergency Services. To facilitate the utilisation of this material, between the 22 January 2011 and the 7 March 2011 Supplementary Form 1's were completed and forwarded to the Coroner for his approval for the issuing of Form 25's "Requirement by the Coroner for Information" by virtue of provisions of Section 16 (2) of the Queensland Coroners Act. The requirement related to all call charge records from all Telecommunication carriers relating to deceased persons. The Coroner issued the relevant form 25's which were served on all the carriers who duly complied. All the material received was then incorporated in the Telecommunications Section of each individual deceased event package.

As a result of the information provided by the Telecommunication carriers requests were made to Police Communication Centres in Toowoomba and Ipswich to provide OOO calls received at those Communication Centres between the times of 1p.m. on 10 January 2011 and 1.05 p.m. on 12 January 2011. A request was also made to Brisbane Police Communications Centre to provide OOO calls received at those



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard


Communication Centres between the times of 1p.m. and 6p.m. on 10 January 2011. On 16 February 2011 all OOO calls from Toowoomba and Ipswich Communications Centres were received. On the 2 March 2011 all OOO calls received by Brisbane Police Communications Centre were received.

On Monday 28 February 2011 I had discussions with Detective Senior Sergeant McCUSKER with respect to OOO calls received by the Queensland Fire and Rescue Service. As a result of these discussions Detective Senior Sergeant McCUSKER contacted Vicki BINDING, executive secretary for the Assistant Commissioner Queensland Fire and Rescue Service and requested copies of calls received. The material requested was collected from the Toowoomba office of Queensland Fire and Rescue Service on 2 March 2011. Further material was collected from the Brisbane office of the Queensland Fire and Rescue Service on the 23 March 2011 and 1 April 2011 respectively.

To identify calls made relating to persons deceased or missing a review was undertaken of every OOO call that had been supplied. The three administration officers attached to the Task Force were tasked to listen to every OOO call and identify calls relating to deceased or missing persons. A spreadsheet was created where information was recorded concerning every call. A call that was identified relating to a loss of life incident was then transcribed.

On Wednesday the 9 March 2011 during a management meeting conducted by Detective Superintendent SHEPPARD the issue of Emergency Service Response to OOO calls by deceased persons was discussed. As a result of the discussions relating to this issue and after consultation with executive management a decision was made to pursue identification as to what the response was to OOO calls relating to specific deceased events 'in progress'.

A determination was made that investigations into Emergency Service Response would include all Emergency Services, encompassing Police, Fire and Ambulance. The response was to remain central to the individual loss of life as distinct from any



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CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

organisation's prevention and response arrangements or capability. A further decision was made to create a separate investigative cell comprising four investigators to address this issue.

On Thursday the 17 March 2011 I attended a management meeting at the Homicide Squad, Brisbane. Detective Superintendent SHEPPARD advised me of his requirements with respect to how the emergency response evidence package should be compiled. The package should include what time the call was made, a transcript of the call, identify the call taker, what that person then did, and outline what response was provided. Detective Superintendent SHEPPARD further advised that he believed the process may in some cases be able to be truncated if there is evidence showing that at the time of the call or by the time that the call reached emergency services the victims had already been swept away and were beyond help, the prevailing conditions made a response impossible in that emergency service resources were fully engaged and could not be reallocated. Detective Superintendent SHEPPARD also informed me that the investigation should not rely on an inference or opinion by the lead investigator but the facts should be drawn from the statements of witnesses and the documentary exhibits which can be outlined in the coronial report.

On Sunday the 20 March 2011 I formulated a plan for investigators to investigate response to OOO calls. The plan consisted of reviewing an analysis summary of Call Charge Records and OOO calls as contained in the individual deceased events packages, a review IMS, CAD, and Queensland Fire and Rescue Service data to identify the call taker and review emergency service response from such data.

On Tuesday 22 March 2011 in consultation with Acting Detective Inspector MASSINGHAM a cell consisting of four detectives was formed to conduct investigations into emergency response.



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preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

On Wednesday 23 March 2011 Detective Senior Sergeant MC CUSKER and I attended Toowoomba Police Communications Centre and spoke to the Officer in Charge Senior Sergeant Julie COOLING. We discussed the process by which OOO calls are received, IMS recording and policing response. Senior Sergeant COOLING advised me that the total number of OOO calls to the Toowoomba Communications Centre on 10 January 2011 was 1446 of which 601 were serviced and 845 calls abandoned. Senior Sergeant COOLING also advised me that the unanswered OOO calls diverted to Ipswich District or Brisbane Police Communication Centres with the information being recorded and telephone contact made after receipt of the call. She further advised however that due to the sheer volume of calls these centres also communicated through facsimile or e mail. The information provided by Senior Sergeant COOLING during our discussions formed the basis of a statement she has supplied to Task Force Galaxy. I refer to **this statement of Senior Sergeant COOLING.**

As a result of these discussions I requested Senior Sergeant COOLING retrieve IMS data relating to OOO calls. I also requested that police radio transmissions for the 10 and 11 January 2011 to be downloaded relating to deceased person events. This material was provided on the 24 March 2011.

As a result of information from Senior Sergeant COOLING inquiries were conducted with Police Communications Centres at Ipswich and Brisbane Police Communications Centre's and requests made for their IMS data relating to OOO calls relating to deceased persons.

