

ANNEXURE G

Record of interview between Superintendent Michael Douglas Symons of the Anti Corruption Branch and Superintendent Peter Simons. Superintendent Simons is attached to Investigations Support Branch of the Crime Services Command. Interview commenced at 11.42 am on the 12th June 2002. Interview being conducted in the interview room of the Anti Corruption Branch at Flinders Street, Adelaide.

Q1. Peter, for the purpose of identification could you please give me your full name, your rank and your current posting.

A Peter Douglas Simons, Superintendent, stationed at Investigations Support Branch.

Q2. Peter, I've given you a document which gives you a brief synopsis of a thing called Operation Deny back in 1993. There's been some allegations and an insinuation that former Assistant Commissioner Watkins intervened in that investigation in some way to impede it by directions either to yourself or to another member. That's the general insinuation in relation to that. What I propose to do is go through a series of questions with you to try and elicit some information that may be related, either give support or to totally refute that insinuation. Do you understand that.

A I understand that.

Q3. What, I assume you were involved in the operation.

A Yes I was. Having read part of a PCO file which was number 1502/94 called, the subject was Crime Operation Deny. The operation order does, which was Operation Order number 1/94, identifies my role of being that of Forward Commander for that operation. Independent from that I do recall being the Forward Commander.

Q4. And your rank and posting at the time.

A Detective Chief Inspector, Holden Hill CIB.

Q5. And you said you've got the PCO file. What sort of a background of Deny, how did it come into existence.

A I must admit that the file has refreshed my memory although I do recall independent of the file that there were specific allegations of paedophile activities by a certain group of people. The operation order and file has assisted me in my recollection in that a box of photographs I believe were handed to me by a reporter, by the name of Kellet, Kellet I think it was.

Q6. Kellet spelt K E L L E T.

A That's right, and it was a result of that that I believe that the operation was initiated but that's from reading the file.

Q7. Now who were the actual investigators. Was there a set amount of investigators.

A Yeah, there are investigators listed in the operations order. They included the operation order. There was a listing of personnel, Appendix A, page 3. The base commander was retired Chief Superintendent Bartlett, Forward Commander, myself, Field Supervisor, Terry Anderson, now Detective Senior Sergeant, Vicky Sherlock, BCI Analyst. There were nominated divisional intelligence officers as they then were from four CIB areas and the investigators were from Christies Beach CIB, Ramm, Ellbourne, Darlington, Mosheev, Martin, Holden Hill, Conte, Elizabeth Dixon and Wuttke.

Q8. Who wrote that operation order.

A I read through it and I have a feeling I may have written it but I'm not exactly sure. It looks a bit like my style.

Q9. And signed by.

A It's signed by Chief Superintendent Bartlett, being the O/C Crime Support Group and that's dated 3rd September '93.

Q10. And the outcomes of that particular.

A Yeah, independent from the file I do recall that there were several arrests in several areas. The file does identify that certain known paedophiles, I think there was about 4 or 5 were arrested. I don't know if you want me to go through the names but it is listed on this file.

Q11. Has the operation order got a sunset clause in it, have an end date.

A No. There was no end date. I left that with interest, well as far as I can recall, although looking through it I see that the date the operation order was signed, 3rd September, we had planned, the investigation phase, and I think that's the arrest phase also, commencing 7 days later on the 10th September so.

Q12. What year's that.

A That's in '93. So reading it the aim, I think there was sufficient evidence to deal a bit of background intelligence work for at least a week and then follow up by arrests of known targets so I think initially it was designed to be a short term operation.

Q13. The A/C of the, during, the A/C Crime, during the life of Operation Deny.

A It was ... Colin Watkins.

Q14. Now your role was again, sorry.

A As the police Forward Commander of the operation.

Q15. Did it fall under that charter for you to brief any senior members of police.

A Yes, it did. I don't think there were briefings, let me see, if I look at Ops Order it, it talks about the usual thing of debriefing will be held as advised by the Forward Commander. I do recall that I had several discussions and debriefings with John Bartlett at the time.

Q16. Can you recall whether or not you had a direct briefing with Watkins.

A No. Look, I'm absolutely certain that I had no briefings or discussions with Mr Watkins at all in any of this. All my recollection throughout his briefing, John Bartlett which was normal protocol.

Q17. Any idea how often you did that, I notice you said as required, was it a regular meeting or.

