

From: Green, Dennis AIRCDRE 1
Sent: 4 Jul 2013 18:27:18 +1000
To: Courtney, Barbara GPCAPT;Wallis, Catherine WGCDR
Cc: Spittle, Murray GPCAPT 1;Hatch, Jacqueline SQNLDR
Subject: UPDATE - POLICE INVESTIGATION INTO ALLEGATION AGAINST CHRISTOPHER ADAMS [SEC=IN-CONFIDENCE]
Attachments: 130702 - Letter to NSW Police.pdf

IN-CONFIDENCE

Barbara and Cath

Barbara - please update DCAF and CAF.

NSW Police are likely to make a decision on Monday morning 8 Jul 13 about whether to proceed with the allegations of possible criminal sexual relations by Christopher Adams. At this time the SGT of detectives at Wagga Wagga is not convinced that the case should proceed.

Do DCAF/CAF wish to intervene with a call to NSW police before a decision is made?

Background

After clearance from AFHQ legal staff, on 4 July I sent the attached letter to NSW Police at Wagga who have the lead for investigation of the allegations against Christopher Adams having possible criminal sexual elations with a 17 year old cadets.

I rang Wagga Wagga police this afternoon to follow up my letter, and the highest level I could talk to was the SGT of Detectives Sgt Hanley. He had received my letter; the statement by Cadet WOFF CJE ; and phone calls from the mother CJO and CJE , and was clearly not convinced that there was a case which would be progressed to prosecution.

He had concerns as follows:

- CJO had "dragged" her daughter to the police station to make a statement, and the statement could therefore be considered to be made under duress.
- CJE 's statement clearly states that she had been very willing in having consensual sex twice. The statement shows she sent a text which resulted in agreement to the sexual relationship.
- CJE had divulged in her statement friendships with Christopher Adams on facebook, and via SMS. SGT Hanley said CJO had logged on to CJE 's facebook page and seen evidence of the relationship.
- CJO insisted to police that Christopher Adams was a member of the Air Force I explained that Adams was working as an AAFC Instructor with other AAFC instructors and Officers of Cadets, and was not under Air Force supervision
- The role of Adams as a person in authority was not clear. I explained that at all times the cadets are under the safety, training, care and development of the instructors of cadets and officers of cadets, and that there was a prohibition on any relationships by staff with cadets. I emphasised the analogy of a school teacher having the care of students and that sexual relationships under the person in authority were not legal. I indicated that CJE could be thought of as prefect in the school environment, but at all times responsibility for any relationship remained with the teacher - in this case Adams.

The SGT explained that the complaint by CJH would not be pursued as there was case law to show that the prosecution would not be successful.

The SGT said he understood that, according to CJO, Cadet CJG had made a statement at Tamworth today. I am attempting to verify if that is true.

SGT Hanley explained that the detective running this matter (Fletcher) was on leave, and would return to the office on Monday. The SGT intended to have a meeting on Monday to discuss the case and decide whether to proceed.

I stated that I really wanted the case to proceed, and would be happy to provide any additional information to support the case.

SGT Hanley stated that he expected that whatever happened CJO would lodge a complaint about the matter. I indicated my expectation that she would go to the press, and he agreed.

SGT Hanley agreed to my request that I be informed of the results of the meeting on Monday.

Way Ahead

a. Option 1 Police proceed to build a case for DPP consideration. No action required by AAFC/Air Force at this time.

b. Option 2 Police decide to take no action.

If there is no further information provided to police they may not proceed with any action.

The AAFC will complete its investigation process which is currently on hold, and would be expected to proceed with a show cause for termination from the AAFC for Adams.

CJO will most likely take the information she has to the press. In her mind there is no distinction between Adams in the AAFC or Air Force. Her complaint will be construed by the public as being against Air Force.

This public process will not be good for CJE or the other female cadets, and each could then be at considerable mental health risk. Support is in place, but the pressure of Mrs CJO's complaints will be very challenging for CJE.

The public process will not be good for LAC Adams. Support is in place.

There will be significant damage to the reputation of the AAFC, Air Force and defence. An updated Minrep will be required with updated talking points.

Further considerations.

1. DCAF/CAF could consider ringing NSW police before a decision is made to recommend that they take action.

2. Defence consider action against LAC Adams. This is a unique situation where Christopher Adams is a member of the AAFC and the RAAF. If NSW police do not proceed, it will be possible to portray Air Force as a safe harbour for people committing the alleged actions of LAC Adams if there is no action taken by Air Force..