On 21 March 2011 as a result of our previous discussions relating to Emergency Response, Detective Senior Sergeant MCCUSKER contacted Mr Jeff KING, Executive Manager, Emergency Operations, Queensland Fire and Rescue Service and requested data relating to calls received by Queensland Fire and Rescue Service to OOO calls for Service and their response.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

On Wednesday 23 March 2011 the data was collected from the Queensland Fire and Rescue Service in Brisbane. A review was conducted of data and it was ascertained that the material provided was incomplete. Another request was made by Detective Senior Sergeant MC CUSKER and further material was provided and collected on Wednesday 30 March 2011. Detective Senior Sergeant McCUSKER was made aware that the Queensland Fire and Rescue Service have compiled deceased event packages and a request was made to Queensland Fire and Rescue Service for the provision of this material.

On Monday 28 March 2011 I collated information supplied by Toowoomba Police Communications against OOO calls relating to deceased events. During this process I noticed ambiguities between data currently ascertained during course of investigations and the material that had been provided. This facilitated the requirement for all telephone calls to be examined to determine if they were flood related and if they related to a deceased event.

On this date I had discussions with the principle investigators Detective Senior Sergeants MC CUSKER and CASTLES regarding the manner to which inquiries are to be undertaken with respect to OOO Emergency Response Team and how data was to be captured. I then formulated a spreadsheet that would capture all data which included each deceased event, OOO call for service, date and time call received, the receiving organisation and person receiving the call, nature of call, verbal response, action taken and the response outcome.

On Tuesday 29 March 2011 I briefed all detectives assigned to the Emergency Response Investigative Team on their investigative requirements and the outcomes to be achieved.

On Tuesday 5 April 2011 I received a briefing from Detective Senior Constable ROLPH with respect to the outcomes to date of the Emergency Response Team. I split the cell into two teams, one team reviewing OOO calls and one team looking at response IMS/CAD material.



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preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

On Tuesday 12 April 2011 I was advised by Detective Senior Sergeant McCUSKER that the Queensland Fire and Rescue Service has compiled deceased event packages, and on this date a request is made to Queensland Fire and Rescue Service for the provision of all their material.

On Wednesday 13 April 2011 I had a telephone conversation with Officer in Charge of the Ipswich Police Communications Centre Senior Sergeant CAHILL. I discussed with him the process of attending to OOO calls for Service received which had been diverted to his centre from Toowoomba. Senior Sergeant CAHILL advised me that the procedure adopted on the day was a combination of telephoning, e-mailing or faxing the information to Toowoomba Police Communications.

On Thursday 14 April 2011 I was advised by Detective Senior Sergeant McCUSKER that Kylie WARLOW, Director Legal Services Unit, Queensland Fire and Rescue Service had informed him that legal opinion is being sourced from Crown Law prior to releasing the required material from the Queensland Fire and Rescue Service.

Also on this date it was identified that the initial conversations with Telstra OOO operators requesting Emergency Services response had not been sourced. Inquiries conducted revealed that these conversations were recorded by Telstra and that access to the information would require a direction from the Coroner. Supplementary Form 1's were completed relating to the obtaining of this information relating to all deceased person OOO calls, the Coroner issued the Form 25's on the 28 April 2011.

On Sunday 17 April 2011 I conducted a review of material relating to Queensland Fire and Rescue Service response and identified the necessity that there was a need to capture all the material being withheld. I requested Detective Superintendent SHEPPARD raise my concerns with the Coroner when they met with the view to the issuing of form 25's.



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preparing statement)

CONTINUED STATEMENT OF: ISHERWOOD, David Richard

On Monday 18 April 2011, I had discussions with Detective Superintendent SHEPPARD who advised me that the outcome of his meeting with the Coroner was that there would not be a formal request the issuing of Form 25's by him for material from the Queensland Fire and Rescue Service, giving the organisation further time to provide such material as they had previously indicated.

On Friday 6 May 2011 I discussed Emergency Response Team inquiries with Detective Senior Constable BEBAN and Detective Senior Sergeant McCUSKER. Detective Senior Constable BEBAN highlighted the difficulties being experienced in completing inquiries relating to Emergency Response without the information that was to be provided by Queensland Fire and Rescue Service relating to loss of life packages which contains all radio and telephone transmissions. I then telephoned Kylie WARLOW Director Legal Services Unit, Queensland Fire and Rescue her Departments failure to provide the package in a timely matter. I was advised by Kylie WARLOW that in order to facilitate a timely response to our request she will now require form 25's from the Coroner. I immediately telephoned Detective Superintendent SHEPPARD and discussed this matter with him. Detective Superintendent SHEPPARD advised me to have material prepared for a request to the coroner to have form 25's to be issued.

On Sunday 8 May 2011 Supplementary Form 1's were completed relating to the obtaining of the required data from Queensland Fire and Rescue Service, with the coroner issuing form 25's on 16 May 2011.

On Tuesday 10 May 2011 I attended a management meeting at the Homicide Squad office in Brisbane hosted by Detective Superintendent SHEPPARD. At this meeting I was given the task to ensure the completion of all outstanding statements, job logs relating to finalisation of Emergency Response Team inquiries and was to overview all material and prepare an overarching statement outlining the outcome of the OOO response investigation.



