

12/10/2014

Gmail - RE: Investigation [SEC=UNCLASSIFIED]



Matthew Mccarthy <REDACTED>

RE: Investigation [SEC=UNCLASSIFIED]

1 message

CJF

<REDACTED>

Tue, Jun 18, 2013 at 1:21 PM

To: Matt McCarthy <REDACTED>

bahahahahahaha you are hilarious. Well you have an xo who is more pissed than you and wants someone to inform her of how they WONT do this to another kid in future.

Seeing as its now a sex crime, you would think they would be packing it as they did not do a good enough job in the first 2 weeks and let a sex CRIMINAL continue to run around with small children. you would think suspension would be instant in matters of such importance.

Subject: Fwd: Investigation [SEC=UNCLASSIFIED]

From: <REDACTED>

Date: Tue, 18 Jun 2013 13:17:20 +1000

To: CJF @aafc.org.au

FYI. He hasn't replied yet.

Sent from my iPhone

Begin forwarded message:

From: Matt McCarthy <REDACTED>
Date: 18 June 2013 11:28:25 AM AEST
To: "BANFIELD,Darren" <darren.banfield@REDACTED>
Subject: Re: Investigation [SEC=UNCLASSIFIED]

Sir

Thank you for your email and I understand you came in late in the process. I phoned CJO twice yesterday and she appreciated your call. I also spoke with the OC twice last night, the second time after I consulted with a colleague at the NSWPF Sex Crimes Squad. I'm lead to believe a gaol cell could be expected at the end of the police process.

I'm happy to be involved in any conversation regarding the role of a CO in these matters, and indeed I'm happy to lead a conversation with you as its important you understand my views regarding the role of the AAFC and Wing in these matters considering the complete and utter stuff up the first 2 weeks was.

Matt

Sent from my iPhone

On 18/06/2013, at 8:43 AM, "BANFIELD,Darren" <darren.banfield@REDACTED> wrote:

UNCLASSIFIED

FLTLT(AAFC) McCarthy

Hi Matt,

12/10/2014

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By now you would have spoken with OC3WG about the current inquiry process and the escalation of the matter to the NSW Police. I was going to give you call after 1700hrs yesterday but as the OC was talking to you anyway I asked if he would simply relay the current situation on our behalf.

Just for an update with respect to the family, I have spoken with CJO CJO a couple of times yesterday and explained the process and my involvement along with reinforced that CJE s welfare is the primary focus of any procedures. I felt that the conversations were successful and that she is comfortable with the ongoing process that I will be managing on behalf of the AAFC. CJO is aware as of last night that the matter will be reported to the NSW Police and I explained that this will mean I will not progress my process until the Police complete their own investigation.

I will keep you updated on behalf of 3WG as this process continues and you should feel free to contact me in the first instance if you have any question about the inquiry. I would also ask that you continue to monitor the welfare of CWOFF CJE at a local level as you are best placed to make a fair assessment of her emotional condition. Obviously this matter would be traumatic and hence her wellbeing is paramount to us.

Should my process continue I will need to have a discussion with you as to the role of the Commanding Officer in such situations as it is important you understand the engagement you would have with such an AAFC process.

I will keep you informed as information comes to hand.

Darren Banfield
Squadron Leader (AAFC)
Executive Officer Southern Region

3 Wing Headquarters
Australian Air Force Cadets

Tel: REDACTED
Email: darren.banfield@aafc.org.au

<image001.gif>

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12/10/2014

Gmail - RE: Investigation [SEC=UNCLASSIFIED]

From: Matt McCarthy [mailto:REDACTED]
Sent: Monday, 17 June 2013 4:53 PM
To: Wayne Laycock
Cc: Darren Banfield
Subject: Re: Investigation

Sir

Thank you for the very prompt and detailed reply. Given SQNLDR(AAFC) O'DONNELL advised me not to be concerned I formed the view that CWOFF CJE was on the edge of an inquiry, not directly involved hence I saw no need to call and only made inquiries last week with the XO when I became aware of the nature of her involvement. My view at the time was given I was not notified then I didn't need to know. My intent of course is not to interfere hence my email directly to you and not to the investigators.

Indeed I view my function as support to CWOFF CJE in welfare issues only, and relaying the concerns of Ms CJO on this occasion regarding the timing of the interview.

All my concerns have been addressed and I'll leave it at that for now.

Thank you again.

Matt McCarthy

Sent from my iPhone

On 17/06/2013, at 12:30 PM, Wayne Laycock <wlaycock@REDACTED> wrote:

Matt

You make some very valid points. Support should have been provided right from the very start of the inquiry. The process is fine. This was purely a quick inquiry to establish whether there was a need for further investigation. The CWOFF should have been interviewed right at the start of the process and the support provided at that point. When I found out that the CWOFF hadn't been spoken to to confirm or deny the complaint made, I intervened and the process was completed in a very short time. The use of the telephone to establish if the matter required investigation is quite appropriate as it was a third party that may have had a motive for making the complaint eg. former boyfriend. Any investigation though would be quite different.

SQNLDR(AAFC) O'Donnell was conducting an initial inquiry, not an investigation. She was being mentored by SQNLDR(AAFC)

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Banfield. You are quite correct in your assumption that SQNLDR(AAFC) O'Donnell was out of her depth as it was the first time she has conducted an initial assessment and tried to undertake it more as an investigation than as an initial inquiry.

The CWOFF is the victim and is entitled (within reason) to have whomever she wishes to support her. In this case I was informed that there was an agreement from the very first telephone call that the CWOFF's mother would be the support person for her daughter. I was also told that you had been informed so you could provide support. I also instructed the WG Psychologist to provide support on behalf of the AAFC once the CWOFF had been spoken to.

The quick assessment, which actually took longer than it should, has been completed. I have now directed a full investigation. I have appointed SQNLDR(AAFC) Banfield to conduct the inquiry. This will be with the support of SQNLDR(AAFC) O'Donnell so she can be taught how to undertake these inquiries. At the time of directing the investigation, you were copied on the terms of reference.

The timings of interviews is a matter for negotiation between SQNLDR Banfield and the parents and CWOFF. After having spoken to SQNLDR(AAFC) Banfield this morning he is not aware that the suggested timing was not suitable to the parents. He will be making personal contact with them today.

There is no question of your competence. It appears, although you were aware that there was an issue regarding the CWOFF, you were not informed of the details. A call to me would have fixed that if you had concerns at that time. Your only role in this matter though is to provide support to the CWOFF. Please don't get caught up in any investigation yourself as I know it is a natural thing for you and I to do. If you have issues please talk to SQNLDR(AAFC) Banfield or contact myself.

Having said all that, I have requested a legal opinion from Defence Legal as to whether this is a mandatory reporting matter to the NSW Police as the CWOFF is between the age of 17 & 18 and was under the care of the AAFC. Should we be required to report this matter then the AAFC investigation will be suspended pending the result of any police action. If we have to report this then I will have a chat with you as to the best means to achieve that.

I have aske