A I can't recall. I know with Superintendent Bartlett, he was certainly a man who kept his finger on the pulse and I believe at least my briefings would have been daily if not close to being daily, whether by phone or in person. Most of I'd assume by phone.

Q18. When you were talking to them, obviously you kept them informed of the names of suspects and things like that.

A They definitely would have been made available to them, yes.

Q19. You said the file had some names of some suspects there. Has it got the name of Brian Bertram Perkins.

A Yes I recall Perkins name being mentioned. I believe in the debriefing report of the file.

Q20. What do you know about Perkins.

A Not a lot, except the fact that he was a known paedophile, if one could call a paedophile prolific, he was certainly that, but I'd need to go through it again but my recollection is that his name was one that was mentioned.

Q21. And he was arrested.

A I believe he was one that was arrested. I'm not too sure whether it's at that time or subsequent, subsequent to that. Just bear with me, I'll just have a quick look through. If I look at the report of John Bean and Detective Sergeant, dated 17/11/93 on file. This was addressed to the Assistant Commissioner Crime through John Bartlett's position and he commented on assessment of forming a task force. At para 2-

(Phone ringing – Peter Simons answers)

Sorry about that. At paragraph 2 of the report he identifies that one of those persons arrested was Perkins and again on paragraph 4 and particular 4.4 it mentions Bertram in more detail and his involvement in paedophilia and the fact that he was arrested.

Q22. Does it refer to the fact that he didn't appear before court.

A Not too sure with that one, but I do recall in the file there was mention that he did not turn up in court but I'm not too sure whether it's that report or a subsequent report on file.

Q23. Is there any documentation in the file that relates to the extradition of Perkins.

A I do believe there was something. I have a feeling there might have been a report by Leane. I'll start at the top of the file and just work back. I do recall having, reading the file, that there was reference to approval for extradition having been made by police. Just scanning it at this stage, just trying to see whether it was. This is in relation to Perkins we're talking about.

Q24. Yes.

A I look at report of John Bean dated 27/10/94 file, also addressed through A/C Crime where it talks about these offenders being charged, appeared in court and dealt with as follows. In reference to Perkins he makes a comment, disappeared, and a first instant warrant has been issued for his arrest. Just bear with me, I'm having difficulty finding it but I -- just as I go through I'll refer to a report, copy of one by Detective Senior Constable Rann dated 2/10/2000, page 2, still talking about Perkins. He talks about Perkins released on bail in '93 and fled interstate. In the same paragraph is the paragraph 10 of the report and it says 1999, this is Rann talking, *I located the whereabouts of Perkins in Queensland. I made an application for extradition that was declined on the basis that the victims relating to Perkins outstanding charges were all mentally impaired and the likelihood of a successful prosecution after five years was unlikely. Perkins remained the only one of the identified Australian section of the group not to be prosecuted.* I'll just finish reading the report.

I may have missed something in scanning the file and I can go through it again. I do recall something being said to the effect that because the matter was a summary offence, the decision to extradite was not approved.

Q25. They were indecent assault offences were they.

A I think from my recollection that they were. See if I can pick it up while we're talking.

Q26. In 2000 he put that, '99 sorry, he says that approval to extradite was not given because of the offence. By '99 Watkins was no longer with us, am I correct in that.

A Well and truly gone I believe at that stage.

Q27. But were they in a situation where he could be involved in-

A That decision making. I have a feeling though that as is normal with these things, if you know the offender's fled interstate, for us to put up an approval for extradition and when we put these up to the A/C who is the approving person, I have no independent recollection of any separate extradition file though.

Q28. Right.

A But I do believe that one was put in on it.

Q29. Did Rann say who actually didn't approve that extradition.

A No it doesn't say in that report.

Q30. In your debrief that was just a general debrief of the whole of Operation Deny.

A There wasn't a debrief by me on this file.

Q31. Do you recall whether you had a debrief.

A Look I, the file is certainly complete and over the passage of time, there's 10 years. I recall at one stage having a detailed meeting between John Bartlett and I believe the other investigators were there. I believe Rann was there and also Bean. I'm not too sure when it was, I think it was probably in that period '93, '94 whilst I was still at Holden Hill or thereabouts at Holden Hill and I know that some concerns were raised by being particularly about some aspects of the investigation and operation. I can't now recall what those specific issues were. But John Bartlett did prepare a debriefing report himself in that meeting. I believe that from my recollection, the meeting was called by Assistant Commissioner Watkins in relation to some concerns his members had

about the operation and thinking back now, I think the concern was that a decision was made to terminate that part of the investigation and I believe that the concern raised particularly by Bean and I also think by Leane because they were both very dedicated workers in areas of child abuse investigations, with their concern that it should not be terminated. But Watkins was not involved in that meeting. It was just a round table meeting involving those persons.