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(Signature of police officer
preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

On Wednesday 11 May 2011 the Task Force was provided with OOO calls from Telstra relating to deceased or missing persons. These calls were then reviewed, where it was identified that the call relating to deceased event of KEEP, MAGNER and RADKE had not been obtained. Supplementary Form 1's were completed on 17 May 2010 for with the coroner issuing form 25's on 18 May 2011. All calls received where transcribed.

On the 11 May 2011 I commenced an overview of investigations conducted by the Emergency Response Team. I had regular discussions with Detective Senior Constable BEBAN, the team leader of the Emergency Response Cell and where necessary requested further information be obtained.

On Tuesday 24 May 2011 I had discussions with Detective Superintendent SHEPPARD with respect to emergency response and what is required to be presented to the coroner. Detective Superintendent SHEPPARD advised me that he required the examination of OOO calls for assistance relating to deceased or missing persons, emergency services personnel available to be deployed at the time of calls for service and outcomes to response.

On Monday 30 May 2011 I had a telephone conversation with Acting Inspector Jim Mc DONALD relating to his duties as over viewing Commissioned Officer at Toowoomba Police Communications Centre on 10 January 2011. During my conversation with Acting Inspector Jim Mc DONALD I discussed information that he provided in his statement to the Flood Commission of Inquiry which he confirmed accurately reflects occurrences as they occurred on that day.

I now produce a copy of that statement.

On Tuesday 31 May 2011 I attended the Toowoomba District Office and had discussions with Acting Inspector Jim Mc DONALD in person regarding how he recorded the events that occurred relating to duties as over viewing Commissioned Officer at Toowoomba Police Communications Centre on 10 January 2011. Acting



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preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

Inspector Jim Mc DONALD stated that he made notes and that these notes and his recollections on that day were accurately recorded in the 'Running Sheet for Toowoomba Operation 2010 and 2011'.

On the 7 June 2011 I attended the Toowoomba District Office and obtained a copy of the 'Running Sheet for Toowoomba Operation 2010 and 2011'.

I now produce a copy of that 'Running Sheet for Toowoomba Operation 2010 and 2011'.

On Wednesday 8 June 2011 as a result of a request to Toowoomba Police Communications Centre I obtained a copy of an IMS Job Log for confirmation of the time of the call for service being attended to by Constables HANCOCK and JOHNSON. I noted the time of the call as 4.11 p.m.

On Wednesday 8 June 2011 I had a telephone conversation with Fiona BANWELL, a Legal Officer, from the Department of Community Safety who advised that the Queensland Fire and Rescue material required through Form 25 notices "Requirement by the Coroner for Information" was available for collection. On the afternoon of Thursday 9 June 2011 the material was collected from Department of Community Safety office at Kedron in Brisbane. The material received from the Queensland Fire and Rescue Service had been edited by that Service into deceased event packages and contained material relating to those events. I then conducted a review of this material and as a result of this review it was established that the material supplied did not contain any information relating to the PERRY incident. On Friday 10 June 2011 I had a telephone conversation with Fiona BANWELL and discussed that the material relating to PERRY had not been included in the package supplied. On Wednesday 15 June 2011 the material relating to PERRY was received.



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preparing statement)


CONTINUED STATEMENT OF: ISHERWOOD, David Richard

On Wednesday 22 June 2011 I telephoned Ailsa MULLINS, Queensland Ambulance Service Toowoomba Communications Centre Manager to confirm information contained in the material provided by Queensland Fire and Rescue Service relating to OOO calls received by Queensland Ambulance Service and identified as relating to missing or deceased person events. On 28 June 2011 I had further conversations with Ailsa MULLINS, who advised me that the Queensland Ambulance Service did in fact receive OOO calls relating to a rescue response during the flood event. I was further advised that these calls for service were actioned by immediately forwarding such request for assistance the Queensland Fire and Rescue Service. I was further advised that the Queensland Ambulance Service did not directly attend to these calls for service.

On Friday the 24 June 2011 I telephoned Fiona BANWELL and had a conversation with her regarding issues I had identified whilst reviewing material received from the Queensland Fire and Rescue Service. One issue related to an ESCAD Incident Report relating to the MATTHEWS incident that had not been received. The other issue related to terminology utilised in ESCAD Incident Reports which frequently referred to 'Multi-Agency QAS incident' and also '(Page) Dispatch page to unit'.

As a result of this telephone conversation that day I received the ESCAD Incident Report QF3-11-002742 relating to MATTHEWS. I was also provided with a copy of a statement prepared by Glenn Andrew WALKER, Executive Director, Information and Communication Systems, Queensland Fire Service.

I refer to this statement which adduces evidence that ESCAD is a joint system used by both Queensland Fire and Rescue Service and Queensland Ambulance Service and facilitates the use of 'associated incidents'. The system is further described by WALKER "*this function allows both QAS and QFRS to share a single incidentcutting down the need to manually relay incident details between the two services*". I also refer to WALKER's statement which outlines the "*different mechanism to alert Fire and Rescue crews to the need to respond to an incident*" and the witnesses description the paging system.



