

FILE NOTE

DATE: 16 March 2010
AUTHOR: Sue Phelan
FILE REFERENCE: C/2009/7009
AGENCY: School 1
SOA: ARH
SUBJECT: Consultation with Child Protection & Sex Crimes Squad

16/03/10; 12:30hrs; p/c to JIRT Commander, Paul Devaney:

I queried whether the police had identified the appropriate contact person within the Child Protection & Sex Crimes Squad for this office to liaise with about potential grooming matters. I was then referred to John Kerlatec who referred me onto Michael Haddow.

Michael Haddow is the overall manager of the Sex Crimes Squad's internet Unit (the other suggested contact was Richard Long also of the internet unit). I explained that I had a couple of cases that were quite complex in nature that I wished to discuss with Michael regarding possible police involvement. I explained that in this matter the allegations do not pertain to internet usage and queried as to whether Michael was the appropriate contact. Michael asked for the details of the case and I explained the background and concerns we have (concerns at Knox and School 1 including photography of students in swimwear, driving boys around in his car, not heeding to directions about such behaviour, concerns about his specific contact/interest in one boy at Knox to the point he was directed to stay away from the child, further instances of images of boys on his computer and further concerns about his interaction with a particular student as well as general concerns about his interest in/interactions with boys). I explained that overall we were concerned about the SOA's past interactions and wanted to discuss what role the Squad may wish to consider regarding the SOA. I informed that since we have received the agency's report further allegations have been raised about the SOA which are historical in nature (I explained the detail of these allegations). I acknowledged that to this point there has been no known overt sexualized behaviours directed at boys, however in totality the behaviour exhibited by SOA are of concern (as are several rumours that surround him – contact with ex-students, socializing with ex-students at a holiday house etc.).

I was informed that the above matter would not meet the criteria for the Sex Crimes Squad's involvement as there is no suggestion of criminal behaviour. Michael stated that there would not be sufficient grounds to obtain a search warrant and investigation by police cannot be based on rumour and innuendo. Michael stated that the new allegations should be referred to the LAC for consideration. Michael acknowledged that the pattern of behaviours seems to be unusual or concerning, but there did not appear to be a role, nor does he think the LAC would respond. Michael stated that police are treading on dangerous ground when they seek people out (such as past potential victims ie: ASW) and they think it is important to wait for victims to disclose and then a police response may be warranted.

Michael indicated that the CP&SC Squad usually don't involve themselves in historical allegations, these are usually handled by local detectives (the Knox investigation was conducted by the Hornsby detectives, the St Stanislaus matters is being conducted by Bathurst detectives). Michael indicated that the Squad does not have the resources to take on historical

matters and provided me with the Hornsby Crime Manager's name (Mick Banfield) for referral of this matter.

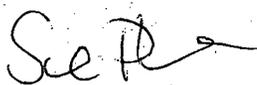
I indicated to Michael some confusion as the police had previously suggested to us that they are interested in receiving matters that do not reach a criminal threshold, yet his advice appears to be different to this. He indicated that in matters of possible internet grooming they are happy to receive information from us that they may use as intelligence at the very least, however other matters below the criminal threshold would not be investigated by the Squad.

Consultation with Steve Kinmond:

I informed Steve of the above and it was agreed that we needed a clearer understanding about what matters should be referred to police and when police will and won't become involved, as well as whether they do have an interest in proactive policing as previously suggested to us. Steve will be meeting with John Kerlatec next week and so will do so briefed about the above matter and another associated matter to establish clear guidelines about referrals to police and to obtain an understanding about whether police will or will not consider these matters. It was agreed that in cases where we hold some concern, at the very least we should provide information under chapter 16A so that the Squad can fully consider the information, make appropriate decisions about it and refer it to the LAC if appropriate. I indicated that a prompt response about the current matters is essential given they are active cases that require further investigation by the agencies.

Action:

1. Steve Kinmond to be provided with briefings on this matter and the other associated matter (Van Linden) to discuss these with John Kerlatec next week.
2. The progress of these matters to be determined post this meeting, depending on police advice.



Sue Phelan
Principal Investigator
16 March 2010