Q32. Okay. You said before that Watkins had no contact with or information of termination of the operation.

A Look I rarely had contact with the man on any issues. All my contact was through Bartlett and I think in all the time as O/C metropolitan CIB units probably three that I was charge of various stages, I might have had occasion to meet independently with Mr Watkins on probably no more than half a dozen occasions and I have no recollection of ever meeting with him on this issue.

Q33. Have you heard of the name of [REDACTED] Do you know that name.

A I recall having heard the name [REDACTED]. I don't believe, look I believe that I became aware of that name when I was still at Holden Hill CIB which would have to be '92, '93 so it's fairly approximate to this Operation Deny. I do recall that there was some rumour or innuendo concerning [REDACTED] but I'm not too sure beyond that where my recollection went.

Q34. He wasn't charged under that file you've got there.

A Not that I'm aware of, no.

Q35. And he's supposed to be [REDACTED] Colin Watkins.

A I was, yeah, it came to my attention that it was Colin Watkins' [REDACTED].

Q36. When you said that you were the police Forward Commander and you've got the personnel spread over three different areas, Holden Hill, Elizabeth and Christies, how did you coordinate that. Did they report to you or did you have them in a separate task force environment or how did it work.

A No. My recollection was that it was not a separate task force environment. I do recall, because they were allocated I suppose limited resources and worked from their own areas. That's my understanding and on a needs basis then people would pull together and I have a recollection that in preparation for the arrests I believe on the 10th September that we would have had a briefing prior to that.

Q37. Was it put on case management in the sense that we know case management

A I really can't comment. I know that in those days and they still exist that trying to get metropolitan detectives to use a case management was an uphill battle.

Q38. And I'm trying to think whether it would have been possible to have run a single case across three areas

A That'd be pretty difficult. I wouldn't have run it. I had Terry Anderson and I've worked with Terry on a few major jobs and even so I'm going back perhaps in that period of time that we sort of, I recall not managing it as a case management, but as a sort of a running sheet.

Q39. More of a running sheet.

A More of a running sheet than a case management. I do acknowledge the fact that trying to manage an investigation on one case management would have been extremely difficult to achieve, if anything, it would have been separate case managements if they existed.

Q40. Was Bean on the team all the time, was he one of the original operational

A According to this, I'm not too sure. I don't think I mentioned him did I. No, I'm not too sure how John Bean came into it but I am aware that at that time he was in whatever they called the Child Abuse Unit, or he was one of the child abuse investigators at Elizabeth CIB and he was highly regarded.

Q41. On your feedback or on the assessment of the investigation, do you know whether any concerns were expressed by DPP.

A Yes. I have no independent recollection but reading the files this particular PCO file I'm referring to, there were several what I'd say several serious concerns about the standards of briefs and also DPP comments of the lack of coordination to bring those briefs together.

Q42. Was that addressed in a formal way.

A It was formal. I know reading the file, I'm trying to think who it came through to. There was one that addressed by Patricia Kelly to Barry Presgrave and that was dated 24 January '94 and that concerned also persons Hawkes and Glenwright and the difficulties involved. There were independent letters from Paul Rofe going back to I think December '93 to Mosheev, Conte and Rann concerning the same three files and his concerns.

Q43. What were his concerns.

A Insufficient evidence to support some or if not many of the cases. I think a lack of timely submission of the briefs and the fact that DPP didn't have a lot to proceed with at least to the committal stage and already the files were having considerable difficulties pushing to get the briefs together.

Q44. And that included Perkins' file.

A That included Perkins' file.

Q45. And it may not be fair to say that the DPP weren't that excited about going anyway.

A Not very impressed with a lot of it.

Q46. Operation Paradox.

A Mm.

Q47. Do you recall that operation.

A Yes.

Q48. What was all that one about.

A Paradox was a Victims of Crime Branch as it then was initiative which was run I believe in Child Protection Week which would have been late August or September of each year. The aim being to have media publicity. We had people, sort of a call-in, a phone-in type day for victims of sexual abuse.

Q49. Was Perkins and that, was that used as the launch of Operation Paradox, the arrests on the 10th.