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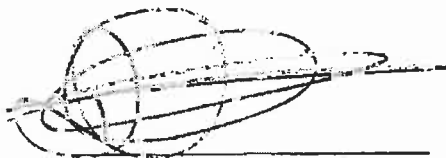
CONTINUED STATEMENT OF: ISHERWOOD, David Richard

During the course of the investigation undertaken by Task Force Galaxy I had regular liaisons with Inspector Gerry WALTON and Senior Sergeant Ken COLLIN and other officers from Ethical Standards Command. The issue of policing response was discussed and I noted that their outcomes had drawn similar conclusions with respect to the policing response which was available on the afternoon of the 10 January 2011. I also had liaisons with Inspector Matthew ROSEVEAR of Ethical Standards Command who had produced a visual presentation of first response policing units available to attend to calls for service in Toowoomba. Whilst this presentation was specifically produced in relation to the RICE incident, I can confirm that it accurately reflects first response units available to attend to calls for service in the Toowoomba area, especially between the crucial times of 12.58 p.m. and 1.50 p.m. Whereby, at that later point in time accessibility by road east of the Toowoomba range was not possible.

I now produce the power point presentation.

The overview I have conducted in relation to Emergency Response has encompassed a review of all material which was then captured in a spreadsheet that was utilised by the Emergency Response Cell, and was in fact the cells 'working papers'. This document includes all OOO calls made by deceased or missing persons or calls relating to deceased or missing persons which required an emergency service response from interception of the call from Telstra to being forwarded to the particular Emergency Service. The spreadsheet also includes telephone calls between Emergency Services and all Emergency Service radio transmissions.

The spreadsheet also includes information from the Queensland Police Service Information Management System and Computer Aided Dispatch system and Queensland Fire Service ESCAD Incident Reports which outlines what response was provided by each Service.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

Information was also included which was identified in statements of witnesses or were necessary statements were obtained specifically for the purpose of addressing Emergency Response.

The "working papers" spreadsheet also includes information that was captured in individual time line spreadsheets relating to the incident at James and Kitchener Streets, Range road closures and air support.

I now produce this spreadsheet.

The information contained in this spreadsheet is the result of investigations conducted specifically relating to Emergency Response to OOO calls where evidence based outcomes have been achieved.

Investigations have established that from a policing perspective there was one Toowoomba Station first response unit car 211 available to attend to calls for service at the actual time the flooding occurred in Toowoomba. This unit was also the only first response unit available to attend to calls for service in the Spring Bluff, Postmans Ridge and Murphys Creek when the flood event occurred due to the Helidon car 269 attending to a flood related call for service outside of the division. There was one Gatton Station first response unit car 264 available to attend to calls for service at the actual time the flooding occurred in the Helidon and Grantham areas.

I have identified from the information provided by the Queensland Fire and Rescue Service that they had six units available in Toowoomba to respond to calls for service 312 Bravo (Toowoomba), 313 Alpha (Pittsworth) 313 Zulu (Pittsworth), 317 Alpha (Highfields), 311 Yankee (Toowoomba) and 311 Kilo (Toowoomba). Three units were dispatched to the incident at James and Kitchener Streets Units 317Alpha, 311 Yankee and 311 Kilo. At the time of the flood event at Spring Bluff, Murphys Creek, Postmans Ridge, Helidon and Grantham twelve Queensland Fire and Rescue Service response units were activated to attend to calls for service. These units were



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CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

identified- as Helidon 678 Alpha, Gatton 677 Echo, Laidley 675Alpha, 675 Echo, 675 Yankee, Forrest Hill 676 Alpha, Bundamba 643 Alpha, Rosewood 673 Alpha, Ipswich 645 Mike, Cannon Hill 850 Lima and Hattonvale Rural Fire units 52 and 53.

Investigations conducted have established that the capacity of Emergency Services to respond to call for service was severely effected by their inability to attend the required location due to lack of accessibility. There is clear evidence that vehicular access to the Lockyer Valley from both Toowoomba east down the range and Gatton west was not possible once the actual flood event had occurred at each location.

I refer to the statement of Karen Gai Mary ROSE who described a landslide which completely covers both the east and west bound lanes of Murphys Creek Road. As a result of the timings provided in her statement and as result of my knowledge of the area this event occurs at about 1.20 p.m. at Ballard making vehicular movement impossible.

I also refer to the statement of Russell Peter ANDERSON who firmly establishes that at about 1.50p.m. vehicular access east is not possible due to severe flooding on the Warrego Highway at the bottom of the Toowoomba range before the township of Withcott. This location remains impassable until the flood waters receded at about 3.15p.m.. ANDERSON also provides confirmation that the Warrego Highway west at the Toowoomba range is impassable until about 5.50p.m..

I also refer to the statements of Wendy WAREHURST, Fire Officer Mark John HADDOW and Adam VAN-GENDEREN of the Traffic Management Centre, Department of Main Roads, Toowoomba who establishes that at sometime between the times of 1.30p.m. and 2.30 p.m. both the down and up range sections of the Warrego Highway become impassable due to rock and landslides. The roadway is officially closed to traffic between 3 p.m. and 3.30p.m.. The roadway is re-opened to Emergency Service vehicles from 5.15p.m..



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

I refer to the statement of Mark HADDOW, Fire Officer, who at 1.50p.m. observes flood waters causing the closure of Margaret Street, Toowoomba near the intersection of Burstow Street. HADDOW's statement supports my observations of that day which evidences the continued intensity of the flooding in East Creek which made vehicular access east of Toowoomba from Toowoomba City impossible.