I therefore recommend AFHQ legal staff provide advice about any action which might be taken against LAC Adams in the event that the NSW police do not proceed. The basis of this would include that LAC Adams is alleged to have had inappropriate relations with people under his care while on a RAAF Base. As part of that possible case, it would be necessary to check whether LAC Adams was on Defence leave at the time, or on approved duty under CAF Directive 08/08. Such action against LAC Adams would impose Air Force members in the AAFC to a possible double jeopardy, but if Air Force takes no action against LAC Adams, the damage to Air Force and AAFC reputation will be very high. I suggest that if the NSW Police take no action, consideration of this advice would be a matter for DGPERS-AF.

For information, I am travelling to Brisbane first thing on Friday morning to meet with CDR AAFC and OC 2 Wing to discuss the AAFC issues at Bundaberg and the other inquiries going on in 2 Wing. I will then review the promotion course graduation parade at Amberley on Saturday and return to Canberra on Sunday morning.

Dennis

From: Green, Dennis AIRCDRE 1
Sent: Thursday, 4 July 2013 12:05
To: Courtney, Barbara GPCAPT
Cc: Hatch, Jacqueline SQNLDR; Spittle, Murray GPCAPT 1
Subject: UPDATE CJO - LAC (AAFC) ADAMS [SEC=IN-CONFIDENCE]

IN-CONFIDENCE

Barbara

This email confirms our conversation this morning relating to the allegations against LAC (AAFC) Adams and the concerns of one of the cadet parents, CJO

One of the female cadets, CJE is on the promotion camp at Wagga this week and next week as a cadet staff member. She has direct and close supervision of the AAFC PLTOFF who was involved in the reports to COMCARE last week.

SQNLDR Hatch was appointed as support person to CJO and CJE last week. The extant support AAFC arrangements remain for the other female cadets.

SQNLDR Hatch has been working through the AAFC PLTOFF to get agreement from Mrs CJO to receive a call from SQNLDR Hatch, and to be provided by the contact details of CJO through the PLTOFF. This agreement and contact details were provided yesterday.

SQNLDR Hatch then rang CJO [redacted] CJO [redacted] was very upset about the lack of contact and lack of written updates.

CJO [redacted] and CJE [redacted] had each contacted Wagga Police on 3 Jul and they had the clear impression that the Wagga police were not treating the matter as a priority - "other things are more pressing at the moment". As a result CJO [redacted] was very upset and said CJE [redacted] was very upset.

CJO [redacted] threatened to take the matter to Alan Jones.

SQNLDR Hatch informed CJO [redacted] that DGCADETS had written to Wagga Police today. (For your information this letter is attached and was cleared through AFHQ legal staff.)

SQNLDR Hatch agreed to provide written updates to CJO [redacted] on any information we have available. The first such email has been sent.

SQNLDR Hatch spoke with CJE [redacted]'s dad. He is a policeman, understand the police processes, and is very appreciative of all the actions taken to date.

SQNLDR Hatch also spoke with the AAFC PLTOFF. It seems CJO [redacted] instructed CJE [redacted] to contact Wagga police after her own call. Apart from that matter, the PLTOFF advised that everything was going well for CJE [redacted] on the promotion camp.

Way ahead

SQNLDR Hatch has confirmed with CJO [redacted] that she is happy for SQNLDR Hatch to go the camp at Wagga next week to meet CJE [redacted] (and the PLTOFF).

SQNLDR Hatch then plans a face to face meeting with CJO [redacted].

SQNLDR Hatch will provide a steady flow of emails to CJO [redacted] over the next week with information relating to this matter.

DGCADETS-AF will ring the NSW Area Commander to discuss the process being followed with the intent of providing that information to CJO [redacted], and thereby confirm to her Defence is trying to ensure this matter is progressed as quickly as possible.

I do not expect CJO [redacted] will be satisfied until she sees the outcome of the NSW police investigation.

In the event NSW police do not proceed with a prosecution I would expect CJO [redacted] will go to the press.

Re COMCARE interest.

A written response providing broad details of the issue were provided by my staff to a Comcare inspector by email on 28 June. This email also advised that the matter was with NSW Police, that the AAFC had suspended their investigation, and that professional counselling support was being provided to all parties. In phone conversations it appeared the Comcare inspector was satisfied.

Subsequently senior Comcare executives wanted more detail and my safety officer was contacted by COMCARE on Monday 1 Jul and asked for the details of the cadets involved. My safety officer agreed to provide the information after he receives a written request under section 155, which is the official legal instrument under the WHS Act 2011, and protects the privacy requirements. This formal request has not been forthcoming.

Dennis

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