A One thing I do vividly recall is yes, those arrests, because that particular night I was invited to address a, it was on the night of the arrests, the Church of Jesus Christ Latter Day Saints community gathering at their church and I believe it was at Modbury and I recall speaking to the group and saying this is timely because just today we've arrested, I'm not too sure whether it was 7 people for child abuse offences throughout the metropolitan area and I believe there was Advertiser, no it wouldn't have been Advertiser that day, I think it probably would have been television media publicity that day.

Q50. Right.

A That's my recollection, and that was I think it was also at the time of Paradox.

Q51. On that file you've got there, is Watkins' signature appear anywhere.

A Can't say categorically no. It may have been in forwarding minutes. See Robbie Leane was Assistant Commissioner on 17th March '95.

Q52. '95.

A According to this file. I'll go back further and Watkins has minuted this file on 22 November '93.

Q53. Sorry what did he do with the file.

A He minuted.

Q54. Oh okay put a minute, and what was that, what was the comment.

A Just to O/C Metro CIB agreed, intelligence probe to continue.

Q55. So that's in-

A That's in response to a, let me see, where are we, Bartlett sent to A/C Crime a minute stating intelligence gathering should continue but recommend that further task force activity be suspended pending future target development etc., and that's signed by John Bartlett, 19/11/93. 22/11/93 Assistant Commissioner Watkins and that's his signature said I agree, intelligence probe to continue. So he agreed at that stage that we should develop further intelligence. I recall reading the file-

Q56. There's another one there.

A Sorry, my apologies.

Q57. That's 1 November.

A Just go back. Minute from again Bartlett to A/C Crime, 1/11/93, vide our discussions status report attached for information. Approval of recommended course of action please. Watkins signature minute to Bartlett 1/11/93 same date, states attention please. I'd have to refer back-

Q58. The one up here dated above that on the sheet, what was that one about. That's from Bartlett.

A Another minute from Bartlett to A/C Crime, 1/11/93 to request issue of search warrants, this is for offences in New South Wales for appropriate attention, sorry for approval please. ... exhibit material relating to SA offences and Operation Deny.

Q59. And that's approved by

A Well 1/11/93, where are we, we're going down aren't we, so, my apologies, his comment was attention please which signifies approval to go ahead.

Q60. So there's nothing on the file that we can see there where it indicates that Watkins at any time has interfered.

A Having read this file there's nothing. Robbie Leane's signature on a short PD129 dated 17/3/95 attention-

Q61. So Watkins is out of the frame by '94/'95.

A By March '95 according to this he's out of the frame and look, having read the file I see nothing in the file which indicates any interference in the investigation by Colin Watkins. I do recall that and the file reinforces it, the decision had to be made to terminate that side of the investigation, bearing in mind the Operation Deny was set up for a specific purpose. There were known targets. They'd skipped the targets because the time frame was fairly specific to arrest on the 10th of March, 10th September '93 and as I said, 7 days after the authorisation of the ops order, so it's fairly specific having achieved that goal, the file is quite clear and it proved by Watkins that yes we need to look at what intelligence came out of all that and to see where we need to go further and reading the file that there were other investigations initiated subsequently as a result of that intelligence probe. I do recall reading, I'm just trying to think where I recall reading it, where either Bartlett or Watkins stipulated the time frame of 3 weeks in which that probe, that intelligence probe was to be carried out.

Q62. So all this time while you've been involved in that investigation whilst Watkins was a member of SAPOL, did at any time, either directly or indirectly, did Watkins put any pressure on you to stop the enquiry.

A Had no pressure either way whether to do it more expediently, to find more offenders, or to bring it to a halt.

Q63. Is there anything else you'd like to say about the enquiry.

A No, except disappointing because my memory sort of faded with the passing of 10 years. I do know that John Bean was very critical of the aspects of the investigation. I have no, as much as I'd like to, but I'm not, levelling any criticism against John Bean. John was very dedicated, very committed and probably a leader in the field of child abuse investigations. The sad part about it, and he acknowledged subsequently, that he'd been left there too long to do that and carrying too much pressure himself individually. I do note on the file there that there is a report from John Bean, there we go. Look, if I can just refer to one document. I knew there was something on the file.