I also refer to the statement of Graeme KELLY who at about 2.55p.m. establishes that the Warrego Highway is impassable both west and east at Lockyer Creek, Helidon due to floodwaters. Whilst there is evidence that one Queensland Police Service vehicle and a number of Queensland Fire and Rescue Service units were located between Helidon and Withcott with the later actually travelling into the Postmans Ridge area, access to locations for calls for service in the Spring Bluff, Murphys Creek and Postmans Ridge areas were not possible due to flooding.

I refer to the statement of fire officer Gregory Bruce MULLINS who is in the first Queensland Fire and Rescue Service response unit in that area 678 Alpha (Helidon) who firmly establishes that 1.30 p.m. Murphys Creek Road to both Murphys Creek and Postmans Ridge is impassable due to flooding.

I also refer to the statement of Constable Leigh HANCOCK, Gatton Unit 264 who is detailed a 'Code 2' call for service to the Grantham area by Toowoomba Police Communications Centre. Investigations have established that this call for service was detailed at 4.11 p.m. and that all roads to Grantham were impassable due to flood waters, including the Warrego Highway, Gatton Helidon Road and Philps Road. Further confirmation of the vehicular inaccessibility into the Grantham is evidenced by Queensland Fire and Rescue Service radio transmissions of Rural Fire Units Hattonvale 51 and 52 at 4.01p.m. as a result of a direct radio transmission call from Danny MAGUIRE in Grantham Rural Fire Unit 51.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

Investigations have clearly established that the only method of attending to calls for service requesting assistance due to flooding was through the utilisation of aerial support.

I refer to the statement of Senior Sergeant Jim McDONALD and in particular the 'Running Sheet for Operation Toowoomba DDC and DDCC 2010 – 2011' which indicates that the first call to facilitate such assistance was at 2.11 p.m. to both Emergency Management Queensland and Careflight. Subsequent calls requesting helicopter assistance were made directly to providers at 2.35p.m, 3.05 p.m. and 3.36p.m.. Advice was received that the Emergency Service Queensland Helicopter was attending a matter in Kilcoy with Careflight unable to attend due to weather conditions. Advice was received at 3.37 p.m. by Senior Sergeant Jim McDONALD from the State Disaster Coordination Centre that 2 helicopters from New South Wales had been tasked and that their estimated time of arrival of 4.30p.m.. At 4.10 p.m. an urgent request for assistance for helicopter support was forwarded to the State Disaster Coordination Centre, with further follow up requests made at 4.33 p.m. and 4.38 p.m.. Investigations have subsequently established that as a result of requests for aerial support the New South Wales Rural Fire Service contracted helicopter, Helitek 220 was the first aerial support response, departing Coolangatta airport at 3.48p.m. and arriving at Helidon at 4.59 p.m. The Emergency Management Queensland Helicopter Rescue 500 responded departing Archerfield at 4.28p.m., arriving at Grantham at 4.48 p.m.

I refer to the statements of Mark KEMPTON, helicopter pilot of Rescue 500 and Jim NORRIE of Helitek 220 who support the evidence of Senior Sergeant Jim McDONALD relating aerial response.

As a result of an analytical review I conducted of the material contained in the "Working Paper" spreadsheet an overarching spreadsheet was produced which clearly identifies what the response was to any OOO call about a specific deceased event 'in progress'.



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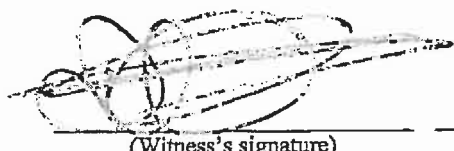
CONTINUED STATEMENT OF: ISHERWOOD, David Richard

I now produce this spreadsheet.

The OOO calls for service are in chronological order from the first call received relating to a missing or deceased persons event at 1.31 p.m. on 10 January 2011 at Spring Bluff, then follows through to calls relating to other deceased or missing persons events at Toowoomba, Postmans Ridge, Murphys Creek, Withcott, Grantham. The last call relating to a call for assistance at 7.45 a.m. on 11 January 2011 which resulted in a loss of life at Minden.

I now produce the recordings of each of these OOO calls and the transcripts of each call.

I refer to OOO spreadsheet and six OOO calls relating to deceased Sandra and Steven MATTHEWS. The first OOO call relating to this incident is received at 1.31p.m. at the Police Communications Centre Toowoomba from an unknown caller, who is believed to be Sandra MATTHEWS a resident of 10 Mc Cormack Drive, Spring Bluff who says "*were flooding were going to go under*". Further information was obtained from the caller with the operator indicating to the caller to get to higher ground or on the roof. The Communications Centre operator recorded the details on the Incident Management System, a job card was created, 1595 refers. Investigations have established that Queensland Fire and Rescue Service were notified at 1.39p.m. with the operator at 1.40p.m creating an 'Incident Detail Report' QF3-11-002741 dispatching Unit 317Alpha (Highfields) by pager. At 1.45 p.m. Unit 317Alpha is diverted from this incident to another call for service, with Unit 635Kilo (Beenleigh) then assigned and at 1.39 p.m., with the job to this unit being cancelled and then re- assigned to 677Alpha (Helidon) unit at 2.07 p.m.. Investigations have clearly established that the location was inaccessible by vehicle. A further five OOO calls are received in relation to this incident, however at the time of these calls both Sandra and Steven MATTHEWS are missing presumed deceased.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

I refer to OOO spreadsheet and the eight OOO calls relating to the deceased Donna and Jordon RICE. The first OOO call relating to this incident is received at 1.38p.m. at the Police Communications Centre Toowoomba from Donna RICE who says *"corner James and Kitchener Street, I'm trapped and the waters just about ready to come up the door"*. The Communications Centre operator discusses the incident with the caller who actually requests a tow truck. The operator records the details on 'Incident Management System' job log 1605, the call is then accessed as requiring a non-urgent response with a police unit not dispatched at this time. At 1.57 p.m. a further OOO call is received at the Queensland Fire and Rescue Service Communications Centre from Jordon RICE who is hysterical and requesting assistance who says *'is in flood waters, water coming into the car'*. This call for service is entered on the ESCAD 'Incident Detail Report' QF3-11-002759 at 1.58 p.m. with radio communications confirming that units 317Alpha (Highfields) is dispatched at 2.03 p.m. and unit 311Yankee (Toowoomba) at 2.04p.m. with this unit arriving at the location at 2.17 p.m.. A review conducted of Fire Comms radio transmissions revealed that units attempting to attend the incident locations experienced difficulties due to flooding. Investigations identified a further six OOO calls are received that can be associated with this incident. As a result of one of these OOO calls received at the Police Communications Centre Toowoomba at 2.12 p.m. from an Anthony KLEIDON, police unit 211 (Toowoomba) is directed to attend "Code 2" arriving at the location at 2.14p.m. Evidence obtained during the investigation has established that by 2.13 p.m. both Donna and Jordon RICE had been swept away by the flood waters and were missing presumed deceased prior to the arrival of the first response police and fire units.

I refer to OCO spreadsheet and two OOO calls relating to the deceased Sylvia BAILLIE. The first OOO call relating to this incident is received at 2.13p.m. at the Police Communications Centre Ipswich by Helen NEIGHBOUR who states *"there's a lady in a house, 89 Murphys Creek Road, Postmans Ridge.....the house is going"*.



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

Whilst the operator is obtaining information the caller states *"the house is gone with the lady in it"*. Investigations have established that Sylvia BAILLIE was swept away by flood waters whilst Helen NEIGHBOUR was making the OOO call.

Investigations have established that Police Communications Centre Ipswich recorded the details on an 'Incident Management System' job log1939 and then contact Queensland Fire and Rescue Communications Centre at 2.18 p.m., this call for service is entered on the ESCAD 'Incident Detail Report' QF6-11-002797 refers. Units are dispatched by Fire Comms at 2.22 p.m. with units 675 Yankee, 675 Alpha, 675 Echo all Laidley units and 645Mike (Ipswich) to attend the location.

Investigations have firmly established that the location was inaccessible by vehicle and that a response was not an issue as Sylvia BAILLIE was missing presumed deceased at the time of the first OOO call. A further OOO call was received Police Communications Centre at 3.49 p.m. from a Mark EDGE however this call was well after the event.

I refer to OOO spreadsheet and two OOO calls relating to the deceased Bruce WARHURST which were received after the event had occurred. The first of OOO call was received 2.33 p.m. at the Police Communications Centre Toowoomba from Ann STRAHLEY of 85 Richards Road, Postmans Ridge. This call for service actually relates to the address of 87 Richards Road, Postmans Ridge, however during the conversation with the communications operator, STRAHLEY states, *"our neighbour across the creek, their house has just washed down Rocky Creek"*. Investigations have established that the house referred to is the residence of Bruce WARHURST at 168 Murphys Creek Road, Postmans Ridge with this information not provided at the time to the operator. At 4.38 p.m. Police Communications Centre Toowoomba actually identify the address relating to this call for service with Police Communications Centre Toowoomba then contacting the Queensland Fire and Rescue Communications Centre and relay the information. Investigations have firmly established that emergency response was not an issue with respect to this incident for at the time the first call was received Bruce WARHURST was missing presumed deceased. The second OOO call is received by Toowoomba Police



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CONTINUED STATEMENT OF: ISHERWOOD, David Richard

Communications Centre at 7.27 p.m. from Paul WARHURST well after the loss of life event.

I refer to OCO spreadsheet and four OOO calls relating to the deceased Selwyn and Katie SCHEFFE all which were received after the event had occurred. The first OOO call was received by Ipswich Police Communications Centre at 2.50p.m. from Colin Thomas who stated *"I just want to report they my neighbours house has just floated by, I see there car upside down in a tree and I don't know what has happened to them"*, further information is then obtained by the operator.

Investigations have established that the operator records the details and an e mail is sent to Toowoomba Police Communications Centre where an 'Incident Management System' job log 1686 is created. The remaining three OOO calls received at the Toowoomba Police Communications Centre with no record of a recorded response to these calls for service. However, investigations have firmly established that despite the lack of recorded response there was no possibility of an emergency service response as the location was inaccessible by vehicle due to the flood event.