This is a, and I'll finish what I'm saying in a moment. There's a letter signed by Colin Watkins and it is his signature dated 27 October '93 where it's titled re discussion 26 October '93 in relation to Operation Deny setting up a special task force to investigate paedophiles. I won't read it all but what it says in effect that obviously there was some discussion between Watkins and Bartlett as far as setting up a special task force to investigate paedophiles. John Bean was pushed to have a dedicated task force. Evolution of time has proved this to be correct. What he says is, this is Watkins, he says I want Bean, Rann and Vicki Sherlock to report to you on the 28th October, the day after he signed it, and I'll quote, 'to collate analysis' which probably means analyse, 'and interpret information which has arisen out of Operation Deny suggesting that there is a large scale paedophile group operating both nationally and internationally, the components of which are located in South Australia'. And then he stipulates the 3 week time frame should be sufficient and he's even provided the direction to Barry Wright to provide relief to Elizabeth and Christies Beach for Bean and Rann to be seconded in to do this. So that came about, try and think, and there's a report on file from Bartlett dated 1 November '93 which would have been in response to that request of Watkins. It says Bean and Sherlock have reviewed most of the exhibit material currently held by the arrest teams with the four principal targets and comprehensive intelligence data is being compiled. Issued search warrants in New South Wales, and following activities is ones that Bartlett put up asking Watkins for his approval to undertake the following actions. For Sherlock to continue as a dedicated intelligence officer for the duration of the operation. Watkins' writing, approved. D. for Bean to maintain responsibility for coordination of the operation and to personally manage follow up enquiries in the northern suburbs regarding witnesses and further victims etc. Watkins' writing on the left, approved. C. presently attached to Elizabeth CIB Elizabeth pending the outcome of the operation. Approved. D. Bean be permitted to travel to Sydney and Canberra to liaise with local priests regarding in ACT and New South Wales to examine material ... held and to collect exhibits etc, and that was approved. So from what I can see there was nothing but support by Colin Watkins to continue to look at issues involved in paedophilia.

If I can just go back I do recall two reports on file. I'm just trying to capture them at the moment, where at one stage this is following the Operation Deny and there was a suggestion, I'm not too sure by whom, that we needed to do more and Bean's report I'll come across it in a moment says 'No, he doesn't believe there's any need for, for any further enquiries to be conducted. The offenders have been located and that's what it should be left at'.

Q64. This is Bean, himself.

A This is-

Q65. Bean ... Watkins

A This is Bean, himself. If I could just refer to, and this is a report addressed to A/C Crime through, through Bartlett, subject Operation Deny, assessment reforming task force, dated the 17/11/93, bearing in mind this is after Watkins has approved certain courses of action as recommended by Bartlett in his report of 1 November 93, so 17 days later Bean provides an overview of the people who have been arrested. I've referred to this report before. What he says is at 5.1 'It is my opinion there are no further suspects to be targeted in South Australia that directly connected this group. The members of this group have been arrested and are awaiting trial. I'm of the opinion that there is no justification for setting up a task force to further investigate this group at this time as I feel the group has been effectively dealt with'. He talks about 5.2, the intelligence continuing. 5.3, further victims may be located in relation to Hawkes and again at page 6, he says and I quote 'I again emphasise that I cannot find any justification in forming a task force to further investigate this group' and that's dated 17th/11-

Q66. So he signed it on the 17th and are there any other comment on that or it's just accepted.

A This, if I look at 17/11/93, which I'll just refer to the, to the forwarding minutes, his report is referred to Bartlett, 18/11/93 and Bartlett forwards that report, that's Bean's report, I've read this before, to A/C Crime 19/11/93, it says for information intelligence gathering should continue and this is Bartlett saying, 'But I recommend that further task force activity be suspended pending future target assessment'.

Q67. Alright.

A And that's what Watkins says on 22/11, I agree.

Q68. Okay. I think we've clarified the point that we've both, with Bean and with the other documentation that there doesn't appear to be any untoward action by ... Watkins in relation to this matter that's documented or to your knowledge at any time.

A No. Can I just, just finish one, one thing. Bean in '94, 27 October '94 this is as a result of court appearance and, and the fact that some of the cases have fallen short of evidence says that the contents and results and investigations documents shows that there was a need to form a permanent task force so he's not talking about just another task force to investigate these people but a permanent task force which ...-

Q69. ... base, etc.

A What we have today.

Q70. And that's what we've gone onto.

A That's what we've got into.

Q71. Alright. There being nothing further to say, we'll conclude this interview at 12.24 on the same date.

INTERVIEW CONCLUDED 12.14 P.M. ON WEDNESDAY, 12TH JUNE 2002

14/06/2002

Tape No 02/550

MS:hp