I refer to OOO spreadsheet and three OOO calls relating to the missing person presumed deceased James PERRY. The first OOO call is received by Queensland Fire and Rescue Communications Centre at 3.07 p.m. from Peter WHITTAKER who stated, *"I'm at Helidon on the Warrego Highway...the Lockyer Creek has just come over the bridge there.... Yeah one of your trucks is just coming. Um a vehicle has been swept off the highway"*. Further information is then obtained from the caller by the operator. Investigations have established that at the time of this call a Queensland Fire and Rescue Service unit 676 Alpha (Forrest Hill) was near the location and attended the call for service being on the Warrego Highway the western side of Lockyer Creek which was impassable due to the flooding. Queensland Fire and Rescue Service 'Incident Detail Report' QF6-11-002806 indicates that unit 676 Alpha (Forrest Hill) at that location at 3.10 p.m.. Investigations have further established that Queensland Fire and Rescue Service unit 850 Lima (Cannon Hill Swift Water Rescue) also attended the call for service arriving at 3.31 p.m. on the eastern side of Lockyer Creek. At 3.14 p.m. a second OOO call was received at



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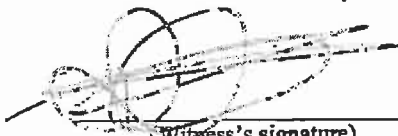
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Commissioner for Declarations's signature)

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preparing statement)

CONTINUED STATEMENT OF: ISHERWOOD, David Richard

Police Communications Centre, Brisbane where the information provided by the caller was recorded by the operator on the Brisbane based 'Computer Aided Dispatch' system with the information being forwarded to the Police Communications Centre, Toowoomba at 3.25p.m.. The third OOO call relating to the incident was received at the Police Communications Centre, Toowoomba at 3.28 p.m. with no record of the information being recorded or policing response provided. Investigations have clearly established that a timely response was provided by Queensland Fire and Rescue Service within minutes of the first call for service. Investigations have established that whilst there was no evidence of a policing response to calls for service the actual location was in fact not accessible by vehicle.

I refer to OOO spreadsheet and two OOO calls relating to the deceased Llync CLARK-JIBSON, Jocelyn and Gary JIBSON. The first OOO call was received by Police Communications Centre, Toowoomba at 4.15p.m. the caller stated, "*Hi it's Danny MAGUIRE from Grantham Rurals, I've got Grantham truck with 3 young kids and two adults, stuck on Gatton Helidon Road, trying to get assistance, get airlifted out, cause it ah coming up to the bulbar, I've got no power left in the truck*", further information is then obtained by the operator. Investigations have established the operator recorded the details on the 'Incident Management System' and created a job log 1778 refers. The second OOO call is also made to Police Communications Centre, Toowoomba at 4.21 p.m., the caller stated "*Yeah, its Danny MAGURIE again. Listen I'm taking water in this truck like anything*". Investigations have established that the Police Communications Centre, Toowoomba was aware that helicopters were not in a position to attend to calls for service and contacted the Queensland Fire and Rescue Service Communications Centre. This centre advised that Hattonvale Rural Fire units 52 and 53 were attending as a result of direct contact from MAGURIE via radio. Due to other calls for service in that area unit 643Alhpa is also dispatched and advise Fire Comms at 4.24 p.m. "*unable to get through*". Investigations have established that a policing and fire service response to these calls for service was not possible as the location was inaccessible by vehicle and that helicopters were not in a position to attend to this call for service.



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preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

I refer to **OOO spreadsheet** and two OOO calls relating to the deceased **Bruce MARSHALL**. The first OOO call is received at Police Communications Centre, Ipswich at 4.12p.m. from Bruce MARSHALL who stated, *"Yes I'm at Grantham at 1420 Gatton Helidon Road, and ah, the water is up to, um up to my waist and I'm in a house, and I'm pretty well trapped here, I was wondering if somebody can come and get me"*, further information is then obtained by the operator. Investigations have established the operator recorded the details on the 'Incident Management System' and created a job log, 1718 refers. An operator from Ipswich Police Communications contacted Toowoomba Police Communications at 4.16 p.m. however there is no record of a response being recorded. Investigations have firmly established that a policing or fire service response to this call for service was not possible as the location was inaccessible by vehicle and that helicopters were not in a position to attend to this call for service at this time. The second OOO call was received at 6.11 p.m. at the Police Communications Centre, Toowoomba from Peter MARSHALL with investigations establishing that at the time of this call Bruce MARSHALL was presumed deceased.

I refer to **OOO spreadsheet** and a single OOO call received at Police Communications Centre, Toowoomba at 4.27 p.m. relating to the deceased **Joshua and Brenda ROSS and missing person presumed deceased Christopher FACE**. The call is made by Brenda ROSS who stated *"...I live at Grantham and our house has just gone underwater. I'm still in the bedroom with water like up to my knees"*, further information is then obtained by the operator, who indicates to the caller to get to higher ground or on the roof. Investigations have established the operator recorded the details on the 'Incident Management System' and created a job log, 1792 refers, with no record of a response recorded. Investigations have clearly established, at the time of the OOO call a policing or fire service response was not possible as the location was inaccessible by vehicle and that helicopters were not in a position to attend to this call for service.



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preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

I refer to **OOO spreadsheet** and three **OOO calls** relating to the deceased **Pauline MAGNER, Jessica KEEP** and missing person presumed deceased **Dawn RADKE**. The first **OOO call** was received at the Police Communications Centre, Brisbane at 4.36 p.m. from Matthew KEEP who says *"Somebody come to Grantham, please.... There's people on their roofs, I've lost me son, there's a metre and a half through my house. I can't get back. I'm down on another roof"*. Further information is obtained by the operator and it is ascertained that the caller's child, mother and mother in law have been taken by the flood waters. Investigations have established that the information was recorded on the 'Computer Aided Dispatch' system operated by Brisbane Police Communications at 4.41p.m. with job log 946 created. The information was telephoned through to Toowoomba Police Communications Centre at 5.03p.m with no record of a response being recorded. Investigations have clearly established that at the time of the **OOO call** a policing or fire service response was not possible as the location was inaccessible by vehicle and that helicopters were not in a position to attend to this call for service. The second and third **OOO calls** were received at the Police Communications Centre Toowoomba at 5.09 p.m. and 6.08 p.m.. Investigations have also clearly established that at the time of these calls and also the first **OOO call**, **Pauline MAGNER, Jessica KEEP** and **Dawn RADKE** were missing presumed deceased.

I refer to **OOO spreadsheet** and two **OOO calls** relating to the deceased **Jean GURR**. Both **OOO calls** were received at the Police Communications Centre Toowoomba, the first call at 5.09 p.m. and the second at 7.22 p.m. and were made by Andrew GURR inquiring about the well being of his mother. Investigations have established the operator recorded the details on the 'Incident Management System' and created a job log, 1836 refers. Investigations have clearly established that the two calls were made post the actual flood event and that **Jean GURR** was presumed deceased.

I refer to **OOO spreadsheet** and one **OOO call** received at the Police Communications Centre Toowoomba at 5.33p.m. relating to the deceased **Reinskje VAN DER WERFF**. Investigations have established that the **OOO call** was made by Claire BIRCHLEY who stated, *"Hello, ah, I have a lady and four children caught*



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preparing statement)

CONTINUED STATEMENT OF: **ISHERWOOD, David Richard**

on the roof of a house at Grantham". The police communications operators obtains further information relating to this call, where BIRCLEY provides further information and stated *"There is also an elderly lady, a grandmother who couldn't make it onto the roof, she caught in the house and there is no response from her"*. Investigations have established that there is no record of a response to this actual OOO call. Investigations have however established from material provided by the Queensland Fire and Rescue Service that a telephone call was received to their Communications Centre from Queensland Ambulance Service at 4.34 p.m. relating to a call for service at 1380 Gatton Helidon Road relating to a grandmother stuck in a house as flood waters rising fast, four children and an adult stuck on the roof. Investigations have further established that at the time the unit 675 Alpha (Laidley) is dispatched to the location at 4.38p.m. a response was not possible as the location was inaccessible by vehicle and that helicopters were not in a position to attend to this call for service at that time. Investigations have also established that at the time of the calls for service Reinskje VAN DER WERFF was presumed deceased.

I refer to OOO spreadsheet and a two OOO call received relating to the deceased Jesse Joshua WICKMAN. The first OOO call was received at the Police Communications Centre, Ipswich at 7.45 a.m. on Tuesday 11 January 2011 from Brian WICKMAN who stated *"I'm stuck in flood waters out front of Minden School"*, the police operator obtains further information and records the details on an 'Incident Management System' job log, 1872 refers. As a result of this call for service police unit 901 Ipswich Traffic Unit and an officer from Lowood Unit 286 in the company of Fire unit 674 Victor are dispatched, with Queensland Fire and Rescue Communications Centre being contacted at 7.58 a.m.. Investigations have established that at the time of this call Queensland Fire and Rescue Communications Centre had already received a OOO call at 7.48 a.m. relating to the incident and recorded on 'Incident Detail Report' QF6-11-003215' with unit 645 Mike (Ipswich) immediately dispatched and arriving at the location at 7.55a.m.. Investigations have established that the response provided by Queensland Fire and Rescue Service unit 645 Mike was timely under the circumstances. The flood event that occurred on that day severely impacted on other response units dispatched to attend. Police Service



(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

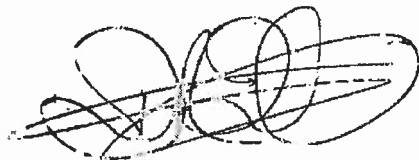
(Signature of police officer
preparing statement)

CONTINUED STATEMENT OF: ISHERWOOD, David Richard

Units 901 and 286 and Fire Service unit 674 Victor were unable access the location due to flooding to the east, north and south of the incident.

I refer to emergency response investigations conducted into the deceased events of Robert BROMAGE, Robert KELLY and Van GIANG. Investigations into these deceased events have identified that no OOO calls were received which required an emergency service response.

I have personally supervised all investigations conducted and reviewed all the material obtained during the course of investigations into emergency services response to OOO calls for service. The outcomes from these investigations are based on Queensland Police Service material which has been scrutinised to ensure accuracy of all information. The outcomes relating to the material supplied by the Queensland Fire and Rescue Service are based on the material wholly supplied by that service which has not been scrutinised any further at this time and as such the quantum and accuracy of the data provided cannot be guaranteed.

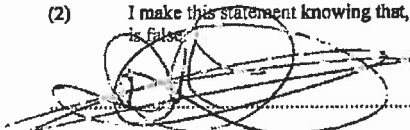


D R ISHERWOOD
Detective Inspector

Justices Act 1886

I acknowledge by virtue of section 110A(6C)(c) of the Justices Act 1886 that:

- (1) This written statement by me dated 7/7/2011 and contained in the pages numbered 1 to 33 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.



Signature

Signed at Toowoomba this 7th day of July 2011.

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Signature of police officer
preparing statement)